City of Norman, OK

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

Meeting Agenda

Tuesday, April 26, 2011

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Alan Atkins
Council Member Tom Kovach
Council Member Hal Ezzell
Council Member Carol Dillingham
Council Member Rachel Butler
Council Member Jim Griffith
Council Member Doug Cubberley
Council Member Dan Quinn

City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority Agenda

1 **Roll Call**

2 **Pledge of Allegiance**

3 **Awards and Presentations**

4 **TMP-138** PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS OF LAKEVIEW ELEMENTARY SCHOOL.

ACTION NEEDED: Allow the Mayor to present Citizenship Awards to students of Lakeview Elementary School.

ACTION TAKEN: _____

5 **R-1011-114** RESOLUTION NO. R 1011 114: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE CHILDREN'S RIGHTS COORDINATING COMMISSION, AWARDING THE 2011 CITY OF NORMAN CHILDREN'S RIGHTS AWARD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-114.

ACTION TAKEN: _____

Attachments: Children's Rights Award
Childrens Rights April 11 minutes

Consent Docket

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 6 through Item 58 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: _____

6 GID-1011-27 APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF MARCH 2, 2011
CITY COUNCIL CONFERENCE MINUTES OF MARCH 22, 2011
CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 23, 2011
JOINT CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT/TRANSPORTATION COMMITTEE MINUTES OF MARCH 24, 2011
CITY COUNCIL SISTER CITY RECEPTION/SIGNING CEREMONY FOR
AREZZO, ITALY, MINUTES OF APRIL 5, 2011
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF APRIL 8, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF APRIL 12, 2011
CITY COUNCIL MINUTES OF APRIL 12, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 12, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 12, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 12, 2011

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

ACTION TAKEN: _____

Attachments: March 2 Oversight Comm Minutes
March 22 Conference Minutes
March 23 Finance Committee Minutes
March 24 Jt PCDC Transp Minutes
April 5 Reception Minutes
April 8 PCDC Minutes.pdf
April 12 City Council minutes.pdf

7 **RPT-1011-40** SUBMISSION AND ACKNOWLEDGING RECEIPT OF FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Attachments: Finance Director's Report

8 **RPT-1011-39** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

9 **RPT-1011-36** CONSIDERATION OF THE NORMAN CONVENTION AND VISITORS BUREAU, INC., SEMI-ANNUAL REPORT ENDING DECEMBER 31, 2010.

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

ACTION TAKEN: _____

Attachments: Semi-Annual Report

10 **BID-1011-63** CONSIDERATION AND AWARDING OF BID NO. 1011-63 FOR COMPRESSED NATURAL GAS (CNG) QUICK FILL AND SLOW FILL EQUIPMENT AND RESOLUTION NO. R-1011-118 APPROPRIATING FUNDS.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 1, Part A; and, if accepted, award the bid in the amount of $196,800 to Arrow Engine Company as the lowest and best bidder meeting specifications and J-W Power Company as the alternate bidder

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 2, Part A; and, if accepted, award the bid in the amount of $201,832 to J-W Power Company as the lowest and best bidder meeting specifications and Tulsa Gas Technologies as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications for Section 3, Part A; and, if accepted, award the bid in the amount of $160,584 to Tulsa Gas Technologies as the lowest and best bidder meeting specifications.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 4, Part A; and, if accepted, award the bid in the amount of $23,876.21 to H.G. Flake as the lowest and best bidder meeting specifications and Greenfield Compression as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 1, Part B; and, if accepted, award the bid in the amount of $187,400 to Arrow Engine Company as the lowest and best bidder meeting specifications and J-W Power Company as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 2, Part B; and, if accepted, award the bid in the amount of $49,950 to Greenfield Compression as the lowest and best bidder meeting specifications and Tulsa Gas Technologies as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 3, Part B; and, if accepted, award the bid in the amount of $4,896 to Tulsa Gas Technologies as the lowest and best bidder meeting specifications and H.G. Flake as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications for Section 4, Part B; and, if accepted, award the bid in the amount of $19,020.36 to H.G. Flake as the lowest and best bidder meeting specifications.

ACTION TAKEN _____

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-118.

ACTION TAKEN _____

Attachments: Attachment A- Vendors-CNG Fueling Station (4-26-11)
Attachment B- Appropriation of Funds - CNG Slow Fill Station
Bid Tabulation CNG
R-1011-118

11 **K-1011-152** CONSIDERATION OF BID NO. 1011-66, CONTRACT NO. K-1011-152 WITH RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF 183,517.06; PERFORMANCE BOND NO. B-1011-89; STATUTORY BOND NO. B-1011-90; MAINTENANCE BOND NO. MB-1011-90; AND RESOLUTION NO. R-1011-100 FOR THE JEFFERSON-LONGFELLOW SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $183,517.06 to Rudy Construction Company as the lowest and best bidder meeting specifications; approve Contract No. K-1011-152 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; and adopt Resolution No. R-1011-100.

ACTION TAKEN: _____

Attachments: K-1011-152, Bid Tabulation
Location Map-K-1011-152 and BID 1011-66 (SRTS)-
K-1011=152 & Bonds
Resolution (K-1011-152 and BID 1011-66
PR Rudy Construction

12 **E-1011-63** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-63 (ROADWAY, DRAINAGE, AND UTILITY) FROM CYNTHIA L. CALDWELL IN THE AMOUNT OF $5,025 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-63; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-63
Porter Easement Site Map

13 **E-1011-64** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-64 (CONSTRUCTION) FROM CYNTHIA L. CALDWELL IN THE AMOUNT OF $375 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E--1011-64; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-64
Porter Easement Site Map

14 **E-1011-65** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-65 (DRIVEWAY) DONATED BY CYNTHIA L. CALDWELL FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-65; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-65
Porter Easement Site Map

15 **E-1011-66** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-66 (ROADWAY, DRAINAGE, AND UTILITY) FROM CHRISTOPHER R. KENNEDY IN THE AMOUNT OF $9,200 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-66; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-66
Porter Easement Site Map

16 **E-1011-67** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-67 (DRIVEWAY) FROM CHRISTOPHER R. KENNEDY IN THE AMOUNT OF $700 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-67; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-67
Porter Easement Site Map

17 **E-1011-68** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-68 (ROADWAY, DRAINAGE, AND UTILITY) FROM TOM SHI CONNALLY AND JENNIFER CONNALLY IN THE AMOUNT OF $10,100 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-68; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-68
Porter Easement Site Map

18 **E-1011-69** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-69 (DRIVEWAY) DONATED BY TOM SHI CONNALLY AND JENNIFER CONNALLY FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-69; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-69
Porter Easement Site Map

19 **E-1011-70** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-70 (ROADWAY, DRAINAGE, AND UTILITY) FROM HIGHLAND HILLS, L.L.C., IN THE AMOUNT OF $650 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-70; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-70
Porter Easement Site Map

20 **E-1011-71** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-71 (ROADWAY, DRAINAGE, AND UTILITY) FROM BARRY D. BOLTON AND SHERI K. FEILER-BOLTON IN THE AMOUNT OF $71,000 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-71; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-71
Porter Easement Site Map

21 **E-1011-72** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-72 (DRIVEWAY) DONATED BY BARRY D. BOLTON AND SHERI K. FEILER-BOLTON FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-72; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-72
Porter Easement Site Map

22 **E-1011-73** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-73 (ROADWAY, DRAINAGE, AND UTILITY) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $11,525 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-73; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-73
Porter Easement Site Map

23 **E-1011-74** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-74 (DRAINAGE) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $225 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-74; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-74
Porter Easement Site Map

24 **E-1011-75** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-75 (CONSTRUCTION) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $500 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-75; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-75
Porter Easement Site Map

25 **E-1011-76** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-76 (DRIVEWAY) DONATED BY THE UNITED PENTECOSTAL CHURCH OF NORMAN FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-76; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-76
Porter Easement Site Map

26 **E-1011-77** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-77 (ROADWAY, DRAINAGE, AND UTILITY) FROM STEVEN M. SIMS IN THE AMOUNT OF $13,450 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD)

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-77; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-77
Porter Easement Site Map

27 **E-1011-78** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-78 (CONSTRUCTION) FROM STEVEN M. SIMS IN THE AMOUNT OF $750 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-78; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-78
Porter Easement Site Map

28 **E-1011-79** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-79 (DRIVEWAY) DONATED BY STEVEN M. SIMS FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-79; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-79
Porter Easement Site Map

29 **E-1011-80** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-80 (ROADWAY, DRAINAGE, AND UTILITY) FROM JIMMY PAUL AND CLARA NEVADA MOSES N THE AMOUNT OF $38,511 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-80; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-80
Porter Easement Site Map

30 **E-1011-81** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-81 (CONSTRUCTION) FROM GREG A. AND L. MARIA GREENFIELD IN THE AMOUNT OF $525 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-81; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-81
Porter Easement Site Map

31 **E-1011-82**

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-82 (CONSTRUCTION) FROM COMMANDER PARTNERS, LTD., IN THE AMOUNT OF $725 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-82; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-82
Porter Easement Site Map

32 **E-1011-83**

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-83 (DRIVEWAY) DONATED BY COMMANDER PARTNERS, LTD., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD)

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-83; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-83
Porter Easement Site Map

33 **E-1011-84** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-84 (ROADWAY, DRAINAGE, AND UTILITY) FROM MILLWHEEL INVESTMENTS, L.L.C., IN THE AMOUNT OF $1,758 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-84; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-84
Porter Easement Site Map

34 **E-1011-85** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-85 (CONSTRUCTION) FROM MILLWHEEL INVESTMENTS, L.L.C., IN THE AMOUNT OF $442 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-85; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-85
Porter Easement Site Map

35 E-1011-86

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-86 (ROADWAY, DRAINAGE, AND UTILITY) FROM CALVARY FREE WILL BAPTIST CHURCH IN THE AMOUNT OF $5,750 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-86; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-86
Porter Easement Site Map

36 E-1011-87

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-87 (CONSTRUCTION) FROM CALVARY FREE WILL BAPTIST CHURCH IN THE AMOUNT OF $825 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-87; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-87
Porter Easement Site Map

37 E-1011-88

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-88 (DRIVEWAY) DONATED BY CALVARY FREE WILL BAPTIST CHURCH FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-88; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-88
Porter Easement Site Map

38 E-1011-89

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-89 (CONSTRUCTION) DONATED BY THE SUE JEAN SHRIER MATHENY LIVING TRUST FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-89; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-89
Porter Easement Site Map

39 **E-1011-90**

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-90 (ROADWAY, DRAINAGE, AND UTILITY) FROM NORTHGATE BAPTIST CHURCH F/K/A BIBLE BAPTIST CONGREGATION IN THE AMOUNT OF $9,700 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-90; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-90
Porter Easement Site Map

40 **E-1011-91**

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-91 (CONSTRUCTION) FROM NORTHGATE BAPTIST CHURCH F/K/A BIBLE BAPTIST CONGREGATION IN THE AMOUNT OF $725 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-91; and, if accepted, direct the filing thereof with the County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-91
Porter Easement Site Map

41 **E-1011-92** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-92 (CONSTRUCTION) FROM IDEAL LAND FUND 2, L.L.C., IN THE AMOUNT OF $2,750 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-92; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-92
Porter Easement Site Map

42 **E-1011-93** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-93 (CONSTRUCTION) FROM OLETA I. THOMAS IN THE AMOUNT OF $1,550 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-93; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-93
Porter Easement Site Map

43 **E-1011-94** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-94 (ROADWAY, DRAINAGE, AND UTILITY) FROM MEYER OPERATING COMPANY, L.P., IN THE AMOUNT OF $1,105 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-94; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
Perm E-1011-94
Porter Easement Site Map

44 **E-1011-95** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-95 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-95; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-95
Porter Easement Site Map

45 **E-1011-96** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-96 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-96; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-96
Porter Easement Site Map

46 **E-1011-97** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-97 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-97; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-97
Porter Easement Site Map

47 **E-1011-98**

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-98 (DRIVEWAY) DONATED BY WOODS PROPERTY MANAGEMENT, L.L.C., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-98; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-98
Porter Easement Site Map

48 **E-1011-99**

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-99 (DRIVEWAY) DONATED BY DAVID E. AND BRENDA J. YEAKLEY FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-99; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
Temp E-1011-99
Porter Easement Site Map

49 **E-1011-100** CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-100 (CONSTRUCTION) FROM RICHARD D. GRAVLIN D/B/A GRAVCO, INC.; DANIEL J. FIORONI; AND H & L ENTERPRISES IN THE AMOUNT OF $675 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-100; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Attachments: Table of Easements
E-1011-100
Porter Easement Site Map

50 **E-1011-101** CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-101 (DRAINAGE) DONATED BY HIGHLAND HILLS, L.L.C., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-101; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Table of Easements
E-1011-101
Porter Easement Site Map

51 **GID-1011-29** DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AT THE WASTEWATER TREATMENT PLANT AND AUTHORIZING THE SALE AND/OR DISPOSITION THEREOF.

ACTION NEEDED: Motion to declare the equipment to be surplus and/or obsolete; and, if so declared, authorize the disposition and/or sale thereof.

ACTION TAKEN: _____

Attachments: Surplus Equipment List

52 GID-1011-70 CONSIDERATION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS (CLG) PROGRAM 2010 APPLICATION FOR FUNDING IN THE AMOUNT OF $12,200 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

ACTION NEEDED: Motion to approve or reject the proposed Certified Local Governments 2011 Application for Funding in the amount of $12,200; and, if approved, direct the submission thereof to the Oklahoma State Historic Preservation Office and authorize the Mayor to sign additional supporting documentation related to the CLG Grant.

ACTION TAKEN: _____

Attachments: FY 11 CLG application not signed
Assurances
CVB Letter of Support - CLG
Chamber letter of support - CLG

53 LL-1011-15 LIMITED LICENSE NO. LL-1011-15: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD APRIL 29 THROUGH MAY 1, 2011.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1011-15 to place four (4) signs within the public rights-of way pursuant to a request from Friends of the Norman Library; and if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Attachments: Letter of Request Friends of Library
Friends of Library Application
Location Map Friends of Library
Library Better Book Sale

54 **K-1011-60 Final**

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-60 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC., FOR THE FLEET/LINE MAINTENANCE ROOF REPLACEMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $358,852 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

Attachments: Fleet-Line Maint -A Before and After.pdf
Fleet-Line Maint -B Before and After.pdf
Fleet-Line Maint -C Before.pdf
Invoice on Fleet-Line Maintenance.pdf
PO K-1011-60

55 **K-1011-76 Final**

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-76 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC., FOR FIRE STATION NO. TWO, POLICE AUXILIARY FACILITY AND ANIMAL CONTROL ROOF REPLACEMENT PROJECTS.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $314,086 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

Attachments: Fire Station 2 Before and After.pdf
Fire Station 2 Before and After.pdf
Invoice for Fire Station 2.pdf
Police Auxiliary Before and After.pdf
Police Auxiliary Gutter Before and After.pdf
Invoice for Police Auxiliary.pdf
Animal Control Roof A Before and After.pdf
Animal Control Roof B Before and After.pdf
Invoice for Animal Welfare.pdf
PO K-1011-76

56 K-1011-166 CONTRACT NO. K-1011-166: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND LASHAR HOME COMFORT SYSTEMS, L.L.C., IN THE AMOUNT OF $45,597 FOR THE WASTEWATER TREATMENT PLANT HEATING UNITS REPLACEMENT PROJECT AND BUDGET TRANSFER.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1011-166 with Lashar Home Comfort Systems, L.L.C., in the amount of $45,597; and, if approved, authorize the execution thereof and transfer $5,597 from Project No. WW0046, Headworks Screw Conveyer, Construction (032-9911-432.61-01) to Project No. WW0061, Wastewater Treatment Centrifuge Room Heaters, Construction (032-9677-432.61-01).

ACTION TAKEN: _____

Attachments: Quotation Summary
Proposal
K-1011-166

57 GID-1011-30

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE SETTLEMENTS OF THE CITY OF NORMAN VS. JOHN TERRY AND FRATERNAL ORDER OF POLICE (FOP) LODGE NO. 122, SUPREME COURT CASE NO. SD-107788 AND CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-1051; NGUYEN VS. JOHN TERRY AND CITY OF NORMAN, FEDERAL COURT CASE NO. CIV-10-196-R; AND JOHN TERRY VS. CITY OF NORMAN, ET. AL., FEDERAL COURT CASE NO. CIV-10-01042-D.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlements

ACTION TAKEN: _____

58 R-1011-110 RESOLUTION NO. R-1011-110: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $457,692 FROM THE GENERAL FUND BALANCE FOR PAYMENT OF ON-THE-JOB INJURY (OJI) MEDICAL BILLS; AND ORDERS/SETTLEMENTS IN THE WORKERS' COMPENSATION ACCOUNT AND OTHER RELATED WORKERS' COMPENSATION FEE ACCOUNTS.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-110.

ACTION TAKEN: _____

Attachments: Attachment A.PDF
Attachment B.PDF
WC Final by Division.PDF
R-1011-110

Non-Consent Items

59 PP-1011-15 CONSIDERATION OF A PRELIMINARY PLAT FOR MOOSE LODGE CHAPTER 1799 AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Moose Lodge Chaper 1799 and waiver of alley requirements for the commercial property.

ACTION TAKEN: _____

Attachments: Traffic Impact Chart - PP-1011-15, Moose Lodge Chapter 1799 Addition
Location map Moose Lodge
Staff Report Moose Lodge
Moose Lodge Prelim Plat
Moose Lodge Prelim Site Plan
Moose Lodge Alley Waiver
Moose Lodge Pre-D 1-11
Moose Lodge GES
PP-1011-15 Minutes

60 **PP-1011-16** CONSIDERATION OF A PRELIMINARY PLAT FOR TECUMSEH MEADOWS ADDITION, SECTION 3.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Tecumseh Meadows Addition, Section 3.

ACTION TAKEN: _____

Attachments: Traffic Impact Chart Tecumseh Meadows
Location map
Staff Report Tecumseh Meadows
Tecumseh Meadows Prelim Plat
Tecumseh Meadows Traffic
Predevelopment Summary
Tecumseh Greenebelt
PP-1011-16 Minutes

61 R-1011-89

RESOLUTION NO. R-1011-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-8**, SO AS TO PLACE A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9, NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA DESIGNATION AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-89, Land Use Plan Amendment No. LUP-1011-8; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: R-1011-89 Bridgeview
Bridgeview 2025 Map
Staff Report Bridgeview LUP
Bridgeview Minutes

62 O-1011-47 ORDINANCE NO. O-1011-47: 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 A TRACT OF LAND LYING WITHIN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, AND TO GRANT SPECIAL USE FOR A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-47 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-47 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1011-47 Bridgeview
Exhibit A to O-1011-47
Location Map Bridgeview
Staff Report Bridgeview
Bridgeview Site Plan
Bridgeview Pre-D
Bridgeview Minutes

63 **PP-1011-14** CONSIDERATION OF A PRELIMINARY PLAT FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Bridgeview United Methodist Church Addition.

ACTION TAKEN: _____

Attachments: Traffic Impact Chart, PP-1011-14, Bridgeview United Methodist Church
Share of Intersection Improvement Costs, PP-1011-14, Bridgeview United
Bridgeview Location map
Staff Report Bridgeview Prelim
Bridgeview Prelim Plat
Bridgeview Site Plan
Bridgeview Traffic
Bridgeview Pre-D
Bridgeview Minutes

64 O-1011-46 ORDINANCE NO. O-1011-46: 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 THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-46 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-46 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1011-46
Exhibit A O-1011-46
Location map Rock Creek
Staff Report Rock Creek
Preliminary Plat Rock Creek
Tanglewoods PUD Narrative
Tanglewoods Protest Map-Letter
Tanglewoods Minutes

65 **PP-1011-13** CONSIDERATION OF A PRELIMINARY PLAT FOR TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT.

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

ACTION TAKEN: _____

Attachments: Traffic Impact Chart, PP-1011-13, Tanglewood Addition
Tanglewoods Location map
Tanglewoods Staff Report
Tanglewoods Prelim Plat
Tanglewoods Site Plan
Tanglewoods Traffic
Rock Creek Land Pre-D 1-11
Rock Creek Land Pre-D 11-09
Tanglewoods GES
Tanglewoods Minutes

66 **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.

67 **Adjournment**

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 3

Text File Number: TMP-138

Introduced: 4/13/2011 by Carol Coles, Administrative Assistant

Current Status: Consent Item

Version: 1

Matter Type: Award

Title

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

ACTION NEEDED: Allow the Mayor to present Citizenship Awards to students of Lakeview Elementary School.

ACTION TAKEN: _____

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 4

Text File Number: R-1011-114

Introduced: 4/12/2011 by Carol Coles, Administrative Assistant

Current Status: Consent Item

Version: 1

Matter Type: Resolution

Title

RESOLUTION NO. R-1011-114: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE CHILDREN'S RIGHTS OORDINATING COMMISSION, AWARDING THE 2011 CITY OF NORMAN CHILDREN'S RIGHTS AWARD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-114.

ACTION TAKEN: _____

Body

BACKGROUND: The Norman Children's Rights Coordinating Commission has established an annual award based on exceptional achievement in service to children. Attributes taken into consideration include successes, results and impact of achievements, inspiration or motivation and innovations undertaken.

DISCUSSION: On April 11, 2011 the Children's Rights Coordinating Commission voted unanimously to award the Outstanding Service to Children award to Fran Roberson. A copy of the minutes of the Children's Rights Coordinating Commission of April 11, 2011, is attached.

RECOMMENDATION: The Norman Children's Rights Coordinating Commission recommends awarding the Outstanding Service to Children award to Fran Roberson.

Resolution

R-1011-114

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE CHILDREN'S RIGHT COORDINATING COMMISSION, AWARDING THE 2011 CITY OF NORMAN CHILDREN'S RIGHTS AWARD.

§ 1. WHEREAS, the purpose of the Norman Children's Rights Coordinating Commission is to educate the community regarding children's needs as they are relevant to the areas of child welfare, child care, and the sexual exploitation of children and to serve as a liaison between the City Council and existing juvenile agencies, organizations, and services; and

§ 2. WHEREAS, the Children's Rights Coordinating Commission has established an annual award based on exceptional achievement in service to children by taking into consideration attributes that include successes; the results and impact of achievements; inspiration or motivation; and innovations undertaken; and

§ 3. WHEREAS, the recipient of this year's award has improved the lives of children in this community for 26 years and has served as Director of the Parents' Assistance Program at Center for Children and Families (CCFI) for 16 years and as its Clinical Director since 2001; and

§ 4. WHEREAS, she was instrumental in envisioning and forming the collaborative effort that resulted in the creation of the Mary Abbott House and the Child Abuse Response Team and has helped to create an agency environment with the belief that children and families deserve to be safe, respected, and offered opportunities to grow.

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

§ 5. That the City of Norman, Oklahoma, in conjunction with the Children's Rights Coordinating Commission, does hereby award the 2011 City of Norman Children's Rights Outstanding Service to Children Award to Ms. Fran Roberson.

PASSED AND ADOPTED THIS 26th day of April, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

CHILDREN'S RIGHTS COORDINATING COMMISSION MINUTES

April 11, 2011

The Children's Rights Coordinating Commission met at the City of Norman City Hall on the 11th day of April 2011, at 4:00 p.m. and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Georgia Berry, Diana Blackmon, Emily Furney, Robin Stafford and Chris Tweedy
ABSENT:	Commissioners Tiffany Couch, Jolene Ring, Pat Valley and Dale Wares
OTHERS PRESENT:	Carol Coles

* * * * *

Item 2, being:
APPROVAL OF THE AGENDA OF THE APRIL 11, 2011, MEETING.

Commissioner Blackmon moved that the agenda of the April 11, 2011, meeting of the Children's Rights Coordinating Commission be approved, which motion was duly seconded by Commissioner Berry; and the question being upon approving the April 11, 2011, agenda of the Children's Rights Coordinating Commission, a vote was taken with the following result:

YEAS:	Commissioners Berry, Blackmon, Furney, Stafford and Tweedy
NAYES:	None

The Chair declared the motion carried; and the agenda of the April 11, 2011, meeting of the Children's Rights Coordinating Commission was approved.

* * * * *

Item 3, being:
APPROVAL OF THE MINUTES OF THE MARCH 7, 2011, MEETING OF THE CHILDREN'S RIGHTS COORDINATING COMMISSION.

Commissioner Stafford moved that the minutes of the March 7, 2011, meeting of the Children's Rights Coordinating Commission be approved, which motion was duly seconded by

Commissioner Tweedy; and the question being upon approving the minutes of the March 7, 2011, meeting of the Children's Rights Coordinating Commission, a vote was taken with the following result:

YEAS: Commissioners Berry, Blackmon, Furney, Stafford and Tweedy

NAYES: None

The Chair declared the motion carried; and the minutes of the March 7, 2011, meeting of the Children's Rights Coordinating Commission was approved.

Items submitted for the record:

1. March 7, 2011, minutes of the Children's Rights Coordinating Commission

* * * * *

Item 4 being:
DISCUSSION OF CHILDREN'S RIGHTS AWARD FOR OUTSTANDING SERVICE TO CHILDREN.

Commissioner Stafford moved that the Children's Rights Award for Outstanding Service to Children be presented to Fran Roberson, which motion was duly seconded by Commissioner Tweedy; and the question being upon approving presenting the Children's Rights Award for Outstanding Service to Children to Fran Roberson, a vote was taken with the following result:

YEAS: Commissioners Berry, Blackmon, Furney, Stafford and Tweedy

NAYES: None

The Chair declared the motion carried; and the Children's Rights Award for Outstanding Service to Children will be presented to Fran Roberson at the April 26th City Council meeting.

* * * * *

Item 5 being:
YOUTH COUNCIL DISCUSSION.

Commissioner Blackmon moved that the 12 new applicants and the 10 current applicants for

Youth Council be approved, which motion was duly seconded by Commissioner Berry; and the question being upon approving the 22 applicants for membership in Youth Council, a vote was taken with the following result:

YEAS:	Commissioners Berry, Blackmon, Furney, Stafford and Tweedy
NAYES:	None

The Chair declared the motion carried; and the 22 applicants for Youth Council were approved.

* * * * *

Item 6 being:
MISCELLANEOUS DISCUSSION.

No discussion

* * * * *

Item 7 being:
ADJOURNMENT.

Commissioner Blackmon moved that the April 11, 2011, meeting of the Children's Rights Coordinating Commission be adjourned, which motion was duly seconded by Commissioner Berry; and the question being upon adjourning the April 11, 2011, meeting of the Children's Rights Coordinating Commission, a vote was taken with the following result:

YEAS:	Commissioners Berry, Blackmon, Furney, Stafford and Tweedy
NAYES:	None

The Chair declared the motion carried; and the April 11, 2011, Children's Rights Coordinating Commission meeting was adjourned at 4:35 p.m.

* * * * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 6

Text File Number: GID-1011-27

Introduced: 4/7/2011 by Brenda Hall, City Clerk

Current Status: Consent Item

Version: 1

Matter Type: Minutes

Title

APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF MARCH 2, 2011
CITY COUNCIL CONFERENCE MINUTES OF MARCH 22, 2011
CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 23, 2011
JOINT CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT/TRANSPORTATION COMMITTEE MINUTES OF MARCH 24, 2011
CITY COUNCIL SISTER CITY RECEPTION/SIGNING CEREMONY FOR AREZZO, ITALY, MINUTES OF APRIL 5, 2011
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF APRIL 8, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF APRIL 12, 2011
CITY COUNCIL MINUTES OF APRIL 12, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 12, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 12, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 12, 2011

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

ACTION TAKEN: _____

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

March 2, 2011

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Multi-Purpose Room of the Municipal Building on the 2nd day of March, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Cubberley, Griffith, Kovach, and Chairman Dillingham
ABSENT:	None
OTHERS PRESENT:	Ms. Brenda Hall, City Clerk Ms. Syndi Runyon, Administrative Assistant IV

DISCUSSION REGARDING POSSIBLE REVISIONS TO THE FESTIVAL/SPECIAL EVENTS ORDINANCE. (ALSO KNOWN AS THE MASS GATHERING ORDINANCE)

Chairman Dillingham said the Festival/Special Events ordinance has been in effect since February 2009, and applies to public events that last longer than two hours with attendance of more than 1,000 people expected. She said the Norman Music Festival is such an event that includes a street closure, which has garnered a few complaints. The Committee would like the public's input on their perceived problems and/or suggestions regarding the ordinance. She said there has been some consternation over acquiring signatures for the street closure petition process that may require legal research on the City's limits of police power in terms of solving some of the issues. She said tonight's meeting is an informational gathering session regarding the ordinance, not a specific event, and City Clerk and Legal Staff will document tonight's complaints and/or suggestions for the Committee's review in June. She said if the Committee amends the ordinance, a public meeting will be held prior to any action taking place by Council.

Mr. Robert Ruiz, Norman Music Festival, felt the ordinance and permit process was fair and solid. He said the City provides a list of all properties requiring the property owner's signatures for a street closure. He said the only problem he needs clarification on is the requirement of obtaining signatures for vacant properties. He said there has always been an overwhelming majority of property owners approving the street closure for the Music Festival.

Mr. Kurt Pfenning, Attorney at Law, said the ordinance does not contain a provision for the Municipality to provide a list of appropriate property owners to sign the street closing petition, but the City of Norman does it anyway and he wants to know why. He said there is no statutory basis for that and felt it is the responsibility of the event organizer to give notice to affected parties surrounding the event. He said the ordinance reads, "affected properties" and he would like the ordinance to make the distinction between "affected" and "effected." He believes the ordinance violates laws regarding use of private property for public use. He said there is no neighborhood association for downtown Norman and treating a Merchants Association as if it has the authority of a Neighborhood Association is inappropriate. He suggested the City of Norman get their list straight as some property owners listed in the 100 block of East Main Street are no longer in business or are deceased. He said the petition system has been repeatedly abused and is reaching a level in the signature collection where it would give the appearance of collusive fraud on the part of the organization and the permit granted.

Mr. Pfenning said the ordinance requires an emergency fire lane for street closures, but feels that is not enforced for all events. He said according to the ordinance, violation of the code restricts reapplication for two years and also states if fire access, egress, or exits are blocked as part of the event, the permit will be denied for two years.

Chairman Dillingham asked property owners to please report specific ordinance violations to the City Clerk when they occur.

Mr. Pfenning said safety is another issue as his building is very old and there is a chance of bricks or part of the building façade falling off onto people below. He said a rash of lawsuits would bankrupt the City. He said other problems include no follow-up on clean-up, vandalism, theft, public urination, graffiti, etc.

Mr. Rainey Powell, 1926 Pin Oak Circle, said the ordinance works well for Campus Corner events, but there are a couple of issues. He said the Campus Corner Association is not able to control what types of vendors can sell on the street or what product they sell as that is decided by individual merchants. He said the Association would like the authority to determine who and what is allowed to be sold in the street. He said the Association does not have the authority to remove or move a vehicle parked in a metered space during an event and would like to have that capability as well.

Ms. Brande Kauffman, who maintains a law office in the 100 block of East Main Street, said problems she has encountered at her business are trash, public urination, graffiti, and drug use, but her biggest concern is public safety. She said 37,000 people in a three-block area are dangerous and there is no police within ten blocks at any direction. She said there is also no control over businesses selling food or beer on the sidewalks. She suggested a centralized, well lit, marked security station with police visible on each block be required. She said the City has an ordinance prohibiting the sale of alcohol in public parks and would like that requirement to pertain to street closures as well. She said any security personnel should be well trained and identification scanners be used for beer sales with violators being heavily fined. She said Norman is a family oriented community and if the City wants to be "family friendly," fewer street closures should be granted and large events should be held in parks with appropriate parking.

Mr. Steve Boaz, Breathing Rhythm Studio, said he rents property on Main Street and appreciates the safety concerns brought up tonight. He said Tulsa has a D Fest, which is similar to the Music Festival, but does not seem to have the problems he has heard tonight. He said Norman is not the first town to have festivals and feels there are solutions to these problems. He suggested having visible security personnel wearing black shirts with "SECURITY" written across the upper back of the shirts. He said having well marked security that is highly visible would help decrease drug use, urinating in public, graffiti, etc.

Ms. Aimee Rook, Norman Groovefest, questioned how organizers determine attendance and how that affects vendor fees being paid up front. She said the solicitor/peddler permit fee of $150 prevents vendors from taking part in events and asked how that fee was originally determined. She said she thought the fee was originated for tax purposes if a vendor did not report sales tax, but is now convinced it is to deter competition and suggested lowering the fee. She said she did appreciate the ordinance requiring insurance, but questioned if the amount required was enough to cover some accidents. She said she had heard larger events attract vendors from out of state because local vendors cannot accommodate crowds of 1,000 or more and she was concerned about that.

Ms. Christian Pitt, Norman Arts Council, said she likes the ordinance as festivals bring in more business and allows out of state artists to perform and allow audiences to participate in the fun.

Ms. Rebecca Bean, Stash, said "The Arts" create business and asked everyone to support that. She said she would be happy to volunteer for clean-up after the festival.

Ms. Debra Clark, Sandalwood and Sage, said the Music Festival raised her annual revenue by 4.8%. She said safety is a concern and urinating in public could be curtailed by more security. She said for every $100 spent, $68 goes back into the community.

Mr. Mark Campbell, Member of the Norman Arts Council, suggested promoting local businesses by presenting slideshows on the various stages during breaks in venues.

Mr. Quentin Bumgarden, Norman Music Festival, urged everyone to be conservative and keep a pro business stance. He said the Music Festival brought in $2.5 million in 2009 and $3.4 million in 2010.

Ms. Kara Joy McKee, Norman Music Festival Chair, said festivals are a great opportunity to learn and grow as a community. She said, at the first Music Festival, she and volunteers were picking up trash at 2:00 a.m. and now hires professional staff for the job. She said it is unfortunate that some people are combining issues they have had in the past with the present. She said organizers are willing to work with businesses to increase security using volunteers. She said more than 80% of trash generated at the festival is recyclable and the Norman Arts Council will be supplying more recycling bins for this year's festival. She said she disagreed that all events should be held in parks because there is nothing that makes communities feel more ownership and pride than having the festival on downtown Main Street.

Mr. Ray McGaskey, Norman Convention and Visitors Bureau, suggested clarifying the process for a street closure in the ordinance as well as explaining its purpose. He said many issues heard tonight could be addressed differently such as through zoning requirements or through the Fire and Police Departments for public safety issues.

Mr. Jonathan Fowler, Norman Music Festival, said organizers are required, by the ordinance, to work with the Police and Fire Departments regarding security and safety issues. He said organizers strive to improve the event each year. He said security is increased each year with a large, visible, well marked security and first aid station onsite.

Mr. Ryan Robertson, Manager of Blu 201, said he also manages Coach's Brewhouse, The Library Bar and Grill, and Blackbird Gastropub. He said he enjoys his business' participation in special events as well as the community's involvement. He said, if not directly involved in an event, his business donates beer for fundraising purposes for Jazz in June, Downtown Art Walk, Norman Arts Council, etc. He said special events bring energy to Norman that help businesses grow and flourish. He said Coach's Brewhouse was not in a healthy financial position before the first Music Festival and without that event he feels the business would have closed leaving another empty store front on Main Street. He said concerns brought forward tonight can be easily remedied. He feels alcohol is being sold responsibly, but to alleviate concerns, suggested Norman follow State Fair of Oklahoma rules, which consists of posting a bond and if cited for selling to minors, the bond goes to the State. He said some businesses may not want to do that, but he felt comfortable with that as he believes his employees are responsible when selling alcohol.

Ms. Bonnie Amspacher, The Diner, said she has watched the downtown area come alive in the last couple of years and credits that to the Music Festival. She said she has never had any problems with trash not being cleared away after the event.

Mr. Joe Hopper, Norman Arts Council President, asked the Committee not to lose sight of the economic impact of special events. He said many business leaders invest sponsorship dollars for events.

Mr. Robert Ruiz, Norman Arts Council, said someone stated the Council charges a fee to businesses to sell items on the street or sidewalk and that is not true. He said businesses are encouraged to sell items in front of their property. He said no outside commercial vendors are allowed to sell beer, water, or other beverages because there is no way to monitor that they are selling responsibly or following health regulations. He said the Council appointed a Concession Committee with members consisting of local business owners that have experience with food and alcohol sales to organize and educate vendors wanting to sell those products. He said free water is available at the first aid station. He said the Council has continued to increase personnel for trash clean-up and security and always spray down sidewalks, streets, and alleys. He also said a site plan with a designated fire lane is always submitted to the Police and Fire Departments as part of the application process. He suggested the permit application process require contact information be given to affected businesses so they can report any problems, concerns, or damages to the Council.

Ms. Marion Nunez, Opolis, said she loves special events and, as a business owner, she realizes participating businesses have responsibilities for clean up and security as well as the event organizers.

Chairman Dillingham wondered if there is an industry standard for security, trash, porta potties, etc. and said if anyone knew of any standards, please contact City Staff.

Mr. David Kittredge, The Idea Collective, felt the Music Festival is a very organized event and encouraged its continuance. He said businesses should be able to find a creative way to work together.

Mr. Rhett Jones, Don Armstrong C.P.A., said he approved the street closure and lives on Main Street as well as works there. He said businesses are affected by trash and security during other events such as Second Friday Arts Walk and are not specific problems tied to a single event.

Mr. Rick Fry, Norman Arts Council, acknowledged Brenda Hall, City Clerk, for her help with the event application process.

Ms. Megan Hensley, Abner's Ale House General Manager, said Abner's promotes a St. Patrick's Day event on Main Street and she would like the signature petition list to be updated as many businesses on the list were no longer valid making it hard to track them down.

Chairman Dillingham thanked everyone for their time and encouraged them to contact the City Clerks' Office if they have any other concerns or suggestion prior to the June review of the ordinance.

Items submitted for the record

1. Special Events Ordinance
2. City Council Oversight Committee minutes of December 3, 2008; December 17, 2008; January 7, 2009; and January 21, 2009
3. Flyer announcement of City Council Oversight Committee public meeting
4. Norman Music Festival 2009-2010 Event Summaries with 2011 forecast
5. Meeting Sign In Sheet

MISCELLANEOUS DISCUSSION.

None

The meeting adjourned at 7:05 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL CONFERENCE MINUTES

March 22, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 22nd day of March, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	Councilmember Ezzell

DISCUSSION REGARDING COMPRESSED NATURAL GAS (CNG) FUELING FACILITY PROJECT.

Mr. Shawn O'Leary, Director of Public Works, said today's presentation will update the City's Alternative Fuel Program (AFP); describe the Project Team; provide background information on Compressed Natural Gas (CNG); project cost estimates and grant allocations; project schedule(s); fuel saving projections; CNG project design and site plan; public access to fuel facility; any remaining challenges; and CNG project benefits. He introduced Mr. John Bolte, Small Arrow Engineers, located in Joplin, Missouri, to Council and said they specialize in CNG fueling design and facilities.

Mr. Mike White, Fleet Superintendent, said the City's AFP was adopted February 24, 2009, and highlights of the City's AFP include implementing alternative fuel technology; monitoring new technological advances to suit needs; developing a CNG Station; and purchasing vehicles based on operational issues, fiscal concerns, and environmental stewardship; and increasing CNG Fleet Vehicles. He said before the 2009 Policy the City Fleet included 65 electric, two (2) hybrid, seven (7) CNG, 29 flex fuel, 258 unleaded, and 311 diesel for a total of 672 vehicles. The City's current Fleet has 159 non-fuel vehicles to include 65 electric, two (2) hybrid, 29 CNG, 70 flex fuel, 212 unleaded, and 309 diesel/biodiesel for a total of 684 vehicles.

Mr. Bolte said he is the Project Manager in charge of the American Recovery and Reinvestment Act (ARRA)/Association of Central Oklahoma Governments (ACOG) Grant Administration. He said Mr. Otto Boothe, P.E. with Sunor, Inc., is responsible for the electrical engineering and design; Lemke Land Surveying is performing the survey work; and EST, Inc., will provide both geotechnical investigation and materials testing.

Mr. Bolte provided slides reflecting the Natural Gas Shale Basins in the United States and Natural Gas Pipeline Grid for the lower 48 States. He said new technologies have evolved with the extraction of shale gas and oil that were not attainable in the past.

Mr. Bolte highlighted terms and definitions for CNG to include:

- Gasoline Gallon Equipment (GGE) Approximately 125 CF of Natural Gas – 124,800 British Thermal Units (BTU)
- Diesel Gallon Equivalent (DGE) Approximately 148 CF of Natural Gas – 148,000 BTUs
- British Thermal Unit (BTU)
- Dekatherm: 1,000,000 BTUs
- Cubic Fee per Minute (CFM)
- Standard Cubic Feet per Minute (SCFM)
- Pounds per Square inch (Gauge)

Mr. Bolte highlighted the different types of CNG Systems:

Quick Fill/Fast Fill/ Rapid Fill: a vehicle connects to a quick fill dispenser and refuels similar to a vehicle at a typical gas station. CNG is typically produced by larger compressors and stored in storage cylinders or spheres, before being metered and dispensed into a vehicle. The refuel time is three to eight minutes; suction pressure is 5-150 psig; and produces 50-160 GGE per hour.

Slow Fill/Time Fill: a vehicle connects to a slow fill dispenser and refuels over a length of time. CNG is typically produced by smaller compressors and the refuel time is one to ten hours. The suction pressure is </=5 psig and produces 12-25 GGE per hour.

Vehicle Refueling Appliance (VRA): a slow fill dispenser is typically used for home refueling of an individual vehicle and refuel time is two to twenty hours. The suction pressure is 0.25 psig and produces </=1GG per hour. Mr. Bolte said a VRA is typically installed in the garage, tied into the home's natural gas service, and would operate on the standard delivery pressure as the home.

Mr. Bolte provided anticipated construction costs with match/grant splits stating the match total for a Quick Fill Construction would be $236,451, the grant total would be $782,300 and utility deposits would be $55,000. The match total for Engineering/Professional Services would be $36,185 and the grant totals would be $84,310, making the total cost $1,194,246 for a Quick Fill Project.

Slow Fill Construction would receive a 50% match and a 50% grant from the Association of Central Oklahoma Governments (ACOG). The ACOG grant would change to 100% over $200,000, making the match total $242,740 and grant total $200,000. Staff said the total Slow Fill Project costs would be $442,740.

The total match funds for Quick and Slow Fill Projects would be $515,376 and total grant funds would be $1,121,610, making the grand total costs for a CNG project $1,636,986. The proposed CNG Station would have both Quick Fill and Slow Fill Stations with the Quick Fill Station located on the north end of the property allowing public access from Goddard Avenue and a Slow Fill Station on the south end of the property for City use.

Mr. Bolte provided information on the CNG Project schedule and said the equipment package has been designed and a bid opening is scheduled for Thursday, March 24, 2011. He said the site design package is currently being developed and should go out to bid in May 2011. He said once equipment begins to arrive, the construction phase will commence and the equipment will be assembled. He said Council action will be needed various times throughout the CNG Project to include Council consideration and approval for the Oklahoma Natural Gas (ONG) contract, for a main line extension being built from Robinson Street, which is scheduled on the April 12, 2011, agenda; Council consideration and approval for the equipment package bid opening later this week, which is tentatively scheduled on the April 26, 2011, agenda; the ground breaking and official announcement in mid-May; Council consideration and approval for the site package/site contractor in late June; and finally the ribbon cutting for the CNG Fueling Station in October 2011.

Mr. Bolte provided typical CNG fuel savings for a sanitation truck and he said on average a sanitation truck used 25 gallons of diesel fuel per day. Sanitation trucks are used 260 days a year, (five days per week/52 weeks per year) using an average of 6,500 gallons of diesel fuel use annually. To re-power the current diesel engine to a CNG engine will cost $55,500 and the average cost of diesel per gallon is currently is $3.21 versus $1.13 for the cost of CNG per gallon. The annual fuel savings per sanitation truck will be $13,520 and an additional $0.50 per gallon excise tax credit (if it continues to be extended) will save another $4,095 for a total annual savings of $16,770. Based on the fuel savings only, the payback period for sanitation truck(s) will be approximately 3.3 years and the average life span of a sanitation truck(s) is seven to ten years.

A light duty truck is used approximately 260 days per year, (five days per week/52 weeks per year), and uses an average of 3.5 gallons unleaded fuel per day for an average annual unleaded fuel usage of 910 gallons. The average unleaded fuel cost is $2,698.60. It will cost an additional $12,500 for a CNG light duty truck versus an unleaded light duty truck and the average cost of unleaded fuel is $2.96 per gallon versus $1.13 per gallon for CNG fuel. The annual fuel cost savings with CNG will be $1,665.30 and an additional $0.63 per gallon tax credit, if available, will be another $573.30 for a total annual saving of $2,120.30. Based on the fuel savings only, the payback period for a light duty truck will be approximately 5.9 years.

The CNG Fueling Station hours of operation will be 24 hours per day, seven days per week for City fleet and other fleets, i.e., Norman Public School (NPS), OU, etc., and will be open to the public Monday through Friday from 6:30 a.m. to 5:00 p.m. Mr. Bolte said a card reader system will be compatible with the City's Chip Key System for City vehicles and the typical cards accepted will be Mastercard, Visa, American Express, Discover, Gas Card, Fuelman, etc., for public fuel purchases.

Mr. Bolte highlighted some of the challenges of the CNG Fueling Station to include the local Fire Code limiting the hours of operation thus limiting the potential fuel sales to the public and Mr. Bolte said as the CNG demand grows Council may want to consider extending the hours. Mr. O'Leary said the current ordinance does not distinguish between CNG fuel and regular fuel and stated there is less of a hazard with CNG. He said if Council desired, the Fire Code could be amended to allow CNG Station(s) to be unmanned. Another challenge is security issues and Staff has been looking at completing an interconnect of the fiber optic run to Fire Station No. 7 that will allow security camera feeds to be connected directly to Fleet staff offices.

Mr. Bolte said once the CNG Station is in operation Council will need to decide whether to outsource to a third party or have Fleet Management staff develop and perform the billing, i.e., accounting and tracking of the sales; execute and file the federal fuel tax; and prepare and report the Internal Revenue Service (IRS) excise tax rebate. He said three to four days per month should be anticipated for clerical time and stated Fleet Management staff will also be tasked with additional responsibilities of managing the CNG Station.

Mr. Bolte said more pounds per square inch gauge (PSIG) pressure is needed at the proposed CNG Station and he said the current supply is 10 to 20 pounds which is fairly poor. He said the current two inch gas lines would not support the compressors. An item for Council consideration will be on the April 12, 2011, agenda for a six inch ONG Gas Service line to be installed from Robinson Street (6,000 feet) to allow 35 PSIG suction and reinforce the current system. Additionally, ONG has offered a very nice credit to the City based upon a five year projected load and the deposit is eligible for reimbursement through ARRA and ACOG grants.

In order to move the CNG Project forward the City needs to address inter-local agreements with NPS, Cleveland County, OU, City of Moore, and City of Noble, etc., to determine their CNG needs. Agreements need to be accepted so the City will know how much CNG fuel will be sold in order to prepare the CNG Station to have the available capacity to do so. Additionally, a pricing structure needs to be flexible and within the market range so that if changes should occur fees can be adjusted administratively rather than having to appear as an agenda item for Council consideration and approval.

The benefits of a CNG Station include:

- Emissions Reductions: reduces carbon monoxide emissions 90%-97%; reduces carbon dioxide emissions 25%; reduces nitrogen oxide emissions 35-60%; and emits little or no particulate matter.
- ARRA and ACOG Grants: allow leverage to acquire larger Slow-Fill Compressor instead of using donated Ingersoll Rand Unit.
- Excess Capacity beyond City Fleet (for public use): 600,000 gge/dge per year will be available allowing 10-12 public vehicles per hour to access a CNG Station.

- Excise Tax Rebate from Internal Revenue Service (IRS): $0.50 per gge/dge and if annually renewed could potentially be a $325,000 rebate to the City over five years.
- Market CNG usage to other local partners: school districts; local fleets, i.e., AT&T, Ready Mix, ONG, Chesapeake, etc.; Cleveland County; area municipals, i.e., Moore, Noble, etc.; Back up for OU Buses; and the general public.
- $1,285,000 potential savings for City fleet fuel over gasoline/diesel.

Councilmember Kovach asked Staff what the comparison of mileage for diesel versus CNG would be and Mr. White said the mileage would be the same which is about three miles per gallon. Mr. Bolte agreed and said CNG burns at a 130 octane, which is hotter than diesel or unleaded gas producing fewer emissions. Councilmember Kovach also suggested Staff look at Norman Regional Hospital's fleet as a potential partner.

Councilmember Dillingham asked how long before the City will have the science to quantify the savings for cleaner air and Mr. Bolte said he needed to research calculations for carbon credits. He said Clean Cities initiatives have been implemented in a lot of metro areas where air pollution is a concern and ACOG funding can be received through Clean Cities to assist with projects to reduce pollution. Councilmember-Elect Dave Spaulding asked what percentage of vehicles in the United States (U.S.) are CNG and Mr. Bolte said currently only 120,000 vehicles in the U.S. and 8.7 million world-wide are using CNG fuel.

Mayor Rosenthal felt seeking local CNG partners would help grow the program and said extension of the federal excise tax rebate is on the legislative agenda.

Items submitted for the record

1. PowerPoint presentation entitled, "CNG Fueling Facility," City of Norman, Council Conference, March 22, 2011

The meeting adjourned at 6:22 p.m.

ATTEST:

City Clerk

Mayor

FINANCE COMMITTEE MINUTES
March 23, 2011

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met immediately after the Council Study Session scheduled at 5:30 p.m. in the Municipal Building Study Session Room on the 23rd day of March, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Members Dillingham, Quinn, and Chair Cubberley
ABSENT:	Member Ezzell
OTHERS PRESENT:	Cindy Rosenthal, Mayor Al Atkins, Council Member Rachel Baker, Council Member Jim Griffith, Council Member Steve Lewis, City Manager Anthony Francisco, Finance Director Suzanne Krohmer, Budget Manager Roger Gallagher, Council Member-elect Dave Spaulding, Council Member-elect Ken Komiske, Utilities Department Director Shawn O'Leary, Public Works Department Director Kathryn Walker, Assistant City Attorney II Bob Hanger, Storm Water Engineer Greg Hall, Street Superintendent

DISCUSSION REGARDING OUTSIDE AGENCY FUNDING LEVELS FOR FYE 2012

City of Norman revenues are up slightly – rise in gas prices will impact collections.

Cubberley suggested that lobbying firm, Capitol Decisions, be eliminated and save approximately $80,000. No earmarks in Congress, so no need for lobbyist.

Dillingham – agreed with eliminating lobbyist.

Quinn – Even with no earmarks, City still needs a presence in Washington to represent out interests.

Rosenthal – issues will fall through cracks without lobbyist. The lobbyist has worked on fixing "CART issue" and "Chromium-6 issue".

Atkins – Is it possible to reduce amount of contract?
Finance Committee in agreement to continue services with Capitol Decisions lobbying firm.
Cubberley – Do we want to maintain same level of funding for FYE 12 for the outside agencies?

Dillingham – wants to increase funding for CCFI and SVS as there are more people in community needing help.

Atkins – wants agencies in city-owned facilities to pick up the cost of the utilities.

Dillingham – Fire House Art Center and Sooner Theatre – try to have them pay utilities. Historical House – check with Cleveland County about the possibility of paying.

Griffith – pay percent of utilities and increase percentage paid by agency over time.

Dillingham – agencies need to be encouraged to grow their funding possibilities.

Finance Committee in agreement to keep Agency funding level for FYE 12 the same as FYE 11, remain flat. Agencies will be notified beginning with FYE 13 they will be expected to pay 20% of their utilities cost, phasing in to 100% over five years (20% in FYE 13; 40% in FYE 14; 60% in FYE 15; 80% in FYE 16; and 100% beginning in FYE 17). Agencies will be provided usage history so they can plan. City will continue to provide maintenance on City-owned buildings to protect assets.

Items submitted for the record

1. Outside Agency Funding List prepared by Finance Department

CONTINUED DISCUSSION CONCERNING ALTERNATIVES TO BULKY WASTE DISPOSAL

Cubberley – rate increases were voted in by the citizens with new rates to begin April 1, 2011. Citizens have asked if Spring Cleanup will be held this year. How can City address the needs of the citizens?

Komiske – some ideas are to leave Transfer Station open for 3 to 4 "free weekends" per month; bulk pickup service at residences will cost individuals. Transfer Station is open on Saturdays 8-4 now. Leave open 8-1 pm on these designated Saturdays.

Cubberley – Look at bulk pickup costs and revise to break even – 4 times on weekends – start in mid-April.

DISCUSSION REGARDING PROPOSED STORM WATER UTILITY

City is moving toward a Policy for Storm Water Utility. City staff needs to know what the Council is thinking on this issue.

- Discussed current budget and where we might capture funds for this utility.
- Discussion of comparative cities and what services they offer and the charges for services.
- Shawn O'Leary reviewed "Excerpt from Storm Water Master Plan"
- Equivalent Residential Unit (ERU) basis is recommended, no exceptions

Rosenthal – Exemption credits for those that have put in detention facilities, etc. Policy alternatives – full or partial credit to additions, commercial properties taking care of storm water runoff.

Cubberley – Exception issues (schools, OU, institutions, rain barrels, French drain to garden – rain gardens.) Cost factor – drudging of detention ponds included? Include enhanced maintenance of storm water. List of issues – structural controls, identify pre, post – 82 issues in all.

Dillingham – how we will approach issues. Look for policy examples at other cities. How much is OU's bill going to be - OU has Phase II program. Westside Wal-Mart will be $1,600 per month and Sooner Fashion Mall will be $2,700 per month. State/county/federal facilities – how will they be handled?

Items submitted for the record

1. Storm Water – Inter-City Comparison prepared by Finance Department
2. Storm Water Division Summary, FYE 11 Budget, pages 244 and 245
3. Excerpt from Storm Water Master Plan Final Report, dated November 2009

DISCUSSION REGARDING REVENUE/EXPENDITURE REPORT

Residential and Sanitation forecasting tweak.

Items submitted for the record

1. Summary of Major Funds-General; Capital; Westwood; Water; Wastewater; Sewer Maintenance; New Development Excise; Sewer Sales Tax; and Sanitation Fund Revenue Sources vs. Budget, Financial Report dated February 28, 2011

DISCUSSION REGARDING REPORT ON OPEN POSITIONS

No discussion on report.

Items submitted for the record

1. City of Norman/Human Resources Department Recruitment and Selection Report dated March 14, 2011

The meeting adjourned at 6:51 p.m.

ATTEST:

City Clerk

Mayor

JOINT PLANNING AND COMMUNITY DEVELOPMENT AND TRANSPORTATION COMMITTEE
MEETING MINUTES

March 24, 2011

The City Council Transportation Committee and the Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 6:30 p.m. at Dreamer Concepts, 324 East Main Street, on the 24th day of March, 2011, 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.

MEMBERS PRESENT:	Councilmembers Atkins, Butler, Dillingham, Griffith, Mayor Rosenthal
MEMBERS ABSENT:	None
OTHERS PRESENT:	Mr. Dave Boeck, Associate Professor of Architecture at the University of Oklahoma Ms. Susan Connors, Director of Planning and Community Development Ms. Syndi Runyon, Administrative Technician IV

TOUR AND EXHIBIT AT DREAMER CONCEPTS STUDIO LOCATED AT 324 EAST MAIN STREET ENTITLED, "DESIGNS FOR MATURITY." THIS IS AN EXHIBIT THAT EXAMINES POINTS OF VIEW SHARED BY INDIVIDUALS AS THEY MATURE IN THE NORMAN COMMUNITY.

The Mayor and Councilmembers viewed an exhibit entitled, "Designs for Maturity," regarding the need for environments that offer diverse forms of mobility for the elderly and handicapped. The exhibit captures what it means to age with grace, spirit, and courage from the perspective of people from different walks of life. Good environments offer citizens diverse forms of mobility, reducing the distinction between able and disabled, and equipping people with ways of reading their environments so they can make informed choices about fulfilling their needs. The key concept in evaluating environmental design work includes the need for adapting environments to the current needs of people in anticipation of emerging needs relative to future quality of life and sustainability. The project assumption is that a person's sense of quality of environment influences their perceived quality of life linking environmental design to positive aging. Positive aging encompasses functioning and satisfaction, both components that link it closely to environmental design. The environment figures into health and promotion of health in fundamental ways with good design characterized by its supportive, competence enhancing, compensatory and empowering features. After the tour, the Mayor and Councilmembers were asked to complete two surveys.

Items submitted for the record

1. Brochure entitled, "Dreamer 32: Designs for Maturity, Possibilities and Realities for Positive Aging in Norman and Beyond," by IRED, Interdisciplinary Research in Environmental Design
2. Dreamer 32: Designs for Maturity, Possibilities and Realities for Positive Aging in Norman and Beyond Evaluation survey
3. IRED, Interdisciplinary Research in Environmental Design, survey

The meeting adjourned at 7:30 p.m.

ATTEST:

City Clerk

Mayor

CITY OF NORMAN
SISTER CITY RECEPTION AND SIGNING CEREMONY
FOR AREZZO, ITALY
MINUTES

April 5, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, attended a Sister City Reception and Signing Ceremony at 5:00 p.m. at the Norman Municipal Building on the 5th day of April, 2011, and notice of the reception was posted at the Municipal Building at 201 West Gray 48 hours prior to the event. The reception was open to members of the Passport Sister City Committee and was open to anyone with an interest. Although this reception was not a regularly scheduled meeting of Council a quorum of Council was present; therefore, a summary of the reception was recorded as required by the Open Meeting Act.

PRESENT: Councilmembers Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: Councilmember Ezzell

Mayor Rosenthal recognized Giuseppe Caroti, President of the Municipal Council of Arezzo, Italy. Mr. Caroti accepted the proclamation on behalf of Mayor Guiseppe Fanfan and presented Mayor Rosenthal with formal documents executed by the Council of the City of Arezzo establishing the Sister City relationship. He was accompanied by Mr. Gianni Rossi from the Mayor's Office and Mr. Emiliano Cecchini who serves as the liaison with the business community for the City of Arezzo. The Passport Sister City Committee hosted the group from Arezzo, Italy and Ms. Tricia Carlton who hosted the Arezzo group and Ms. Marles Bradley, President of the Passport Sister City Committee were in attendance.

Items submitted for the record

1. Proclamation No. P-1011-11 in English and Italian approved by City Council on March 22, 2011
2. Memorandum of friendship and good in English and Italian
3. Formal documents from the City of Arezzo dated February 28, 2011

The reception adjourned at 7:00 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL
PLANNING AND COMMUNITY DEVELOPMENT
COMMITTEE MINUTES
April 8, 2011

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 8th day of April, 2011, 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 Atkins, Cubberley, and Chairman Butler
ABSENT:	Councilmember Griffith
OTHERS PRESENT:	Mayor Cindy Rosenthal Councilmember Carol Dillingham Councilmember-Elect Roger Gallagher Ms. Susan Connors, Planning and Community Development Director Mr. Ken Danner, Development Manager Mr. Bob Hanger, Storm Water Engineer Mr. Doug Koscinski, Current Planning Manager Mr. Steve Lewis, City Manager Mr. Shawn O'Leary, Director of Public Works Ms. Kathryn Walker, Assistant City Attorney Mr. Tom Knotts, Planning Commission Liaison Mr. Geoff Canty, Storm Water Task Force Mr. Russ Dutnell, Storm Water Task Force Mr. Harold Heiple, Attorney for Norman Developers Council Ms. Karla Chapman, Administrative Technician

UPDATE ON THE WATER QUALITY PROTECTION ZONE (WQPZ) ORDINANCES.

Ms. Susan Connors, Planning and Community Development Director, provided an update from the Planning Commission (PC) meeting held April 7, 2011, and said all but three Planning Commissioners were present and no other citizens were in attendance. She said Staff provided a presentation on the Storm Water Master Plan Draft Water Quality Protection Zone Ordinances and gave background information on the Storm Water Master Plan (SWMP). Ms. Connors said Staff addressed questions from the PC Commissioners and felt the discussion regarding the proposed ordinances was excellent and very helpful. She felt there was no total dissent from any of the PC Commissioners on the entire proposed WQPZ ordinances but there were a few concerns.

Mr. Shawn O'Leary, Director of Public Works, agreed the PC meeting was very beneficial and contained valuable and engaging discussion. He felt the PC Commissioners understood the key issues and requirements of the proposed ordinances, including the three options developers can choose from when creating a development, which are: 100 feet in width, measured from the top of the bank, on either side of the stream; designated Full Build-Out Floodplain (FBF); or the Federal Emergency Management Association (FEMA) Floodplain. Mr. O'Leary said Staff provided examples and illustrations for the three options.

Mr. Tom Knotts, Planning Commission Liaison, agreed the PC meeting was very constructive but concerns of whether the City or a Homeowners Association (HOA) would provide maintenance for a WQPZ buffer and fire prospects did surface.

Mayor Rosenthal asked Staff to provide the key changes to the proposed ordinances since the Committee last discussed this issue at the February 11, 2011, PCDC meeting and Ms. Kathryn Walker, Assistant City Attorney,

said most changes occurred in the Subdivision Regulations, Section 19-411, of the Code of the City of Norman. She said the following language has been added to the proposed ordinance:

Sec 19-411(B)(2): "An alternative width determined by an engineered process and approved pursuant to Section 19-601(B)", making it more clear that variations are allowed for the required width for all the WQPZ's.

Sec 19-411(D): "The base width of the WQPZ outlined in (B) above may be reduced for first order streams to no less than fifty (50) feet but never less than the FBF…", which streamlined reduction on first order streams as long as the applicant(s) show other methods used to reduce nitrogen of at least 75% and phosphorus of at least 58%. Ms. Walker said this would typically be the more urban areas where streams are a little harder to identify and it would make good sense to have this option.

Section 19-411(H): "For all developments, particularly those containing some portion of the WQPZ, utilization of low impact development strategies are encouraged…" Ms. Walker said the City does not currently have a low impact development manual but when plats or Norman Rural Certificates of Survey (COS) include portions of the WQPZ, the current Engineering Design Criteria may be modified when low impact development strategies are utilized in accordance with the North Central Texas Council of Governments (NCTCOG) Integrated Storm Water Management Manual found at http://iswm.nctcog.org/ and also on file in the Public Works Department. Staff's hopes are the NCTCOG Integrated Storm Water Manual will be well received, particularly by the development community, since it is from the same region. Ms. Walker said the Citizen's Storm Water Task Force has pointed out that Norman's typical "curb and gutter" subdivision will not achieve the best benefit out of the WQPZ buffer and other options, such as the NCTCOG Integrated Storm Water Manual, are needed to accommodate and make the WQPZ buffers work well.

Mr. Shawn O'Leary, Public Works Director, said the NCTCOG took over three (3) years to develop the manual and it would be an excellent tool for Norman to use in the interim. He asked Mr. Bob Hanger, Storm Water Engineer, to highlight some of the examples of the NCTCOG Integrated Storm Water Manual and how it can be used relevant to the proposed WQPZ ordinance(s). Mr. Hanger said the main focus of the Integrated Storm Water Manual is water quality, stream bank protection, and flood mitigation and conveyance. He provided excerpts and examples featuring design practices to preserve riparian buffers, reduce roadway lengths and width, reduce building footprints, using vegetated swales instead of curb and gutter, and drain runoff to pervious areas.

Councilmember Butler said questions have been asked whether language should be added to the draft WQPZ ordinance(s) referencing the Corps of Engineers (Corps) 404 Floodplain Permit process, blue-line streams, etc., and Mayor Rosenthal said the development community has raised concerns that the City's requirements should not conflict with the Corps 404 Floodplain Permit requirements, thus creating a no-win situation when trying to comply with both. Mr. O'Leary said Corps' intentions on the 404 regulations (on blue-lines) are to stay away from the stream(s), and they even feel the untouched stream(s) should not be cleaned up. He said the City's issue has more to do with getting the stream(s) so that they can actually function to receive the storm water run-off when located near or adjacent to a development. He said the feedback he has received is that the Corps likes Norman's proposed WQPZ "buffer" ordinance very much and the proposed requirements are exactly what the Corps would like to see Norman, as well as other cities, achieve.

Councilmember Dillingham said her understanding of the 404 Floodplain Permit process is the concept of "no net loss of stream" and since the 404 Floodplain Permit is an on-going and changing federal program, she wondered if Norman was creating any issues in reference to the blue-line versus going from the edge of the bank. Mr. Geoff Canty, Storm Water Task Force (SWTF) Member, gave his perspective and felt the "edge of the bank" is a relevant area where change in elevation would probably be well outside of the Corps' jurisdiction. Mr. O'Leary agreed stating the Corps is mainly concerned with bank to bank, inside the stream more so than bank to bank, outside of the stream. Councilmember Dillingham felt the City will always be outside the blue-line when dealing with the "no net loss of stream" concept and therefore the 404 Floodplain Permit regulations should not conflict with the proposed ordinance(s). Mr. Canty said just because a stream shows up as a blue-line on a United States Geological Survey (USGS) map does not mean it is a 100% guarantee that the stream is a jurisdictional body of water the Corps has control over. He said a process is available to remove a jurisdictional body of water, i.e., first order streams, that is no longer functioning as an intermittent stream. The Corps also allows for a self permitting process (General Permits), to remove certain lengths of streams, where permits would not be required but adher strictly

to Corps's language would be a requirement, i.e., Storm Water General Permit, Linear Transportation General Permit, etc. Mr. Canty said the Corps only regulates fill and redistribution fill of a stream therefore if a bridge or box (under a certain size) needed to be built, a permit independent of the City can be applied for and obtained. Mr. Canty said up to 300 linear feet of a stream can be affected, i.e., install a concrete pipe, etc., therefore making it a contradiction of the proposed WQPZ ordinance. He said the 404 Floodplain Permits change every five (5) years and depending on the intentions and directives in Washington, D.C., the 404 Floodplain Permits can become more or less stringent. He said there is also a possibility that the individual Corps General Permits, enabling an entity to perform work within the Corps' purview, may not ultimately be the City's desire and Mr. O'Leary stated the Corps is the federally regulatory body and the City of Norman is secondary to the Corps.

Councilmember Dillingham said, based on Mr. Canty's remarks, she wondered how difficult it will be if and when a stream is declared non-jurisdictional, specifically how it will dovetail with first order stream(s). She felt that this issue will be the most conflicting and suggested Staff make certain the City's variance procedure(s) does not interfere with the non-jurisdictional process and vice versa. Mayor Rosenthal said the local developers have raised the issue of the blue-line stream and asked Mr. Harold Heiple, Attorney for Norman Developers Council, if he had any follow-up questions or remarks. Mr. Heiple thanked Mayor Rosenthal but said he was not familiar enough with Corps's regulations to comment.

Mr. Russ Dutnell, SWTF Member, said the Corps has three basic priorities: avoidance, minimization, and mitigation. He said the individual General Permit will suggest first to avoid the stream completely, the next step would be to minimize damage to the stream, and thirdly to mitigate or restore any damage to the stream. Mr. Canty said when looking at the removal of jurisdictional determination, the Environmental Protection Agency (EPA) simply has to concur with the decision. Mayor Rosenthal felt tying the City's proposed WQPZ ordinance to the blue-line(s) might be problematic since the 404 Floodplain Permit/blue-line(s) change every five (5) years, making procedures more and/or less stringent. Mr. Canty said the blue-line(s) on the USGS map are purely for reference and the maps can be accessed and verified by the public. He said the Corps will state the blue-line(s) are their first screening step and not what they base their final decision on, however when a stream is located on a blue-line map, more than likely the Corps will determine they have jurisdiction. Mr. Canty felt simply because a blue-line is tied to a stream on a USGS map does not necessarily make it an unfavorable standard for the City.

Mr. O'Leary said discussions on the proposed WQPZ ordinances always involve the issue of maintenance, specifically whether the HOA's or the City should maintain the WQPZ buffers and are the WQPZ buffers creating a fire hazard. He felt a lot of excellent debate was accomplished at the April 7, 2001, PC meeting which quickly evolved into the larger discussion of the Storm Water Master Plan (SWMP), the proposed utility fee, and the City performing enhanced maintenance services, etc. Mr. O'Leary said the proposed WQPZ ordinances addresses maintenance issues and assumes that most of the maintenance will be done by the adjacent property owners as well as the maintenance remains fairly natural, making the maintenance less instead of more to maintain.

Staff said a recent change in the draft ordinance was Section. 19-514(D) and (E) addressing the minimum grass height standards for Zone 1, Streamline Zone; Zone 2, Middle Zone; and Zone 3, any portion within 30 feet of a primary structure. Councilmember Atkins said if WQPZ buffers are to be exempt in accordance with Section 10-209, they could possibly have six foot high weeds/grass growing in or near them. He said he was very concerned about the minimum grass height standards versus maximum ordinance standards for Zones 1 and 2, because of the recent fires in Ward 1, specifically on Beaumont Street near the Campus Lodge Apartments. Ms. Walker said she may need to tweak this section a little and said she has discussed this issue with the City Fire Marshall. She said the Fire Marshall explained their direct authority is the National Fire Protection Association (NFPA) which recommends three zones around a house, i.e., closest to the home is turf and the further away from the home can have higher grass/vegetation because it is less risk to the home. She said the NFPA Zone 1, closest to a home, is similar to what the WQPZ Zone 3, Outer Zone could be in subdivisions. Basically, Zone 3 would allow for shorter grass or similar vegetation within 30 feet of a primary structure(s) to be maintained in accordance to Section 10-209, because it would be less fuel for a fire, if a fire

was to occur. Zone 2 would allow grass or vegetation to be mowed and/or maintained to a height below six (6) inches and Zone 1 would allow any grass or similar vegetation to be mowed and/or maintained to a height below eight (8) inches.

Councilmember Dillingham said in reference to City maintenance of WQPZ, she suggested Staff keep in mind that the Zone(s) are merely one piece of a lot of ordinances and discussions will be needed to determine an appropriate application/entry if the proposed WQPZ is adopted. She said Staff will need to discuss how long a development may take to come forward that would be regulated by the proposed WQPZ ordinance and make certain the City will be ready to undergo the extra effort it will take in order to maintain a WQPZ buffer. Mr. O'Leary agreed and said this is exactly the direction the discussions have been going, i.e., should the WQPZ issue be ahead (or behind) the WQPZ maintenance issue. He said in many ways the example of the Summit Valley Addition, which is near a second and third order stream, has been a great tool and Staff is researching in order to locate examples of an existing Norman subdivision that are near a first order streams.

Mr. O'Leary said Staff will provide a full presentation on the proposed WQPZ ordinance(s) at the PC Public hearing scheduled for April, 14, 2011, and will include the calculation tables for the areas consumed around a FBF for the current urban as well as the country suburban. Councilmember Butler requested Staff forward the latest proposed draft WQPZ ordinance(s) and calculation tables to the SWTF and Mr. O'Leary answered in the affirmative.

Councilmember Dillingham asked Staff if a policy goal was included in the proposed WQPZ ordinance encouraging low impact development and Ms. Walker said Section 19-411(H) states...."For all developments, particularly those containing some portion of the WQPZ, utilization of low impact development strategies are encouraged...".

DISCUSSION REGARDING LOW IMPACT DEVELOPMENT STRATEGIES FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS INTEGRATED STORM WATER MANAGEMENT MANUAL FOR WHICH ENGINEERING DESIGN CRITERIA COULD BE MODIFIED UNDER THE WQPZ ORDINANCE.

Ms. Kathryn Walker, Assistant City Attorney, said the NCTCOG Integrated Storm Water Manual consists of a lot of cities in the Texas metroplex area, including Dallas and Fort Worth, and incorporates specifications for low impact developments. Councilmember Atkins felt the City should obtain a license agreement from NCTCOG, rather than linking Norman's regulation to a North Texas Storm Water Management Plan. He said if NCTCOG amends the Integrated Storm Water Manual then Norman would have to abide to the changes as well. Mayor Rosenthal felt Norman would merely be referencing the NCTCOG in order to provide design criteria that Norman, or any other city in Oklahoma, currently does not have and she felt a major concern of the development community was to know some of the low impact alternatives. She said Staff looked at many alternatives that Norman can use and take advantage of the work that already has been completed, adopt the alternatives, and modify as needed to meet Norman's desires. The Committee agreed and Ms. Walker said she has contacted NCTCOG and it is possible for Norman to get a license. She said NCTCOG has created a process for cities to obtain a license to the Integrated Storm Water Manual and cities can then modify and/or adopt as needed. She felt the City should acquire a license and once attained, the Integrated Storm Water Manual would be received in a word format so that it can be modified to fit Norman's needs and become Norman's regulations.

MISCELLANEOUS DISCUSSION.

Councilmember Atkins said Staff provided information to Council stating an additional 5300 units will be built in the near future, adding to the City's water demand. He asked if Norman has a Strategic Water Plan (SWP) and Staff answered in the affirmative. Councilmember Atkins felt a review of the SWP was needed and Mr. Steve Lewis, City Manager, said the Chromium Six Committee discussions have included updating the SWP, which was approved in 2003. Mr. Lewis said the proposed FY2012 Budget includes a $300,000 update to the SWP. Mayor Rosenthal said the Oklahoma Municipal League (OML) has placed an initial/interim report for the State Water Plan on line which includes significant municipal water implications.

Mr. Lewis said the Weekly Report to Council will provide a link to obtain this information including information on 13 forums that will be taking place around the state over the next couple of months.

Items submitted for record

1. Memorandum dated April 4, 2011, from Ms. Susan Connors, Director of Planning and Community Development, to Chairman and Members, Norman Planning Commission.
2. Draft Ordinance O-1011-52, to Provide for Standards and Requirements for a Designated Water Quality Protection Zone Inclusive of the Lake Thunderbird Watershed, Chapter 19, of the Code of the City of Norman
3. Draft Ordinance O-1011-53, for Water Quality Protection Zoning Overlay District, Section 429.7, of Chapter 22, of the Code of the City of Norman
4. ISWM Technical Manual – Planning, integrated Site Design Practice #2: Preserve Riparian Buffers, submitted by Mr. Bob Hanger, Storm Water Engineer.

The meeting adjourned at 8:51 a.m.

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

April 12, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session meeting at 5:31 p.m. in the Municipal Building Conference Room on the 12th day of April, 2011, 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 Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	None
TARDY:	Councilmember Ezzell

Item 1, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 §307(B)(2) TO DISCUSS NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS AND AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 §307(B)(4) TO DISCUSS CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM OR ACTION IF THE PUBLIC BODY, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS THE CLAIM OR CONDUCT AN IMPENDING INVESTIGATION, LITIGATION OR PROCEEDING IN THE PUBLIC INTEREST REGARDING THE FOLLOWING COURT CASES:

CITY OF NORMAN VS. THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 2067, Cleveland County District Court Case No. CIV-2011-48-L.

CAROL A. BUCKMASTER VS. CITY OF NORMAN AND SILVER STAR CONSTRUCTION COMPANY, INC., Cleveland County District Court Case No. CJ-2010-505BH.

VARIOUS WORKERS' COMPENSATION CASES.

CITY OF NORMAN VS. JOHN TERRY AND FRATERNAL ORDER OF POLICE (FOP) LODGE 122, District Court Case No. CJ-2009-1154

JOHN TERRY VS. CITY OF NORMAN, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051

NGUYEN VS. JOHN TERRY AND CITY OF NORMAN, Federal Court Case No. CIV-10-196-R, JOHN TERRY VS. CITY OF NORMAN, ET. AL., Federal Court Case No. CIV-10-01042-D

Councilmember Quinn moved that the Special Session be adjourned out of and an Executive Session be convened in order to discuss negotiations concerning employees and representatives of employee groups and confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. the International Association of Fire Fighters (IAFF), Local 2067, Cleveland County District Court Case No. CIV-2011-48-L; Carol A. Buckmaster vs. City of Norman and Silver Star Construction Company, Inc., Cleveland County District Court Case No. CJ-2010-505BH; various workers' compensation cases; City of Norman vs. John Terry and Fraternal Order of Police (FOP) Lodge 122, District Court Case No. CJ-2009-1154; John Terry vs. City of Norman, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051; Nguyen vs. John Terry and City of Norman, Federal Court Case No. CIV-10-196-R; John Terry vs. City of Norman, et. al., Federal Court Case No. CIV-10-01042-D, which motion was duly seconded by Councilmember Atkins; 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 Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES::	None

Item 1, continued:

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened in order to discuss negotiations concerning employees and representatives of employee groups and confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. the International Association of Fire Fighters (IAFF), Local 2067, Cleveland County District Court Case No. CIV-2011-48-L; Carol A. Buckmaster vs. City of Norman and Silver Star Construction Company, Inc., Cleveland County District Court Case No. CJ-2010-505BH; various workers' compensation cases; City of Norman vs. John Terry and Fraternal Order of Police (FOP) Lodge 122, District Court Case No. CJ-2009-1154; John Terry vs. City of Norman, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051; Nguyen vs. John Terry and City of Norman, Federal Court Case No. CIV-10-196-R; John Terry vs. City of Norman, et. al., Federal Court Case No. CIV-10-01042-D.

The City Council adjourned into Executive Session at 5:31 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Mr. Blaine Nice, Assistant City Attorney; Ms. Leah Messner, Assistant City Attorney; Mr. Charlie Plumb, Attorney at Law, McAfee and Taft; Ms. Gala Hicks, Director of Human Resources; Mr. Anthony Francisco, Director of Finance; and Mr. Clint Mercer, Chief Accountant, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Dillingham moved that the Special Session be recessed, which motion was duly seconded by Councilmember Kovach; and the question being upon recessing the Special Session, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES::	None

The Mayor declared the motion carried and the Special Session was recessed.

The Mayor said negotiations concerning employees and representatives of employee groups, negotiations concerning confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. the International Association of Fire Fighters (IAFF), Local 2067, Cleveland County District Court Case No. CIV-2011-48-L; Carol A. Buckmaster vs. City of Norman and Silver Star Construction Company, Inc., Cleveland County District Court Case No. CJ-2010-505BH; various workers' compensation cases were discussed in Executive Session. No action was taken and no votes were cast.

The City Council recessed the Special Session at 6:25 p.m.

Thereupon, Councilmember Dillingham moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Kovach; and the question being upon reconvening the Special Session, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES::	None

The Mayor declared the motion carried and the Special Session was reconvened.

The Special Session reconvened at 11:45 p.m.

Item 1, continued:

Thereupon, Councilmember Cubberley moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. John Terry and Fraternal Order of Police (FOP) Lodge 122, District Court Case No. CJ-2009-1154; John Terry vs. City of Norman, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051; Nguyen vs. John Terry and City of Norman, Federal Court Case No. CIV-10-196-R; and John Terry vs. City of Norman, et. al., Federal Court Case No. CIV-10-01042-D, which motion was duly seconded by Councilmember Quinn; and the question being upon adjourning out of the Special Session and convening into an Executive Session, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES::	None

The Mayor declared the motion carried and the Special Session adjourned out of; and the Executive Session was convened into in order to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. John Terry and Fraternal Order of Police (FOP) Lodge 122, District Court case no. CJ-2009-1154; John Terry vs. City of Norman, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051; Nguyen vs. John Terry and City of Norman, Federal Court Case No. CIV-10-196-R; and John Terry vs. City of Norman, et. al., Federal Court Case No. CIV-10-01042-D.

The City Council convened into Executive Session at 11:46 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; and Mr. Rick Knighton, Assistant City Attorney, were in attendance at the Executive Session.

Thereupon, Councilmember Dillingham moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Kovach; and the question being upon reconvening the Special Session, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES::	None

The Mayor declared the motion carried and the Special Session was reconvened.

The Special Session reconvened at 12:33 p.m.

The Mayor said confidential communications between a public body and its attorney concerning a pending investigation, claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct an impending investigation, litigation or proceeding in the public interest regarding City of Norman vs. John Terry and Fraternal Order of Police (FOP) Lodge 122, District Court Case No. CJ-2009-1154; John Terry vs. City of Norman, Supreme Court Case No. SD-107788 and District Court Case No. CJ-2010-1051; Nguyen vs. John Terry and City of Norman, Federal Court Case No. CIV-10-196-R; and John Terry vs. City of Norman, et. al., Federal Court Case No. CIV-10-01042-D were discussed in Executive Session. No action was taken and no votes were cast.

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ADJOURNMENT

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 12:35 p.m.

ATTEST:

City Clerk

Mayor

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

April 12, 2011

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 April, 2011, at 6:35 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 Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

PRESENTATION OF A CIVILIAN SERVICE MEDAL AND CERTIFICATE TO MR. BENJAMIN WILLIGE.

Mayor Rosenthal and Police Chief Phil Cotten presented a Civilian Service Medal and Award to Mr. Benjamin Willige for his personal assistance in apprehending a criminal.

Items submitted for the record
1. Text File No. TMP-128 dated March 14, 2011, by Lieutenant David Teuscher, Community Policing

* * * * *

Item 4, being:

PROCLAMATION NO. P-1011-14: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2011, AS SEXUAL ASSAULT AWARENESS MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record
1. Text File No. P-1011-14 dated March 14, 2011
2. Proclamation No. P-1011-14

Participants in discussion
1. Ms. Kristy Stewart, Co-Chair of the Cleveland County Sexual Assault Response Team, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 29 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Butler; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 29, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 6 through Item 29 were placed on the consent docket by unanimous vote.

* * * * *

Item 6, being:

CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE MINUTES OF MARCH 11, 2011
CITY COUNCIL MINUTES OF MARCH 22, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 22, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 22, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 22, 2011
CITY COUNCIL STUDY SESSION MINUTES OF MARCH 29, 2011

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 Cubberley;

Items submitted for the record

1. City Council Planning and Community Development Committee minutes of March 11, 2011
2. City Council minutes of March 22, 2011
3. Norman Utilities Authority minutes of March 22, 2011
4. Norman Municipal Authority minutes of March 22, 2011
5. Norman Tax Increment Finance Authority minutes of March 22, 2011
6. City Council Study Session minutes of March 29, 2011

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1011-46 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1011-46 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. O-1011-46 dated February 8, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-46 with Exhibit A, site plan
3. Location map
4. Staff Report dated March 10, 2011, recommending approval
5. Preliminary plat
6. Planned Unit Development Design Statement for Tanglewoods Addition prepared by Crafton Tull with Exhibit A, Norman Land Use Plan Area Designations; Exhibit B, Preliminary Site Development Plan; Exhibit C, Topographic Map; and Exhibit D, Color Rendering
7. Protest Area Map dated March 9, 2011, containing 7.7% protest within the notification area
8. Letter of protest dated February 23, 2011, from Ken C. and Charlotte J Crawford to Planning and Community Development Department
9. Pertinent excerpts from Planning Commission minutes of March 10, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-46 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-47 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1011-47 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, AND TO GRANT SPECIAL USE FOR A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

Councilmember Kovach moved that Ordinance No. O-1011-47 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Item 8, continued:

Items submitted for the record

1. Text File No. O-1011-47 dated February 8, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-47 with Exhibit A, site plan
3. Location map
4. Staff Report dated March 10, 2011, recommending approval
5. Preliminary site plan
6. Norman Predevelopment Summary Case No. 10-21 dated October 28, 2010, submitted by Bridgeview United Methodist Church for property located on the south side of Indian Hills Road approximately one-half west of 36th Avenue N.W.
7. Pertinent excerpts from Planning Commission minutes of March 10, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-47 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-47 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

CONSIDERATION OF THE PROPOSED FISCAL YEAR 2011-2012 CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT (COMCD) BUDGET.

Councilmember Kovach moved that the proposed Fiscal Year 2011-2012 COMCD Budget be approved and the inclusion of that amount applicable in the proposed Fiscal Year 2012 City of Norman Budget be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. RPT-1011-38 dated March 18, 2011
2. Approved COMCD Budget for FY 2011-2012

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving the proposed Fiscal Year 2011-2012 COMCD Budget and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the proposed Fiscal Year 2011-2012 COMCD Budget approved; and the inclusion of that amount applicable in the proposed Fiscal Year 2012 City of Norman Budget was directed.

* * * * *

Item 10, being:

CONSIDERATION OF ACCEPTANCE OF OPTION 1 OF REQUEST FOR PROPOSAL NO. RFP-1011-55 FROM GAMETIME C/O CUNNINGHAM ASSOCIATES, INC., IN THE AMOUNT OF $44,665.27 FOR THE EASTWOOD PARK PLAYGROUND REPLACEMENT PROJECT AND APPROVAL OF CONTRACT NO. K-1011-146, PERFORMANCE BOND NO. B-1011-80; STATUTORY BOND NO. B-1011-81, MAINTENANCE BOND NO. MB-1011-86, AND RESOLUTION NO. R-1011-96.

Councilmember Kovach moved that Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of $44,665.27 be accepted; Contract No. K-1011-146 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1011-96 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-146 dated March 9, 2011, by Mitch Miles, Park Planner
2. Summary of Proposals for Eastwood and Walnut Ridge Parks Playground Replacement Projects
3. Quote No. 68791 dated February 2, 2011, in the amount of $44,665.27 from GameTime represented by Cunningham Associates, Inc.
4. Artist's rendering of playground equipment for Eastwood Park
5. Contract No. K-1011-146
6. Performance Bond No. B-1011-80
7. Statutory Bond No. B-1011-81
8. Maintenance Bond No. MB-1011-86
9. Resolution No. R-1011-96
10. Purchase Requisition No. 0000184213 dated March 22, 2011, in the amount of $44,665.27 to GameTime c/o Cunningham Associates, Inc.

Participants in discussion

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

and the question being upon accepting Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of $44,665.27 and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of $44,665.27 accepted; Contract No. K-1011-146 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1011-96 was adopted.

* * * * *

Item 11, being:

CONSIDERATION OF ACCEPTANCE OF OPTION 2 OF REQUEST FOR PROPOSAL NO. RFP-1011-55 FROM REX PLAYGROUND EQUIPMENT IN THE AMOUNT OF $45,000 FOR THE WALNUT RIDGE PARK PLAYGROUND REPLACEMENT PROJECT AND APPROVAL OF CONTRACT NO. K-1011-147, PERFORMANCE BOND NO. B-1011-82; STATUTORY BOND NO. B-1011-83, MAINTENANCE BOND NO. MB-1011-87, AND RESOLUTION NO. R-1011-97

Councilmember Kovach moved that Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of $45,000 be accepted; Contract No. K-1011-147 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1011-97 be adopted, which motion was duly seconded by Councilmember Cubberley;

Item 11, continued:

Items submitted for the record

1. Text File No. K-1011-147 dated March 18, 2011, by Mitch Miles, Park Planner
2. Summary of Proposals for Eastwood and Walnut Ridge Parks Playground Replacement Projects
3. Quote No. 7986 dated February 10, 2011, in the amount of $45,000 from Rex Playground Equipment
4. Artist's rendering of playground equipment for Walnut Ridge Park
5. Contract No. K-1011-147
6. Performance Bond No. B-1011-82
7. Statutory Bond No. B-1011-83
8. Maintenance Bond No. MB-1011-87
9. Resolution No. R-1011-97
10. Purchase Requisition No. 0000184146 dated March 21, 2011, in the amount of $45,0007 to Rex Playground Equipment, Inc.

Participants in discussion

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

and the question being upon accepting Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of $45,000 and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of $45,000 accepted; Contract No. K-1011-147 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1011-97 was adopted.

* * * * *

Item 12, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF A 911 RECORDER SYSTEM UPGRADE IN THE AMOUNT OF $78,200 FROM TRAVIS VOICE AND DATA FOR THE POLICE DEPARTMENT.

Councilmember Kovach moved that authorization for the purchase of a 911 recorder system upgrade in the amount of $78,200 from Travis Voice and Data for the Police Department be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-21 dated March 28, 2011, by Major J.D. Younger, Staff Services
2. Quote ID No. 39AAD938ACBB dated March 14, 2011, in the amount of $78,200 from Travis Voice and Data
3. Purchase Requisition No. 0000184766 dated April 5, 2011, in the amount of $78,200 from Travis Voice and Data

and the question being upon approving authorization for the purchase of a 911 recorder system upgrade in the amount of $78,200 from Travis Voice and Data for the Police Department, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and authorization for the purchase of a 911 recorder system upgrade in the amount of $78,200 from Travis Voice and Data for the Police Department was approved.

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Item 13, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF A BREATHING AIR COMPRESSOR IN THE AMOUNT OF $41,500 FROM TESCORP TO BE USED AT FIRE STATION NO. EIGHT.

Councilmember Kovach moved that authorization for the purchase of a breathing air compressor in the amount of $41,500 from Tescorp to be used at Fire Station No. Eight be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-22 dated March 28, 2011, by James Fullingim, Fire Chief
2. Tabulation of Quotes for a breathing air compressor for installation in Fire Station No. Eight
3. Quote dated March 11, 2011, in the amount of $41,500 from Charlie Zurmehly, Sales Engineer, Tescorp, to Eric Spor, Norman Fire Department
4. Purchase Requisition No. 0000184746 dated April 4, 2011, in the amount of $41,500 from Tescorp

and the question being upon approving authorization for the purchase of a breathing air compressor in the amount of $41,500 from Tescorp to be used at Fire Station No. Eight, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and authorization for the purchase of a breathing air compressor in the amount of $41,500 from Tescorp to be used at Fire Station No. Eight was approved.

* * * * *

Item 14, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF $1,000 FROM WAL-MART FOUNDATION TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE A POWER POINT PROJECTOR TO BE USED FOR SCHOOL AND COMMUNITY EVENTS.

Councilmember Kovach moved that a donation in the amount of $1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events be accepted, Organizational Donations (010-0000-365.13-73) be increased by $1,000, and $1,000 be appropriated to Minor Equipment & Tools/Minor Office (010-6022-421.36-05), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-23 dated March 28, 2011, by Sergeant Jennifer Newell, Community Relations

and the question being upon accepting a donation in the amount of $1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and a donation in the amount of $1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events accepted; Organizational Donations (010-0000-365.13-73) was increased by $1,000, and $1,000 was appropriated to Minor Equipment & Tools/Minor Office (010-6022-421.36-05).

* * * * *

Item 15, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $3,085.50 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE BULLETPROOF VESTS.

Councilmember Kovach moved that a grant in the amount of $3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests be accepted; Project No. GP0001, Bulletproof Vest Grant, Other Revenue (022-0000-331.13-23) be increased by $3,085.50; and $3,085.50 be appropriated to Uniform & Clothing/Safety and Protective (022-6032-421.35-02), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-24 dated March 31, 2011, by Jim Spearman, Grants Coordinator
2. Approved Request for Payment

and the question being upon accepting a grant in the amount of $3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a grant in the amount of $3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests accepted; Project No. GP0001, Bulletproof Vest Grant, Other Revenue (022-0000-331.13-23) was increased by $3,085.50 and $3,085.50 was appropriated to Uniform & Clothing/Safety and Protective (022-6032-421.35-02).

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Item 16, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF $1,350 TO BE USED BY THE FIRE DEPARTMENT TO PURCHASE PROMOTIONAL ITEMS AND EQUIPMENT FOR PUBLIC OUTREACH

Councilmember Kovach moved that a grant in the amount of $1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach be accepted; Emergency Management Grant (022-0000-331.13-60) be increased by $1,350; and $1,350 be appropriated to Project GF0066, Emergency Management/CC Corps Grant, Other Supplies/Materials-Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-25 dated March 28, 2011, by James Fullingim, Fire Chief
2. Schedule "A", Award Memorandum dated March 21, 2011, from Kim Edd Carter, Director, State of Oklahoma Office of Homeland Security, to Steve Lewis, City Manager, City of Norman
3. Schedule "B", Sub-Grantee Award No. 130-011 dated September 3, 2008 in the amount of $1,350 from the Oklahoma Office of Homeland Security
4. Schedule "C", 2008 Grant Master, Summary of Approved Items, Updated March 18, 2011

Item 16, continued:

and the question being upon accepting a grant in the amount of $1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a grant in the amount of $1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach accepted; Emergency Management Grant (022-0000-331.13-60) was increased by $1,350 and $1,350 was appropriated to Project GF0066, Emergency Management/CC Corps Grant, Other Supplies/Materials-Miscellaneous (022-9508-422.31-99).

* * * * *

Item 17, being:

CONSIDERATION OF THE ACCEPTANCE OF A CITIZEN'S CORPS GRANT IN THE AMOUNT OF $5,000 FROM THE OFFICE OF HOMELAND SECURITY TO BE USED FOR PUBLIC OUTREACH AND EDUCATION EFFORTS DURING THE MEDIEVAL FAIR HELD APRIL 1 THROUGH 3, 2011.

Councilmember Kovach moved that a Citizen's CORPS grant in the amount of $5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, be accepted; the Special Revenue Fund (022-0000-331.13-60) be increased by $5,000; and $5,000 be appropriated to Project No. GF0065, MR Corps - NACCHO Grant, Other Supplies and Materials - Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-26 dated March 9, 2011, by James Fullingim, Fire Chief
2. Medical Reserve Corps (MRC) Capacity Building Award Application 2010 submitted September 13, 2010
3. Letter dated January 4, 2011, from Debra Kay Robinson, Project Director, Medical Reserve Corps, Public Health Preparedness, National Association of County and City Health Officials (NACCHO), to Unit 333, Oklahoma Region 6, Cleveland County MRC

and the question being upon accepting a Citizen's CORPS grant in the amount of $5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a Citizen's CORPS grant in the amount of $5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, accepted; the Special Revenue Fund (022-0000-331.13-60) was increased by $5,000 and $5,000 was appropriated to Project No. GF0065, MR Corps - NACCHO Grant, Other Supplies and Materials - Miscellaneous (022-9508-422.31-99).

* * * * *

Item 18, being:

LIMITED LICENSE NO. LL-1011-12: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER, FRED JONES, JR., MUSEUM OF ART, AND JACOBSON HOUSE FOR LUNCHEON ON THE GRASS TO BE HELD AT LIONS PARK ON MAY 22, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. LL-1011-12 dated March 24, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for four signs dated March 23, 2011, from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House
3. Limited License No. LL-1011-12

and the question being upon approving Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House approved; and the issuance thereof was authorized.

* * * * *

Item 19, being:

LIMITED LICENSE NO. LL-1011-13: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE NORMAN ROUNDUP CLUB FOR THE 89ER DAY RODEO TO BE HELD APRIL 29 AND 30, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. LL-1011-13 dated March 25, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for four signs dated March 15, 2011, from Sharon Jones, Norman Roundup Club
3. Limited License No. LL-1011-13
4. Photograph of sign

and the question being upon approving Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club approved; and the issuance thereof was authorized.

* * * * *

Item 20, being:

LIMITED LICENSE NO. LL-1011-14: LIMITED LICENSE TO PLACE FIVE (5) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM ARVEST BANK ON BEHALF OF ST. JUDE CHILDREN'S RESEARCH HOSPITAL FOR THE ST. JUDE DREAM HOME GIVEAWAY TO BE HELD JUNE 26, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. LL-1011-14 dated March 30, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for five (5) signs dated March 29, 2011, from Arvest Bank
3. Limited License No. LL-1011-14

and the question being upon approving Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital approved; and the issuance thereof was authorized.

* * * * *

Item 21, being:

AMENDMENT NO. THREE TO CONTRACT NO. K-0708-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY EXTENDING THE TERM OF THE CONTRACT UNTIL APRIL 22, 2012, FOR THE LEASE OF PROPERTY LOCATED AT THE WEST ENTRANCE OF THE CLEVELAND COUNTY FAIRGROUNDS ON PORTER AVENUE NORTH OF ROBINSON STREET TO BE USED AS A DROP OFF RECYCLING CENTER.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record
1. Text File No. K-0708-114, Amendment No. Three, dated March 29, 2011, by Scottie Williams, Sanitation Superintendent
2. Amendment No. Three to Contract No. K-0708-114

and the question being upon approving Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-1011-82: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND SPRINT SPECTRUM, L.P., FOR THE RELOCATION OF TELECOMMUNICATIONS EQUIPMENT FROM THE LINDSEY STREET WATER TOWER TO THE MONOPOLE AT 668 EAST LINDSEY STREET AND TERMINATION OF CONTRACT NO. K-0607-141

Councilmember Kovach moved that Contract No. K-1011-82 with Sprint Spectrum, L.P., be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-82 dated March 30, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-82 with Exhibit A, Legal Description of Owner's Property; Exhibit B, Site Plan and Elevation View; Exhibit C, Memorandum of Agreement with Exhibit A, legal description
3. Contract No. K-0607-141 with Exhibit "A", Site Description

and the question being upon approving Contract No. K-1011-82 with Sprint Spectrum, L.P., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No K-1011-82 with Sprint Spectrum, L.P., approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-1011-157: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CINGULAR WIRELESS, PCS, L.L.C., FOR THE CONSTRUCTION OF AN UNDERGROUND GROUNDING FACILITY AND THE LEASE OF A MONOPOLE EAST OF THE WATER TREATMENT FACILITY LOCATED AT 3000 EAST ROBINSON STREET.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Text File No. K-1011-157 dated March 7, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-157 with Exhibit A, legal descriptions; Exhibit B, site plans and description of equipment on tower; Exhibit C, Memorandum of Agreement; Exhibit D, Temporary Relocation Right and Subordination, Non-Disturbance and Attornment Agreement; Exhibit E, Subordination, Non-Disturbance and Attornment Agreement

and the question being upon approving Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-1011-158: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CINGULAR WIRELESS, PCS, L.L.C., FOR THE LEASE OF A MONOPOLE TOWER LOCATED AT THE STREET MAINTENANCE FACILITY AT 668 EAST LINDSEY STREET.

Councilmember Kovach moved that Contract No. K-1011-158 with New Cingular Wireless, PCS, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-158 dated March 7, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-158 with Exhibit A, legal descriptions; Exhibit B, site plans; Exhibit C, Memorandum of Agreement; Exhibit D, Temporary Relocation Right

and the question being upon approving Contract No. K-1011-158 with New Cingular Wireless, PCS, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1011-158 with New Cingular Wireless, PCS, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-1011-161: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND OKLAHOMA NATURAL GAS COMPANY IN THE AMOUNT OF $50,129 TO EXTEND A GAS LINE FROM ROBINSON STREET TO THE NEW COMPRESSED NATURAL GAS (CNG) PUBLIC FUELING STATION AT 1301 DA VINCI STREET.

Councilmember Kovach moved that Contract No. K-1011-161 with Oklahoma Natural Gas Company in the amount of $50,129 be approved and the execution thereof be authorized be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-161 dated March 29, 2011, by Mike White Fleet Superintendent
2. Contract No. K-1011-161 with Exhibit A, location map
3. Purchase Requisition No. 0000184771 dated April 5, 2011, in the amount of $50,129 to Oklahoma Natural Gas Company

and the question being upon approving Contract No. K-1011-161 with Oklahoma Natural Gas Company in the amount of $50,129 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No K-1011-161 with Oklahoma Natural Gas Company in the amount of $50,129 approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

CONTRACT NO. K-1011-167: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BANK OF OKLAHOMA, N.A., TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 1318 KEYSTONE LANE.

Councilmember Kovach moved that Contract No. K-1011-167 with Bank of Oklahoma, N.A., be approved and the execution thereof be authorized be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. K-1011-167 dated March 31, 2011, by Lisa Krieg, Grants Planner
2. Contract No. K-1011-167

and the question being upon approving Contract No. K-1011-167 with Bank of Oklahoma, N.A., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No K-1011-167 with Bank of Oklahoma, N.A., approved; and the execution thereof was authorized.

* * * * *

Item 27, being:

RATIFICATION OF RESOLUTION NO. R-1011-104: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AN APPLICATION TO SEEK FINANCIAL ASSISTANCE THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANTS FUND FOR THE CONVERSION OF SEVERAL VEHICLES TO ALTERNATIVE FUELS.

Councilmember Kovach moved that ratification of Resolution No. R-1011-104 be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. R-1011-104 dated March 29, 2011, by Mike White Fleet Superintendent with attached cost and savings table
2. Resolution No. R-1011-104
3. Grant application dated April 8, 2011, for CNG Vehicle Replacement/Electric Vehicle Replacement
4. Quotation No. RM0230a dated March 11, 2011, from Sooner Lift, Inc., in the amount of $9,500
5. Quote dated March 11, 2011, from J & R Equipment, L.L.C., in the amount of $267,470

and the question being upon approving ratification of Resolution No. R-1011-104, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and ratification of Resolution No. R-1011-104 approved.

* * * * *

Item 28, being:

RESOLUTION NO. R-1011-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACCEPTING RESTITUTION FOR ARSON CASES TO BE USED FOR FUTURE FIRE PREVENTION PROJECTS AND INCREASING THE FIRE INVESTIGATION LIABILITY ACCOUNT BY $2,734.

Councilmember Kovach moved that Resolution No. R-1011-109 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. R-1011-109 dated March 28, 2011, by James Fullingim, Fire Chief
2. Resolution No. R-1011-109

and the question being upon adopting Resolution No. R-1011-109, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1011-109 was adopted.

* * * * *

Item 29, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $52,173.26 REGARDING RICHARD HARTLESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2009-11497H.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of $52,173.26 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record
1. Text File No. 2009-11497H dated March 21, 2011, by Blaine Nice, Assistant City Attorney with Attachment No. 2, payment to claimant and attorney
2. Workers' Compensation Court Order No. WCC 2009-11497H filed March 8, 2010, Order Determining Compensability and Awarding Permanent Partial Disability Benefits
3. Workers' Compensation Court Order No. WCC 2009-11497H filed March 15, 2010, Order Nunc Pro Tunc
4. Workers' Compensation Court Order No. WCC 2009-11497H filed August 10, 2010, Order on Appeal Affirming the Decision of the Trial Court
5. Court of Civil Appeals of the State of Oklahoma, Division 1, Case No. 108,473, City of Norman, a Municipal Corporation, Own Risk vs. Richard Hartless and the Workers' Compensation Court, filed December 3, 2010, proceeding to Review an Order of a Three-Judge Panel of the Workers' Compensation Court
6. Court of Civil Appeals of the State of Oklahoma, Division 1, Case No. 108,473, City of Norman, a Municipal Corporation, Own Risk vs. Richard Hartless and the Workers' Compensation Court, filed January 7, 2011, Order
7. Workers' Compensation Court Order No. WCC 2009-11497H filed March 17, 2011, Order on Mandate
8. Purchase Requisition No. 0000184140 dated March 21, 2011, in the amount of $50,663.56 to Richard Hartless and Richard Bell
9. Purchase Requisition No. 0000184142 dated March 21, 2011, in the amount of $957.60 to Workers' Compensation Administrative Tax Fund
10. Purchase Requisition No. 0000184143 dated March 21, 2011, in the amount of $359.10 to Special Occupational Health and Safety Fund
11. Purchase Requisition No. 0000184144 dated March 21, 2011, in the amount of $140 to Workers' Compensation Court
12. Purchase Requisition No. 0000184145 dated March 21, 2011, in the amount of $118 to Cleveland County Court Clerk

Item 29, continued:

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of $52,173.26 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 30, being:

RESOLUTION NO. R-1011-82: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-5**, SO AS TO PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. 3 ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH-DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE COMMERCIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE)

Councilmember Kovach having moved on March 22, 2011, that Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, be postponed until April 12, 2011, which motion having been duly seconded by Councilmember Ezzell, Councilmember Kovach moved that Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, be postponed until May 24, 2011, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1011-82 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. City of Norman Predevelopment Case No. PD 10-28 dated December 16, 2010, submitted by 2681 Jefferson Street Holdings, L.L.C., for property south of intersection of I-35 and Highway 9 East
7. Greenbelt Enhancement Statement Comments dated January 24, 2011
8. Pertinent excerpts from City Council minutes of February 10,2011
9. Email dated March 11, 2011, from Sean Rieger, the Rieger Law Group, to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry, requesting postponement until April 12, 2011
10. Email dated April 11, 2011, from Sean Rieger, the Rieger Law Group, to City Council, Steve Lewis, Brenda Hall, Ellen Usry, and Susan Connors, requesting postponement until May 24, 2011

and the question being upon postponing Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, until May 24, 2011, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, was postponed until May 24, 2011.

* * * * *

Item 31, being:

ORDINANCE NO. O-1011-41: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION, AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. 3 ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE)

Ordinance No. O-1011-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 8, 2011 and in City Council's meeting of March 22, 2011, Councilmember Atkins having moved that Ordinance No. O-1011-41 be postponed until April 12, 2011, which motion having been duly seconded by Councilmember Kovach, Councilmember Kovach moved that Ordinance No. O-1011-41 be postponed until May 24, 2011, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1011-41 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Ordinance No. O-1011-41
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of February 10, 2011
7. Email dated March 11, 2011, from Sean Rieger, the Rieger Law Group, to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry, requesting postponement until April 12, 2011
8. Email dated April 11, 2011, from Sean Rieger, the Rieger Law Group, to City Council, Steve Lewis, Brenda Hall, Ellen Usry, and Susan Connors, requesting postponement until May 24, 2011

and the question being upon postponing Ordinance No. O-1011-41 until May 24, 2011, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-41 was postponed until May 24, 2011.

* * * * *

Item 32, being:

ORDINANCE NO. O-1011-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE VIII, SECTIONS 13-809 THROUGH 13-814; AND ARTICLE XXVIII, SECTION 13-2804, 13-2806 AND 13-2809 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING PROVISIONS AND AMENDING THE APPLICATION AND PERMIT ISSUANCE PROCEDURES AND FEES FOR TEMPORARY FOOD ESTABLISHMENTS AND SOLICITORS AND PEDDLERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 22, 2011, Councilmember Atkins moved that Ordinance No. O-1011-18 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Kovach;

Item 32, continued:

Items submitted for the record

1. Text File No. O-1011-18 dated March 7, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1011-18
3. Legislatively notated copy of Ordinance No. O-1011-18
4. City Council Oversight Committee minutes of May 12 and August 4, 2010
5. Pertinent excerpts from City Council Oversight Committee minutes of October 13, November 3, and December 1, 2010, and January 5, 2011
6. Pertinent excerpts from City Council Conference minutes of February 22, 2011

Participants in discussion

1. Ms. Brenda Hall, City Clerk
2. Mr. Tim McDermott, 606 Iowa, asked questions
3. Mr. Adrian Buendia, 4321 Warrington Way, proponent

and the question being upon adopting Ordinance No. O-1011-18 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-18 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-18 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-1011-18 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-18 was adopted upon Final Reading as a whole.

* * * * *

Item 33, being:

ORDINANCE NO. O-1011-44: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 431.6 (COMMERCIAL OUTDOOR LIGHTING STANDARDS) AND AMENDING SECTION 431.7 (DEVELOPMENT AND MAINTENANCE OF OFF STREET PARKING FACILITIES), AND SECTION 450 (DEFINITIONS) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO CREATE COMMERCIAL OUTDOOR LIGHTING STANDARDS AND ADDING RELATED DEFINITIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-44 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 22, 2011, Councilmember Kovach moved that Ordinance No. O-1011-44 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Item 33, continued:

Items submitted for the record

1. Text File No. O-1011-44 dated January 19, 2011, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1011-44
3. Legislatively notated copy of Ordinance No. O-1011-44
4. Staff Report dated February 10, 2011, from Doug Koscinski, AICP, Manager, Current Planning Manager, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of February 10, 2011
6. Pertinent excerpts from City Council Conference minutes of September 28, 2010
7. Pertinent excerpts from City Council Planning and Community Development Committee minutes of November 12, 2010
8. Power Point presentation prepared by Sean Paul Rieger, Attorney-Architect, for Builders Association of South Central Oklahoma (BASCO)
9. Power Point presentation entitled "Amendments Needed to Lighting Ordinance" prepared by Norman North Astronomy Classes and Club presented to City Council April 12, 2011
10. Email opposing amendment regarding retrofit dated April 12, 2011, to Cindy Rosenthal from Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau
11. Statement of support from Tom Knotts
12. Petition containing 261 signatures submitted by students from Norman North High School supporting ordinance with amendments of full cut off fixtures only, retrofit, and to include residential areas, churches, public recreation facilities, and schools

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Doug Koscinski, Current Planning Manager
3. Mr. Steve Ruse, Allen Consulting Group, 115 West Main Street, consultant for the City
4. Ms. Eileen Grzbowski, Norman North High School Astronomy Program teacher, proponent of ordinance with retrofit amendment
5. Mr. Michael Eades, 229 Telstar Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
6. Ms. Hallie Smith, 219 Crestmont Avenue, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
7. Ms. Annie Shen, 3812 Baker Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
8. Ms. Angela Shen, 3812 Baker Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
9. Mr. Sean Rieger, 136 Thompson Drive, Attorney – Architect, for BASCO, proponent of ordinance without retrofit and full cutoff amendments
10. Mr. Jim Adair, 111 North Peters, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
11. Mr. Allen Allard, 1800 Imhoff Road, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
12. Ms. Mary Francis, 850C Cardinal Creek Boulevard, proponent
13. Mr. John Woods, Executive Director of the Chamber of Commerce, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
14. Mr. Chris Applegate, 728 Hummingfish Drive, proponent of retrofit amendment
15. Mr. Larry Steele, 730 Hoover Street, proponent of amendment to allow sidewalk spillover and protestant of 200 foot rule
16. Mr. Mike Fowler, 4701 Cloudcroft Court, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
17. Mr. Harold Haralson, 816 Avon Drive, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
18. Mr. Jeff Bryant, City Attorney
19. Mr. Roger Gallagher, 1522 East Boyd Street, protestant of retrofit amendment
20. Mr. Marc Jensen, 1525 High Trail Road, proponent
21. Mr. Doug Kennon, 1200 24th Avenue S.W., protestant of ordinance and proponent of Councilmember Ezzell's amendments
22. Mr. Mike Douglas, 1501 Goldfinch Court, proponent

Item 33, continued:

Participants in discussion, continued

23. Mr. Trey Bates, 3710 Timberidge, proponent of Councilmember Ezzell's amendments and protestant of retrofit amendment
24. Mr. Jim Long, 447 College Avenue, proponent
25. Mr. James Chappel, Oklahoma Gas and Electric Company, 301 West Comanche Street, made comments
26. Ms. Wanda Frost, Norman Builder's Association, 210 36th Avenue S.W., protestant of ordinance and proponent of 200 foot rule amendment
27. Mr. Harold Heiple, 218 East Eufaula, protestant of ordinance and proponent of Councilmember Ezzell's amendments
28. Mr. Tom Knotts, 7301 East Highway 9, proponent

Thereupon, Councilmember Ezzell moved that Ordinance No. O-1011-44 be amended to read as follows:

* * *

SEC. 431.6 – COMMERCIAL OUTDOOR LIGHTING STANDARDS

3. Applicability.
   (a) New Building Construction. For all new public or private commercial, industrial, institutional, and multi-family land uses, developments, buildings, and structures that require a permit subsequent to the effective date of this Section (*30 days after Council adoption*), all new outdoor lighting fixtures shall meet the requirements of this Section of the Code.

   (b) These lighting regulations do not apply to properties zoned or used for single-family or two-family dwellings. These lighting regulations do not apply to any luminaries, lighting systems, or properties that are located more than two hundred (200) feet away from the boundary of a residentially zoned property adjacent to property which is zoned or used as single or two-family residential.

which motion was duly seconded by Councilmember Quinn;

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-44 be postponed until June 14, 2011, which motion was duly seconded by Councilmember Atkins; and the question being upon postponing Ordinance No. O-1011-44 until June 14, 2011, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-44 was postponed until June 14, 2011.

* * * * *

Item 34, being:

REGARDING A SPECIAL ELECTION TO DETERMINE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORMAN AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 2067 FOR THE TIME PERIOD OF JULY 1, 2010, TO JUNE 30, 2011, AS PROVIDED BY TITLE 11, OKLAHOMA STATUTES, SECTION 51-110, CONSIDERATION OF A MOTION TO MOVE FORWARD WITH NOTIFICATION TO THE CLEVELAND COUNTY ELECTION BOARD AFTER RECEIPT OF THE CLEVELAND COUNTY DISTRICT COURT'S RULING REGARDING BALLOT LANGUAGE IN CLEVELAND COUNTY DISTRICT COURT CASE NO. CV-2011-48-L; OR IN THE ALTERNATIVE, TO APPEAL THE DECISION OF THE CLEVELAND COUNTY DISTRICT COURT REGARDING DETERMINATION OF THE BALLOT LANGUAGE IN CLEVELAND COUNTY DISTRICT COURT CASE NO. CV-2011-48-L.

Councilmember Cubberley moved the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L be appealed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. R-1011-69, Amendment No. Two, dated March 31, 2011, by Jeff Bryant, City Attorney

Participants in discussion
1. Mr. Jeff Bryant, City Attorney
2. Mr. Jim Stanley, 3922 Pine Tree Circle, protestant

and the question being upon appealing the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal
NAYES:	Councilmember Kovach

The Mayor declared the motion carried and the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L will be appealed.

* * * * *

MISCELLANEOUS DISCUSSION

Salvage and Impoundment Yards. Mr. Bobby Stevens, 3801 108th Avenue S.E., said in City Council's meeting of March 22, 2011, he and Staff had discussed violations of the impoundment yard owned by Quality Towing Service. He said Staff had erroneously called this business a salvage yard and there is a big difference. He said Staff had made many incorrect statements. He said a salvage yard is where automobile parts are crushed and disassembled while impoundment yards store vehicles until the owner picks it up or it is sold at public auction. He said the impoundment yards need to be up to City code and said Code Enforcement missed these violations. He said City Staff should apologize to citizens and City Council for making statements that were wrong. He said none of the other impoundment yards in Norman have a car crusher on the premises but Quality does although it is not a salvage yard. He said he would not be persecuted and that citizens have a right to know.

Ms. Susan Connors, Director of Planning and Community Development, said she had written a memorandum to the City Council identifying the fact that at the March 22, 2011, City Council meeting, she had been misinformed by her Staff and she apologized for that. She said there had been some confusion about salvage and impoundment yards and she was clear on the issue now. She said Quality Towing is an impoundment yard and her Staff is continuing to work with them to bring them into compliance. She said Quality, along with one other impoundment yard and two salvage yards are working on a May 1st deadline to come into compliance with issues found on the sites. Quality Towing is doing some major work on their site due to some drainage issues and have removed a fence on the west side because of the property to address those drainage issues. She said they will continue to work on these issues and fully intend to meet the May 1st deadline.

Councilmember Butler thanked Mr. Stevens for his persistence in this matter because Staff is changing some of their operating procedures and looking into making changes to the ordinances.

*

Miscellaneous Discussion, continued:

Robinson Construction Issues. Mr. Gary Griffitts, 316 West Himes Street, said his home is located in the Flood/Robinson area and asked if there could be anything done to help with traffic issues from the Robinson underpass construction. He said traffic was speeding through the neighborhood streets when Flood Avenue was closed and thefts have occurred frequently. He said this had always been a quiet neighborhood before the construction began. He said now that Flood Avenue was open, it took 10 to 15 minutes for one lane of traffic to get through the light. He said he had tried to contact John Clink, project manager for the project, to get some type of signage to stop traffic from going into the neighborhood but nothing was done. He asked if the stop light could be timed to allow more traffic to flow through.

Mayor Rosenthal asked Mr. Griffitts to meet with Shawn O'Leary, Director of Public Works, after the meeting.

Ms. Ann Gallagher, 1522 East Boyd Street, said she agreed with Mr. Griffitts and that it takes over 30 minutes to get 3.9 miles because of the construction and the stoplights.

Councilmember Dillingham thanked Mr. Griffitts for attending this evening and said she had spoken with constituents in the Flood/Robinson area and was planning on speaking with Staff about this problem. She said she appreciated his willingness to be an advocate for his neighborhood and that staff would work on this traffic issue.

*

Sign Ordinance. Mr. Harold Heiple, 218 East Eufaula Street, thanked Council for postponing Ordinance No. O-1011-44 this evening. He said he would be glad to offer his services on behalf of the Norman Developers Council to solicit thoughts about light spillover and the glare problems because he was sure an ordinance could be drawn up to solve the problem.

*

Shop Norman. Councilmember Quinn said "Shop Norman."

*

Thanks to City Staff. Councilmember Butler said Council toured the Water Treatment Plant on March 29, 2011, and she commended Chris Mattingly, Utilities Superintendent at the Water Treatment Plant, and his staff for a job well done. She also thanked Sergeant Teresa Roberts who had worked with neighborhoods to take care of a dumping problems on 36th Avenue S.E. and Cedar Lane. She said Sergeant Roberts was a good example of Community Oriented Policing in action. She said Sergeant Roberts handled an issue where a large load of debris had been dumped on 36th Avenue S.E. and Cedar Lane.

*

Dumpsters for Rural Residents. Councilmember Butler announced that dumpsters will be placed at the Little Axe American Legion Building at 2020 156th Avenue N.E. and on Denver Corner located on the southeast corner of 108th Avenue N.E. and Alameda Street on Saturday, April 16th, and Sunday, April 17th. She said the Absentee Shawnee Tribe has become a new partner in this event along with Cleveland County, the City of Norman, Little Axe Chamber of Commerce, and Little Axe American Legion.

*

Blue Ribbon Month – Child Abuse Awareness Month. Councilmember Dillingham reminded citizens that April is Blue Ribbon Month and said to look for the blue ribbons on the trees signifying the need to reduce child abuse in the community and which announce April as Child Abuse Awareness Month. She said there are many agencies working with children such as Center for Children and Families, Bethesda Alternative, Mary Abbott House, as well as all of the therapists and teachers who take care of children who cannot speak for themselves and encouraged everyone to do what they could to make the difference in the life of the child.

*

Miscellaneous Discussion, continued:

Illegal Parking in Handicapped Parking Spaces. Councilmember Kovach said he wanted to address the "Letter to the Editor" that was in the newspaper this week with concerns about illegal parking in handicapped spaces. He voiced concerns about the policy and said he contacted the City Manager about what kind of enforcement there had been. He said he was told over 240 tickets had been issued over the last 12 months for illegal parking in handicap spaces. He said Council took this issue seriously and it was his understanding this policy is being enforced and assured the public that all Americans with Disabilities (ADA) issues were taken seriously.

*

Household Hazardous Waste Collection Event. Councilmember Kovach thanked Councilmembers Cubberley and Butler for volunteering for several years at the Household Hazardous Waste Collection Event and they were well qualified to work at this event.

Councilmember Butler said she worked in the paint tent with several high school students who were fabulous co-workers. She said she looks forward to seeing the statistics for disposal of items.

*

Mop Norman. Councilmember Kovach said "Mop Norman" and fix the Lake McGee problem.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 11:40 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 7

Text File Number: RPT-1011-40

Introduced: 4/12/2011 by Anthony Francisco, Finance Director

Current Status: Consent Item

Version: 1

Matter Type: Communication or Report

Title

SUBMISSION AND ACKNOWLEDGING RECEIPT OF FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

DATE: 04-Apr-11

TO: City Council

FROM: Anthony Francisco, Director of Finance
PREPARED BY: Clint Mercer, Chief Accountant

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE11	MONTHLY INTEREST EARNINGS March 2011	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE10-YTD	INTEREST EARNINGS YTD FYE11	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$22,917	$4,536	-80.21%	6.98%	$206,250	$44,509	-78.42%	8.18%
PUBLIC SAFETY SALES TAX FUND	N/A	$4,443	100.00%	6.84%	N/A	$40,821	100.00%	7.50%
ROOM TAX FUND	$250	$72	-71.18%	0.11%	$2,250	$864	-61.60%	0.16%
CAPITAL PROJECTS FUND	$29,167	$14,347	-50.81%	22.08%	$262,500	$124,214	-52.68%	22.82%
SINKING FUND	$2,083	$4,224	102.74%	6.50%	$18,750	$22,740	21.28%	4.18%
G.O. BOND FUND	$167	$133	-19.97%	0.21%	$1,500	$1,016	-32.24%	0.19%
WESTWOOD FUND	$625	$2,367	278.65%	3.64%	$5,625	$5,856	4.10%	1.08%
WATER FUND	$10,000	$8,647	-13.53%	13.31%	$90,000	$71,190	-20.90%	13.08%
WASTEWATER FUND	$25,000	$6,636	-73.46%	10.21%	$225,000	$60,432	-73.14%	11.10%
HALLPARK FUND	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
DEVELOPMENT EXCISE	$16,667	$9,452	-43.29%	14.54%	$150,000	$78,092	-47.94%	14.34%
SEWER SALES TAX	$16,667	$5,621	-66.27%	8.65%	$150,000	$51,503	-65.66%	9.46%
SANITATION FUND	$2,500	$34	-98.66%	0.05%	$22,500	$3,904	-82.65%	0.72%
PARKLAND FUND	$2,255	$930	-58.78%	1.43%	$20,296	$8,356	-58.83%	1.53%
TRUST & AGENCY FUNDS	N/A	$4	100.00%	0.01%	N/A	$36	100.00%	0.01%
TAX INCREMENT DISTRICT	$417	$1,631	100.00%	2.51%	$3,750	$14,282	100.00%	2.62%
SPECIAL GRANTS FUND	N/A	$864	100.00%	1.33%	N/A	$7,170	100.00%	1.32%
CLEET FUND	N/A	$19	100.00%	0.03%	N/A	$143	100.00%	0.03%
HOUSING	N/A	$0	100.00%	0.00%	N/A	$133	100.00%	0.02%
SITE IMPROVEMENT FUND	N/A	$32	100.00%	0.05%	N/A	$288	100.00%	0.05%
ARTERIAL ROAD FUND	N/A	$637	100.00%	0.98%	N/A	$5,955	100.00%	1.09%
SEIZURES	$42	$361	766.21%	0.56%	$375	$2,915	677.28%	0.54%
	$128,755	$64,989	-49.53%	100.00%	$1,158,796	544,419	-53.02%	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 $ 114.78 million as of 3/31/11 are represented by working capital cash balances of all City funds of approximately $ 62.32 million, outstanding encumbrances of $21.83 million, General Oblig.ation Bond proceeds of $8.25, NUA revenue bond proceeds of $14.79 million, NMA bond proceeds of $4.05 million, and UNP TIF reserve amounts of $3.54 million.

INVESTMENT BY TYPE

March 31, 2010

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	NUA REV. FD.				$0.00	$0.00	$0.00
BANK OF AMERICA	GEN'L DEP.			0.30%	$2,162.46	$13,566,174.37	$13,566,174.37
BANK OF AMERICA	WARRANTS PAYABLE				$0.00	($4,362,570.68)	($4,362,570.68)
BANK OF AMERICA	PAYROLL				$0.00	($3,201,513.41)	($3,201,513.41)
BANK OF AMERICA	COURT BOND REFUNDS				$0.00	$294,118.48	$294,118.48
BANK OF AMERICA	INSURANCE CLAIMS				$0.00	($86,861.80)	($86,861.80)
BANK OF AMERICA	HALLPARK			0.01%	$1.33	$159,338.94	$159,338.94
**Subtotal					$2,163.79	$6,368,685.90	$6,368,685.90
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$1.89	$527,522.24	$527,522.24
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$30.88	$3,695,113.43	$3,695,113.43
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$2,338.14	$354,773.92	$354,773.92
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$92.50	$14,261,054.14	$14,261,054.14
Bank of Oklahoma UNP TIF	MONEY MKT.			0.01%	$21.14	$2,598,314.27	$2,598,314.27
REPUBLIC BANK UNP TIF	MONEY MKT.			0.01%	$251.02	$937,267.46	$937,267.46
FIRST FIDELITY	MONEY MKT.			0.50%	$28.40	$0.00	$0.00
BANK OF AMERICA	MONEY MKT.			0.01%	$2.57	$52,532.07	$52,532.07
BANK OF AMERICA	MONEY MKT.			0.16%	$22.54	$227,998.95	$227,998.95
BANK OF AMERICA - Drinking W	MONEY MKT.			0.30%	$345.16	$271,808.70	$271,808.70
BANK OF AMERICA - Clean Wate	MONEY MKT.			0.30%	$302.40	$195,114.49	$195,114.49
BANK OF AMERICA-2008A	MONEY MKT.			0.30%	$326.31	$1,206,901.66	$1,206,901.66
BANK OF AMERICA-2008B	MONEY MKT.			0.30%	$698.05	$2,715,645.07	$2,715,645.07
BANK OF AMERICA-2010	MONEY MKT.			0.30%	$1,103.38	$4,331,873.97	$4,331,873.97
**Subtotal					$5,564.38	$31,375,920.37	$31,375,920.37
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$447,759.30	$447,759.30
**U.S. Treasury Securities							
FHLB	3133XFJY3	08/31/09	06/10/11	1.11%	5,012.45	5,555,000.00	$5,605,828.25
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,534.61	2,000,000.00	$2,139,020.00
FHLB	3133XWD71	12/31/09	02/28/12	1.24%	5,172.68	5,000,000.00	$5,034,600.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	6,539.41	6,000,000.00	$6,059,196.53
FHLB	3133XWD71	12/31/09	02/28/12	1.25%	5,196.26	5,000,000.00	$5,034,600.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	7,357.44	6,750,000.00	$6,832,710.98
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	131.58	100,000.00	$101,882.00
FHLB	3133XTS49	03/31/10	06/20/12	1.30%	107.99	100,000.00	$101,674.00
FNMA	31398AZ47	07/29/10	07/29/13	1.19%	3,967.46	4,000,000.00	$3,991,520.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,484.75	4,000,000.00	$4,052,480.00
FNMA	313359MNU3	11/30/10	08/01/12	0.73%	4,215.48	8,000,000.00	$8,461,280.00
FHLB	313371WK8	11/30/10	02/25/14	1.00%	1,458.33	1,750,000.00	$1,718,832.50
FNMA	31398A5Q1	12/02/10	11/08/13	1.06%	3,280.00	8,250,000.00	$8,127,652.50
U.S. STRIPS	912833JW1	12/30/10	05/15/11	0.22%	7,356.60	20,000,000.00	$19,997,200.00
U.S. STRIPS (Hallpark)	912833KC3	06/09/04	05/15/14	5.12%	445.64	79,860.00	$126,263.28
**Subtotal					57,260.68	76,584,860.00	$77,384,740.03
TOTAL					64,988.85	114,777,225.57	$115,577,105.60

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 COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 8

Text File Number: RPT-1011-39

Introduced: 4/12/2011 **Current Status:** Consent Item

Version: 1 **Matter Type:** Communication or Report

Title

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 9

Text File Number: RPT-1011-36

Introduced: 3/10/2011 **Current Status:** Consent Item

Version: 1 **Matter Type:** Communication or Report

Title

CONSIDERATION OF THE NORMAN CONVENTION AND VISITORS BUREAU, INC., SEMI-ANNUAL REPORT ENDING DECEMBER 31, 2010.

Body

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

ACTION TAKEN: _____

2011 SEMI-ANNUAL REPORT

A FEW WORDS

January 1, 2011

The 2011 Semi-Annual Report summarizes our activity and performance measures from July 2010 through December 2010.

As the official destination marketing organization for Norman, the mission of the Norman Convention & Visitors Bureau is to promote the city to overnight meeting, convention, sport and tourism business to the community, and to enhance and contribute to the overall identity and economic well being of Norman.

The principle activities of the NCVB continues to be promoting Norman through advertising and media relations in order to attract leisure visitors, selling Norman's meeting spaces and sport facilities to meeting and event planners, and taking an leading role in the continued development of Norman as a destination.

We're excited about our recent initiatives and continued progess being made. If you have any questions, please feel free to call.

Stephen Koranda
Executive Director
Norman CVB

Joe Sparks
Board President
Norman CVB

KEY INDICATORS

Performance measures are used to determine the performance of the Norman Convention & Visitors Bureau. These measures will be used to calculate the total economic expenditure.

Annual reporting for economic impact:

1. Room Nights booked first 6 months of FY11 for meeting and sports groups: 1,161
2. Group Tour bookings, booked this year: 0
3. Leisure inquiries converted: 4,151
4. Coop resources raised (in kind, marketing, alliances, etc.): $0
5. Media Coverage:
    a. Media Placement: 107
        i. Number of Impressions: 5,873,733
        ii. Ad/PR Value Equivelancy: $31,869.26
6. Bureau Expenditures: $291,738
7. Return on Investment: $7.71:$1

Semi-Annual reporting for performance measures:

1. Economic Impact of Tourism: $146,600,000
2. Transient Guest Tax collections: $555,291
3. Sales tax collections: $23,474,376
4. Occupancy of Norman Hotels and B&B's: 54.8%
5. Average Daily Rate of Norman Hotel and B&B rooms: $80.31
6. Length of stay during visit to Norman: 1-2 nights 47.54%; 3-5 nights 27.04%; 6-9 nights 10.58%; 10+ nights 12.6% (2.24% did not answer)
7. Per person expenditure of visitor to Norman: $529 per person per trip (overnight); $165 per person per trip (day trip)*

*Expenditure costs derived from Oklahoma Tourism and Recreational Department and US Travel Association.

SALES

Sales works pro-actively to solicit new meetings, conventions and sports events to bring to Norman. Sales concentrates strongly on representing Norman and all industry partners at tourism trade shows and travel conferences.

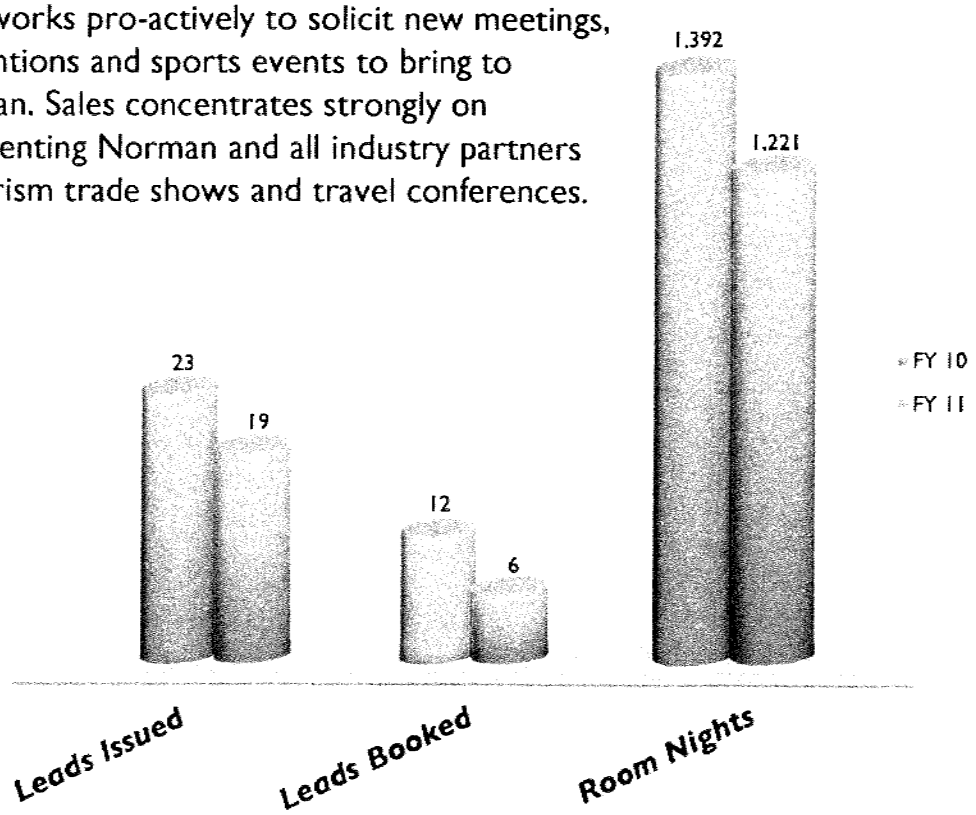
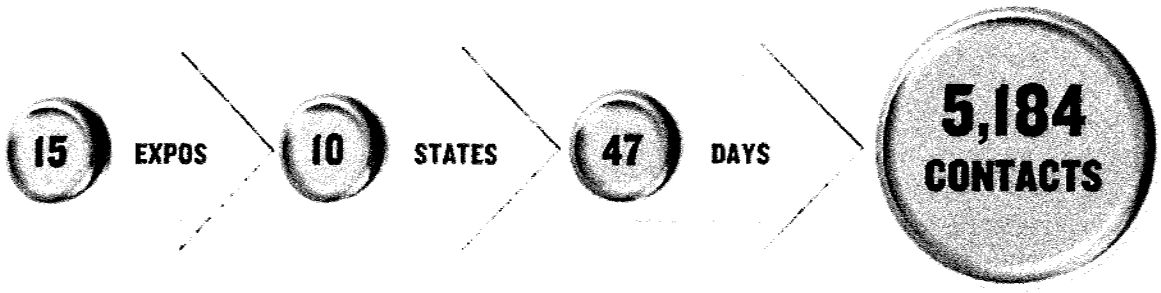


*Table indicates all leads booked during FY10 & FY11 for current and future events.

Sales Travel

This year our Sales Team planned an aggressive campaign for visibility at many of the major expos hosted for meeting planners. Their efforts resulted in:

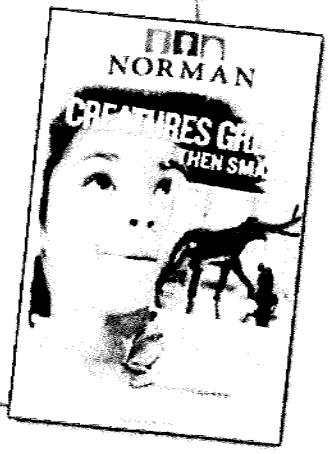


LEISURE MARKETING

Marketing works pro-actively to promote Norman as a premier travel destination to the travel trade industry through trade shows. The NCVB creates cooperative opportunities for Norman travel industry partners (convention and visitors bureaus, hotels, attractions, etc.) to participate in travel trade and media promotions.

Promoting the organization and its programs across various media outlets including traditional television, radio and print as well as seminar and conference speaking opportunities, direct mail, advertising and the entire online realm of Web sites, blogs, social networks and related portals.

Inquiries through marketing programs, web site and office **4,051**



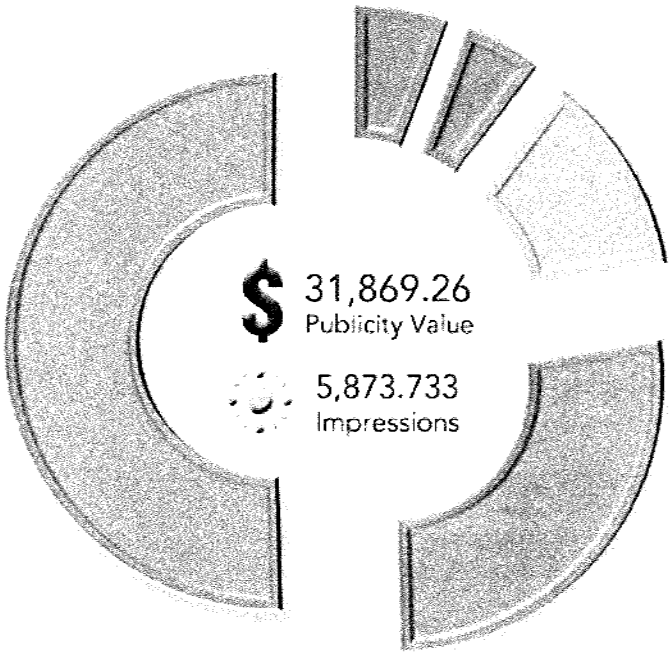
COMMUNICATIONS

Communications works proactively with travel media (newspapers, magazines, broadcast, electronic) throughout the United States and top international markets. This includes promoting Norman as a premier travel destination to the travel trade industry through press releases, newsletters and electronic social networks.

Communciations also coordinates familiarization tours throughout Norman as well as media trips to provide print and broadcast media with first hand knowledge of our destination.

EARNED MEDIA

- 5 Broadcast segments
- 6 Magazine articles
- 13 Radio segments
- 29 Newspaper articles
- 54 Internet articles



By the numbers:

16,844
FANS/FRIENDS

592
FOLLOWERS

ON A MISSION...
CVB MEDIA TRIPS

- DALLAS/ FT. WORTH
- WEST TEXAS/OK
- PANHANDLE (TX,KS,OK)
- EAST OKLAHOMA
- SOUTH CALIFORNIA

2011 BOARD OF DIRECTORS

Joe Sparks
*Board Chair, Legends Restaurant, Restaurant Industry

Roger Brown
*Vice Chair, Norman Public Schools

William Murray
Treasurer, Montford Inn, Hospitality Industry

Kris Glenn
Secretary, SportsTalk 1400, At Large

Sherri Brown
Republic Bank, Arts Council Representative

Randy Laffoon
SportsTalk 1400, Mayoral Appointment

Suzanne McAuley
First American Bank, Chamber Representative

Jim Rickards
Embassy Suites, Hospitality Industry

Charlie Taylor
OU Athletics, University Representative

Juna Stovall
OU CCE, Mayoral Appointment

Paige Williams
Chickasaw Nation, At Large

Ex-officio Board Members:

Robin Allen
Chamber of Commerce

Brenda Hall
City of Norman

Dan Quinn
Norman City Council

Don Wood
Norman Economic Development Coalition

NORMAN

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 10

Text File Number: BID-1011-63

Introduced: 4/11/2011 by Mike White, Fleet Superintendent

Current Status: Consent Item

Version: 1

Matter Type: Bid

Title

CONSIDERATION AND AWARDING OF BID NO. 1011-63 FOR COMPRESSED NATURAL GAS (CNG) QUICK FILL AND SLOW FILL EQUIPMENT AND RESOLUTION NO. R-1011-118 APPROPRIATING FUNDS.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 1, Part A; and, if accepted, award the bid in the amount of $196,800 to Arrow Engine Company as the lowest and best bidder meeting specifications and J-W Power Company as the alternate bidder

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 2, Part A; and, if accepted, award the bid in the amount of $201,832 to J-W Power Company as the lowest and best bidder meeting specifications and Tulsa Gas Technologies as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications for Section 3, Part A; and, if accepted, award the bid in the amount of $160,584 to Tulsa Gas Technologies as the lowest and best bidder meeting specifications.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 4, Part A; and, if accepted, award the bid in the amount of $23,876.21 to H.G. Flake as the lowest and best bidder meeting specifications and Greenfield Compression as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 1, Part B; and, if accepted, award the bid in the amount of $187,400 to Arrow Engine Company as the lowest and best bidder meeting specifications and J-W Power Company as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 2, Part B; and, if accepted, award the bid in the amount of $49,950 to Greenfield Compression as the lowest and best bidder meeting specifications and Tulsa Gas Technologies as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications for Section 3, Part B; and, if accepted, award the bid in the amount of $4,896 to Tulsa Gas Technologies as the lowest and best bidder meeting specifications and H.G. Flake as the alternate bidder.

ACTION TAKEN _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications for Section 4, Part B; and, if accepted, award the bid in the amount of $19,020.36 to H.G. Flake as the lowest and best bidder meeting specifications.

ACTION TAKEN _____

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-118.

ACTION TAKEN _____

BACKGROUND: On July 1, 2010 the City of Norman received an American Recovery and Reinvestment Act (ARRA) grant in the amount of $945,000 from the Oklahoma Department of Commerce (ODOC) to construct a compressed natural gas (CNG) fast fill/ slow fill public fueling station. In addition, in March 2010 the City received an Association of Central Oklahoma Governments (ACOG) grant in the amount of $200,000 for the construction of a CNG slow fill station. The two grants have been combined together in a joint project to develop all the CNG fueling facilities as a single effort.

The work for the installation of the stations has been divided into multiple segments. The first segment is to procure equipment needed for the fueling stations and place orders under purchase orders to allow for longer lead times on equipment fabrication and shipment. With this process in mind, the City has advertised for and obtained bids for fast fill and slow fill CNG station equipment, under Parts A and B of Bid Number 1011-63.

The equipment components of the fast fill public fueling station include a 4-stage compressor package with spare parts, natural gas storage spheres, fuel dispensers, an inlet gas dryer, a process air compressor, an inlet supply pressure regulator and stainless steel piping and fittings.

The equipment components of the slow fill fueling station include a companion 4-stage compressor package, slow fill post type dispensers, outlet supply coalescing filters, and stainless steel piping and fittings. Also, an alternate bid item includes the refurbishment of the existing donated IR compressor package.

A bid package for Part A and Part B of the equipment package was advertised on February 25, 2011, and a mandatory pre-bid conference was held on March 8, 2011, to explain components of the CNG systems to the prospective equipment suppliers. Bids for equipment meet the requirements of the Buy American policy to be eligible for reimbursement under the ARRA grant.

In addition to cost components, equipment was also evaluated for other factors such as manufacturer, location of manufacture, equipment lead time, warranty, compressor capacity (standard cubic feet per minute per inlet horsepower) and service response times.

DISCUSSION: Bid Number 1011-63 was opened on March 24, 2011, with five (5) vendor bids were received for various components of CNG station equipment. For Part A of the bid package, the apparent low bids totaled $490,946.21 which is 9.75% below the Engineers estimate of $544,000. For Part B of the bid package, the apparent low bids totaled $261,266.36 which is 24.2% below the Engineers estimate of $344,800. This total cost is $136,587 under the budgeted amount, allowing for purchase of two additional CNG storage spheres and an additional CNG truck dispenser at this time, instead of with a future bid package. At a unit price of $25,000 per storage sphere and $42,146 per truck dispenser, this additional equipment can be purchased for $92,146 to avoid future cost increases. The total cost then for Part A of the bid package would be $583,092.21 with inclusion of the additional equipment.

An alternate bid was procured for the refurbishment of the existing Ingersoll Rand slow fill compressor package that was donated by ONG. This bid was $54,000; the new 4-stage compressor package from Arrow Engine was $187,900. The new 4-stage unit will produce six times more volume of fuel per hour than the old IR unit (144 gas gallons equivalent/hour vs. 24 gas gallon equivalent/hour). It does not appear to be cost effective to refurbish the donated unit; the new Arrow Compressor package will provide substantially greater capacity for the future growth of the City's fleet.

Based upon the evaluation of apparent low bids and other salient bid factors, we have found the vendors listed on Attachment A to be qualified to supply the various CNG station components:

Part A Fast Fill Station Equipment will be paid from account number: 022-9503-435.63-01 TR00071 (ARRA Grant Reimbursable Materials). 100% of equipment costs will be reimbursed to the City of Norman from ODOC.

Part B Slow Fill Equipment will be paid from account number 022-9526-435.63-01 TR00078 (Materials Grant Reimbursable from ACOG) and account number 050-9381-431.63-01 TR00078 (Materials City Match Funds). Originally these funds were to be included in the budget and expended during the FYE 2012 Capital Improvement Project process; however, to utilize the favorable bid prices, an appropriation of funds will be required to add additional money into these accounts during this fiscal year. The ACOG grant is a 50/50 grant; therefore, 50% of equipment costs will be reimbursed to the City of Norman.

RECOMMENDATION NO. 1: Staff recommends Bid No. 1011-63 be awarded to the low bidders as shown above and on the bid tabulation. Part A of the bid tabulation will apply to equipment for the fast fill portion of the CNG station and Part B of the bid tabulation will apply to equipment for the slow fill portion of the CNG station.

Also, staff recommends that two (2) additional CNG storage spheres and one (1) additional truck dispenser be acquired at this time under Part A of the equipment package. The fast fill station has been designed to allow for future expansion with six (6) total storage spheres and four (4) two-hose dispensers. The bids for the storage spheres were very favorable; it is our expectation that future spheres may cost 30% more due to rising steel prices. JW Power has 6 spheres in their inventory they can provide at the current bid price. Due to the favorable bids we received for both compressor packages, the 4th two-hose dispenser should be installed as part of this bid package. This will complete all equipment settings for the fast fill station; no future expansions will be required. This will provide the City with a station capacity that can meet the City's needs 15 to 20 years in the future.

We further recommend that the alternate bid for refurbishment of the donated IR compressor package be rejected and the IR unit be traded in with an offset of $500 against the new compressor purchase price.

RECOMMENDATION NO. 2: An appropriation of funds from the fund balance accounts within the Capital Fund and Special Grants Fund, respectively, are requested to cover expenditures. These funds were originally scheduled to be budgeted in the FYE 2012 Capital Improvement Program for this project.

(See Attachment B- list of budget appropriations)

Council Agenda Memo, Attachment – CNG Fueling Station (April 26, 2011)
Vendors for Fast Fill and Slow Fill Station Equipment

PART A – FAST FILL STATION EQUIPMENT		
Vendor Name	Equipment Item	Equipment Bid
Arrow Engine Company Tulsa, OK	4 Stage Compressor Package	$ 196,800.00
JW Power Company Longview, TX	6 Storage Spheres, Inlet Dryer, Process Air Compressor	$ 201,832.00
Tulsa Gas Technologies, Inc. Tulsa, OK	4 CNG Fueling Dispensers	$ 160,584.00
HG Flake Company Tulsa, OK	Inlet Supply Pressure Regulator, Stainless Steel Piping and Fittings	$ 23,876.21
Total Part A – Equipment Bids		**$ 583,092.21**

PART B – SLOW FILL STATION EQUIPMENT		
Vendor Name	Equipment Item	Equipment Bid
Arrow Engine Company Tulsa, OK	4 Stage Compressor Package (includes $500 Trade In of donated compressor)	$ 187,400.00
Greenfield Compression, Inc. Richardson, TX	Slow Fill Post Type Dispensers	$ 49,950.00
Tulsa Gas Technologies, Inc. Tulsa, OK	Outlet Supply Coalescing Filters	$ 4,896.00
HG Flake Company Tulsa, OK	Stainless Steel Piping and Fittings	$ 19,020.36
Total Part B – Equipment Bids		**$ 261,266.36**

Appropriation of funds to cover expenditures through FYE 2012
CNG Slow Fill station

Slow Fill (50/50 ACOG Grant):

Account Number	Cost Element	Amount
050-9381-431.61-01	50% City Match Construction	$27,669
022-9526-435.61-01	50% Grant Elig. Construction	$27,669
050-9381-431.62-01	50% City Match Design	$6,810
022-9526-435.62-01	50% Grant Elig. Design	$6,810
050-9381-431.63-01	50% City Match Materials	$148,820
022-9526-435.63-01	50% Grant Elig. Materials	$148,819
	Total	**$366,597**

FLEET DIVISION
Quick Fill and Slow Fill CNG Equipment
BID NUMBER 1011-63
Bid Opening: March 24, 2011
BID TABULATION

	BID TABULATION	Arrow Engine Company Tulsa, OK	Greenfield Compression, Inc. Richardson, TX	HG Flake Company Tulsa, OK	JW Power Company Longview, TX	Tulsa Gas Technologies Tulsa, OK	Knox Western Concord, Ontario Canada	IMW Industries Chilliwack, BC Canada	Pinnacle CNG Midland, TX	Preferred Services OKC, OK	Probe AFS Rockwall, TX
PART A SECTION I	4 Stage Compressor Package	$196,800.00	$241,878.60	N/B	$231,850.40	N/B	N/R	N/R	N/R	N/R	N/R
PART A SECTION II	6 Storage Spheres	N/B	$211,500.00	N/B	$150,000.00	$190,500.00	N/R	N/R	N/R	N/R	N/R
	Inlet Dryer	N/B	$53,285.00	N/B	$50,282.00	$81,000.00	N/R	N/R	N/R	N/R	N/R
	Process Air Compressor	N/B	N/B	N/B	$1,550.00	N/B	N/R	N/R	N/R	N/R	N/R
PART A SECTION III	4 CNG Fueling Dispensers	N/B	$188,400.00	N/B	N/B	$160,584.00	N/R	N/R	N/R	N/R	N/R
PART A SECTION IV	Inlet Supply Pressure Regulator, Stainless Steel Piping and Fittings	N/B	N/B	$23,876.21	N/B	N/B	N/R	N/R	N/R	N/R	N/R
PART B SECTION I	4 Stage Compressor Package	$187,400.00	$236,878.60	N/B	$222,000.00	N/B	N/R	N/R	N/R	N/R	N/R
PART B SECTION II	Slow Fill Post Type Dispensers	N/B	$49,950.00	N/B	N/B	$53,648.00	N/R	N/R	N/R	N/R	N/R
PART B SECTION III	Outlet Supply Coalescing Filters	N/B	$15,000.00	$5,865.60	N/B	$4,896.00	N/R	N/R	N/R	N/R	N/R
PART B SECTION IV	Stainless Steel Piping and Fittings	N/B	N/B	$19,020.36	N/B	N/B	N/R	N/R	N/R	N/R	N/R

Recommendation - Bid Number 1011-63 be awarded as follows:

	Winning Low Bidder	Alternate Bidder
PART A SECTION I	Arrow Engine Company	JW Power
PART A SECTION II	JW Power Company	Tulsa Gas Technologies
PART A SECTION III	Tulsa Gas Technologies, Inc.	No Alternate Bidder
PART A SECTION IV	HG Flake Company	Greenfield
PART B SECTION I	Arrow Engine Company	JW Power
PART B SECTION II	Greenfield Compression, Inc.	Tulsa Gas Technologies
PART B SECTION III	Tulsa Gas Technologies, Inc.	HG Flake
PART B SECTION IV	HG Flake Company	No Alternate Bidder

N/R = No Response
N/B = No Bid

Resolution

R-1011-118

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $183,299 FROM THE CAPITAL FUND BALANCE AND $183,298 FROM THE SPECIAL REVENUE FUND BALANCE TO PURCHASE EQUIPMENT FOR THE NEW COMPRESSED NATURAL GAS (CNG) FAST FILL/SLOW FILL PUBLIC FUELING STATION.

§ 1. WHEREAS, The City of Norman received an American Recovery and Reinvestment Act grant in the amount of $945,000 from the Oklahoma Department of Commerce and a grant in the amount of $200,000 from the Association of Central Oklahoma Governments to construct a CNG Fast Fill/Slow Fill Public Fueling Station; and

§ 2. WHEREAS, the first segment of the project is to procure equipment needed for the fueling stations and bids have been obtained for this equipment; and

§ 3. WHEREAS, the low bids were below the engineer's estimate and additional equipment will be purchased with the excess funds; and

§ 4. WHEREAS, originally these funds were to be included in the FYE 2012 Budget and expended during the FYE 2012 Capital Improvement process; however, to utilize favorable bid prices, an appropriation of funds is requested to add additional money into these accounts during FYE 2011.

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

§ 5. That the following appropriations be made for the reasons as stated above:

Account Names	Losing Account	Gaining Account	Amount
Project No. TR0078, CNG Slow Fill Station, Construction	050-0000-253.20-00	050-9381-431.61-01	$ 27,669
Project No. TR0078, CNG Slow Fill Station, Construction	022-0000-253.20-00	022-9526-535.61-01	$ 27,669
Project No. TR0078, CNG Slow Fill Station, Design	050-0000-253.20-00	050-9381-431.62-01	$ 6,810
Project No. TR0078, CNG Slow Fill Station, Design	022-0000-253.20-00	022-9526-535.62-01	$ 6,810
Project No. TR0078, CNG Slow Fill Station, Materials	050-0000-253.20-00	050-9381-431.63-01	$148,820
Project No. TR0078, CNG Slow Fill Station, Materials	022-0000-253.20-00	022-9526-535.63-01	$148,819

PASSED AND ADOPTED this 26th day of April, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 11

Text File Number: K-1011-152

Introduced: 4/11/2011 by Angelo Lombardo, Traffic Engineer

Current Status: Consent Item

Version: 1

Matter Type: Contract

Title

CONSIDERATION OF BID NO. 1011-66, CONTRACT NO. K-1011-152 WITH RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF 183,517.06; PERFORMANCE BOND NO. B-1011-89; STATUTORY BOND NO. B-1011-90; MAINTENANCE BOND NO. MB-1011-90; AND RESOLUTION NO. R-1011-100 FOR THE JEFFERSON-LONGFELLOW SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $183,517.06 to Rudy Construction Company as the lowest and best bidder meeting specifications; approve Contract No. K-1011-152 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; and adopt Resolution No. R-1011-100.

ACTION TAKEN: _____

Body

BACKGROUND: The City of Norman, sponsor of an application with the Norman Public Schools, was chosen to receive funding in the first Oklahoma cycle (for the combined years 2006-2009) of the federal Safe Routes to School Program. This is a 100% reimbursable federal aid program. The only local project selected in this cycle by the Oklahoma Department of Transportation (ODOT), the programs administrator in Oklahoma, was for the Jefferson Elementary/ Longfellow Middle Schools.

The funds granted for the Jefferson/Longfellow project include $198,900 for infrastructure and $5,000 for non-infrastructure activities. The scope of the infrastructure part of the project includes sidewalk and ramp improvements in the vicinity of the schools, installation of 11 traffic calming speed tables on streets next to the schools, installation of an in-pavement lighted crosswalk system across Main Street at Cockrel Avenue, delivery of bicycle racks to Longfellow School, and construction of mast arm flashers to replace the conventional school beacons on the Classen Boulevard-Porter Avenue corridor which runs near the Longfellow Middle School and nearby Lincoln Elementary (which is within 1 mile of the Jefferson/Longfellow Schools).

DISCUSSION: On May 26, 2009, the City Council approved Contract No. K-0809-151, the Safe Routes to School Project Agreement Number 1008 for Federal-Aid Project Number SRS-155F(709)ST and SRS-155F(710)ST, State Job 26337(04)ST and 26337(05)ST, between the City of Norman and the Oklahoma Department of Transportation. The infrastructure design plans were prepared by BWR, Inc. of Oklahoma City, Oklahoma. Project inspection will be performed by the City's capital projects inspectors.

The following locations are scheduled to receive sidewalk and ramp improvements as a result of this project:

Gray Street (north side) in vicinity of Ponca Ave/Gray St. intersection
Gray Street (north side) between Stewart Ave. and Cockrel Ave.
Stewart Ave. (east side) between Gray St. and Acres St.
Findlay Avenue (east side) between Hughbert St. and Frank St.
Findlay Avenue (west side) between Main St. and Gray St.
Acres Street (north side) between Findlay Ave. and Stewart Ave.
Hughbert Street (north side) between Stewart Ave. and Cockrel Ave.
Hughbert Street (south side) between Cockrel Ave. and Carter Ave.
Cockrel Avenue (east side) between Main St. and Gray St.

The following locations are scheduled to receive speed tables as a result of this project:

Ponca Avenue, between Gray St. and Hughbert St. (3 speed tables)
Gray Street, between Porter Ave. and Cockrel Ave. (4 speed tables)
Acres Street, between Cockrel Ave. and Carter Ave. (1 speed table)
Findlay Ave. between Gray St. and Frank St. (3 speed tables)

The process of selecting a construction contractor for the Jefferson-Longfellow Safe Routes to School Infrastructure Project, including bid advertisement, was done in accordance with State Law.

BWR, Inc. prepared the bid documents, and City staff solicited bids through advertising. Ten companies picked up bid packages, and four companies submitted bids for the April 7, 2011 scheduled bid opening. Rudy Construction Company was the low bidder with a bid of $183,517.06.

Since this is a 100% refundable program, it was necessary to set up Capital Fund Construction Account No. 050-9082-431.61-01 (TR-0072) to track the payment of invoices and receipt of expense refunds for this project. There is currently $198,175.20 in that project numbers account.

RECOMMENDATION NO. 1: Staff recommends award of Bid No. 1011-66 to Rudy Construction Company, the low bidder. Up-front funding will come from the Capital Fund FYE 2011 (Longfellow-Jefferson Safe Routes to School) Construction Account No. 050-9082-431.61-01, Project No. TR 0072.

RECOMMENDATION NO. 2: Staff recommends that upon approval of Bid No. 1011-66, and contingent on approval by the City Attorney, that the Mayor be authorized to sign Contract No. K-1011-152 between the City of Norman and Rudy Construction Company, in the amount of $183,517.06, as well Performance Bond No. B-1011-89, Statutory Bond No. B-1011-90, and Maintenance Bond No. MB-1011-90. Staff also recommends approval of Resolution No. R-1011-100 designating Rudy Construction Company as the City's agent for the purchase of materials associated with the Jefferson-Longfellow Safe Routes to School Infrastructure Project.

Jefferson-Longfellow SAFE ROUTES TO SCHOOL Project Estimate - City of Norman
Project No. SRS-155F(710)ST Job/Piece No. 26337(05)

City of Norman BID NUMBER 1011-66
BID TABULATIONS

					Engineer's Estimate		Rudy Construction Okla. City, OK		Shell Construction Okla. City, OK		Redlands Contracting Edmond, OK		Nash Construction Okla. City, OK	
ITEM	NO.	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
201(A)	0102	CLEARING AND GRUBBING	L SUM	1.0	$ 500.00	$ 500.00	$ 3,000.00	$ 3,000.00	$ 4,000.00	$ 4,000.00	$ 15,000.00	$ 15,000.00	$ 6,000.00	$ 6,000.00
230(A)	2806	SOLID SLAB SODDING	SY	1406.0	$ 3.00	$ 4,218.00	$ 2.10	$ 2,952.60	$ 4.00	$ 5,624.00	$ 3.30	$ 4,639.80	$ 4.00	$ 5,624.00
609(B)	0383	COMBINED CURB & GUTTER (6" BARRIER)	LF	61.0	$ 40.00	$ 2,440.00	$ 21.00	$ 1,281.00	$ 20.00	$ 1,220.00	$ 32.00	$ 1,952.00	$ 30.00	$ 1,830.00
610(A)	0602	4" CONCRETE SIDEWALK	SY	1146.0	$ 40.00	$ 45,840.00	$ 39.50	$ 45,267.00	$ 45.00	$ 51,570.00	$ 30.55	$ 35,010.30	$ 45.00	$ 51,570.00
610(A)	0605	6" CONCRETE SIDEWALK	SY	62.0	$ 60.00	$ 3,720.00	$ 56.00	$ 3,472.00	$ 55.00	$ 3,410.00	$ 55.00	$ 3,410.00	$ 60.00	$ 3,720.00
610(I)	4610	TACTILE WARNING DEVICE-NEW	SF	260.0	$ 30.00	$ 7,800.00	$ 43.00	$ 11,180.00	$ 30.00	$ 7,800.00	$ 20.00	$ 5,200.00	$ 25.00	$ 6,500.00
612(E)	0647	VALVE BOXES ADJUST TO GRADE	EA	1.0	$ 225.00	$ 225.00	$ 75.00	$ 75.00	$ 250.00	$ 250.00	$ 1,000.00	$ 1,000.00	$ 250.00	$ 250.00
619(B)	4727	REMOVAL OF CONCRETE PAVEMENT	SY	73.0	$ 15.00	$ 1,095.00	$ 5.00	$ 365.00	$ 10.00	$ 730.00	$ 16.35	$ 1,194.28	$ 10.00	$ 730.00
619(B)	4792	REMOVAL OF SIDEWALK	SY	549.0	$ 7.00	$ 3,843.00	$ 5.00	$ 2,745.00	$ 10.00	$ 5,490.00	$ 9.50	$ 5,215.50	$ 10.00	$ 5,490.00
804(A)	2915	STRUCTURAL CONCRETE	CY	9.6	$ 600.00	$ 5,760.00	$ 550.00	$ 5,280.00	$ 525.00	$ 5,040.00	$ 550.00	$ 5,280.00	$ 500.00	$ 4,800.00
804(B)	2916	REINFORCING STEEL	LB	1422.0	$ 2.00	$ 2,844.00	$ 1.93	$ 2,744.46	$ 2.00	$ 2,844.00	$ 2.20	$ 3,128.40	$ 3.00	$ 4,266.00
805(D)	8742	(PL) REMOVE & RESET TRAF SIG EQUIPMENT	L SUM	1.0	$ 4,000.00	$ 4,000.00	$ 3,489.00	$ 3,489.00	$ 3,300.00	$ 3,300.00	$ 3,300.00	$ 3,300.00	$ 3,500.00	$ 3,500.00
805(D)	8756	(PL) REMOVE & RESET EXISTING SIGNS	EA	1.0	$ 225.00	$ 225.00	$ 150.00	$ 150.00	$ 200.00	$ 200.00	$ 550.00	$ 550.00	$ 1,000.00	$ 1,000.00
806(A)	8724	POLE & 20' TS MST ARM (G. STL.)	EA	4.0	$ 3,500.00	$ 14,000.00	$ 3,403.00	$ 13,612.00	$ 3,200.00	$ 12,800.00	$ 2,800.00	$ 11,200.00	$ 3,560.00	$ 14,240.00
823	8510	(SP) LIGHTED CROSSWALK WARNING SYSTEM	L SUM	1.0	$ 30,000.00	$ 30,000.00	$ 38,236.00	$ 38,236.00	$ 36,000.00	$ 36,000.00	$ 42,000.00	$ 42,000.00	$ 40,565.00	$ 40,565.00
834(A)	8207	5/C TRAFFIC SIGNAL ELECTRICAL CABLE	LF	160.0	$ 2.00	$ 320.00	$ 2.80	$ 448.00	$ 2.50	$ 400.00	$ 176.00	$ 28,160.00	$ 4.00	$ 640.00
855(B)	8821	TRAFFIC STRIPE (PLASTIC) (WORDS)	EA	6.0	$ 200.00	$ 1,200.00	$ 220.00	$ 1,320.00	$ 400.00	$ 2,400.00	$ 855.00	$ 5,130.00	$ 200.00	$ 1,200.00
880(J)	8905	CONSTRUCTION TRAFFIC CONTROL	L SUM	1.0	$ 1,000.00	$ 1,000.00	$ 2,650.00	$ 2,650.00	$ 5,000.00	$ 5,000.00	$ 2,750.00	$ 2,750.00	$ 10,000.00	$ 10,000.00
890	7700	(PL) TRAFFIC ITEMS	L SUM	1.0	$ 38,500.00	$ 38,500.00	$ 30,250.00	$ 30,250.00	$ 24,000.00	$ 24,000.00	$ 25,000.00	$ 25,000.00	$ 40,000.00	$ 40,000.00
------	Special	(PL) BIKE RACK	EA	2.0	$ 400.00	$ 800.00	$ 1,000.00	$ 2,000.00	$ 700.00	$ 1,400.00	$ 1,000.00	$ 2,000.00	$ 1,000.00	$ 2,000.00
------	Special	(PL) BOLLARDS (3)	L SUM	1.0	$ 400.00	$ 400.00	$ 900.00	$ 900.00	$ 2,100.00	$ 2,100.00	$ 1,000.00	$ 1,000.00	$ 1,500.00	$ 1,500.00
641	1552	MOBILIZATION	L SUM	1.0	$ 13,000.00	$ 13,000.00	$ 8,500.00	$ 8,500.00	$ 9,000.00	$ 9,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
642(B)	0096	CONSTRUCTION STAKING LEVEL II	L SUM	1.0	$ 2,000.00	$ 2,000.00	$ 3,600.00	$ 3,600.00	$ 5,000.00	$ 5,000.00	$ 7,500.00	$ 7,500.00	$ 6,000.00	$ 6,000.00
						$ 183,730.00		$ 183,517.06		$ 189,578.00		$ 219,620.28		$ 221,425.00
					x 8.0% =	$ 14,698.40	x 8.0% =	$ 14,681.36	x 8.0% =	$ 15,166.24	x 8.0% =	$ 17,569.62	x 8.0% =	$ 17,714.00
					TOTAL	$ 198,428.40		$ 198,198.42		$ 204,744.24		$ 237,189.90		$ 239,139.00

Jefferson Elementary
Longfellow Middle School
5 B
6 B
8
8 B
Mast Arm Warning
Speed Table
Sidewalk Area
Lighted Crosswalk
SAFE ROUTES TO SCHOOL
Vicinity of Longfellow & Jefferson Schools
N
W
E
S
1 " equals 300 '
April 16, 2010

CONTRACT

THIS CONTRACT made and entered into this_____day of_____, 20___, by and between ____Rudy Construction Company_____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.

WITNESETH

WHEREAS, the CITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

"Jefferson-Longfellow Safe Routes to School Infrastructure Project"

as outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the CITY 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 eighty-three thousand, five hundred seventeen and 06/100 DOLLARS ($ 183,517.06);

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents: The Bid Notice published in the Norman Transcript, the Notice to Bidders, Instructions to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.

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

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Tile 62, Section 310.9.

On completion of the work, but prior to the acceptance thereof by the CITY, it shall be the duty of the project engineer, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the CITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainages) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within 14 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same 90 calendar days (Base Bid Proposal), following receipt of said NOTICE-TO-PROCEED.

4) That the CITY shall pay the CONTRACTOR for the work performed as follows:

a. Payment for unit price items shall be at the unit price bid for actual construction quantities.

b. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

5) That the CITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY; and that in the event any additional are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY, the CONTRACTOR shall be compensated therefor at the unit price and as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the CITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefor by the CITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR further agrees to pay as liquidated damages as stipulated in the contract document General Conditions for each calendar day thereafter.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the CITY prior to issuance of the Work Order and commencement of work on the project. The CONTRACTOR shall provide written documentation from the Maintenance Bond Company that all work, including Change Orders, is covered by the Maintenance Bond before final acceptance of the project.

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

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the CITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given

legal effect to afford a defense against any obligation owed or assumed by such third person to the CITY or in any way to restrict the freedom of the third person to the CITY or in any way to restrict the freedom of the CITY to exercise full discretion in its dealing with the Contractor.

12) The attached sworn, notarized contract affidavit must be signed and notarized before this Contract will become effective.

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the _____day of _____20__, and the day of _____, 20__.

(Corporate Seal) (where applicable)

_____
Principal

ATTEST:

Signed:_____
Authorized Representative

_____
Corporate Secretary (where applicable)

_____
Title

Address_____
_____

Telephone:_____

CITY OF NORMAN:

Approved as to form and legality this____day of_____, 20__.

_____
City Attorney

Approved by the Council of the City of Norman, this ____day of_____,20__.

ATTEST:

_____
City Clerk

_____
Mayor

Resolution

R-1011-100

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING RUDY CONSTRUCTION COMPANY FOR THE JEFFERSON-LONGFELLOW SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Rudy Construction Company for the Jefferson-Longfellow Safe Routes to School Infrastructure Project; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State Law, desires to confer on Rudy Construction Company 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 Rudy Construction Company to purchase materials which are in fact incorporated in and used for the Jefferson-Longfellow Safe Routes to School Infrastructure Project; and

§ 3. WHEREAS, the limited agent status is conferred with the express understanding that Rudy Construction Company 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 _____ day of _____ 2011, did appoint Traffic Signals, Inc., who is involved with the Jefferson-Longfellow Safe Routes to School Infrastructure Project, as 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 Jefferson-Longfellow Safe Routes to School Infrastructure Project.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000184984

STATUS: DIVISION APPROVAL

REQUISITION BY: MRAYBURN

REASON: JEFFERSON-LONGFELLOW SAFE ROUTES TO SCHOOL CONSTR

DATE: 4/12/11

SHIP TO LOCATION: PUBLIC WORKS ADM

SUGGESTED VENDOR: 6082 RUDY CONSTRUCTION CO

DELIVER BY DATE: 4/13/11

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	SAFE ROUTES TO SCHOOL IMPROVEMENTS BID NO. 1011-66 CONFIRMING P.O.- DO NOT MAIL COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION, SIDEWALK AN	183517.06	DOL	1.0000	183517.06	

REQUISITION TOTAL: 183517.06

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05090824316101	Capital Projects Construction	TR0072 Longfellow-Jeff Safe Rout	100.00	183517.06
					183517.06

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 12

File Number: E-1011-63

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-63 (ROADWAY, DRAINAGE, AND UTILITY) FROM CYNTHIA L. CALDWELL IN THE AMOUNT OF $5,025 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-63; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-63 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 2.0 E-1011-63
STP-114B(256)AG

THAT, Cynthia L. Caldwell A Single Person, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 5th day of January, 2011.

BY: Cynthia L Caldwell
Owner

BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 5th day of January of _____, 2011, personally appeared Cynthia L. Caldwell _____, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that She executed the same as her 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.

JASON COOKE NOTARY 10008236 EXP. 9/30/14 PUBLIC STATE OF OKLAHOMA

Notary Public

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 19____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 2.0
STP-114B(256)AG

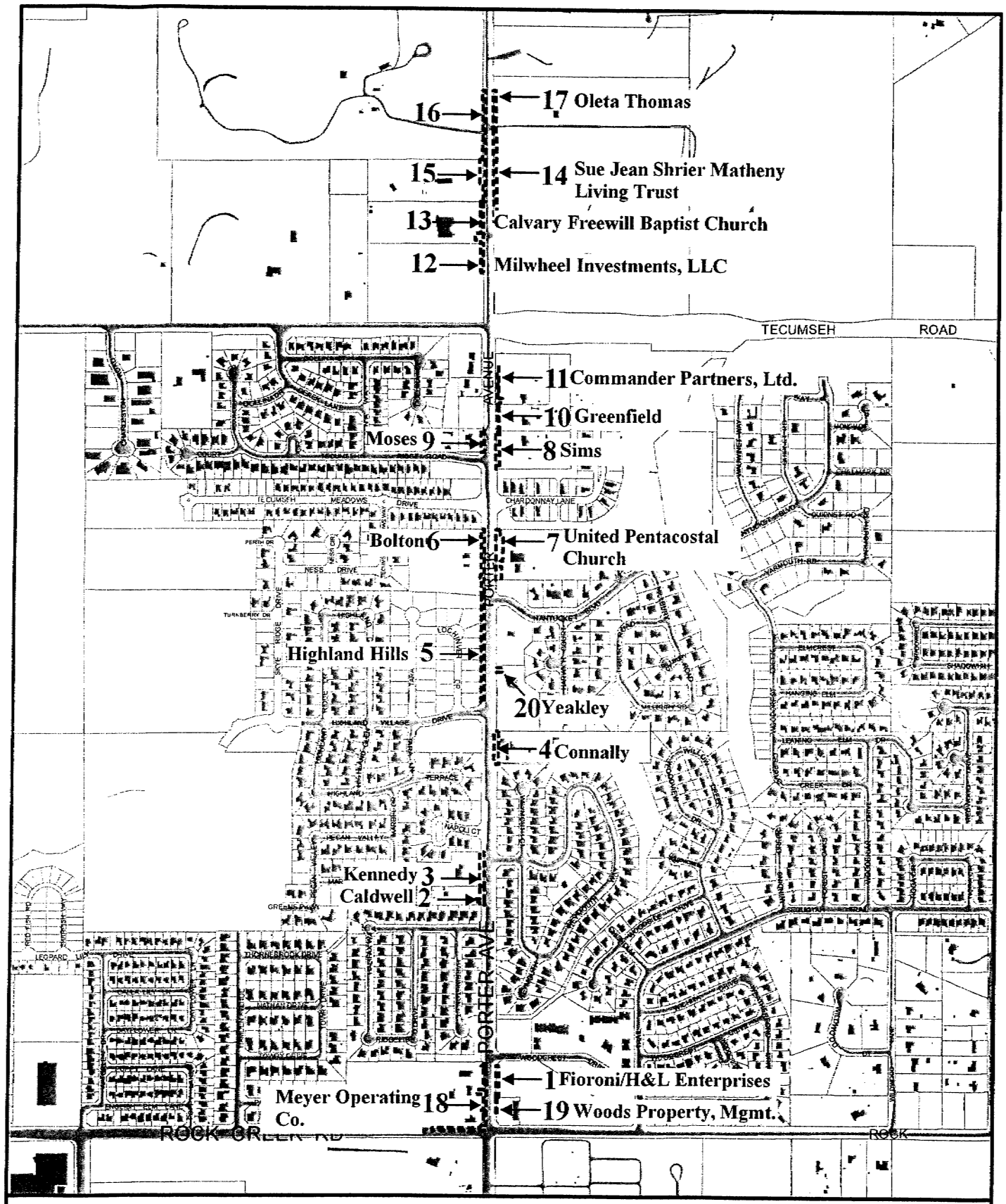
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said SE 1/4, thence S 00° 28' 06" E along the East line of said SE 1/4 a distance of 1025.03 feet to the POINT OF BEGINNING, thence continuing
S 00° 28' 06" E along the East line of said SE 1/4 a distance of 124.46 feet, thence S 89° 47' 34" W a distance of 50.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 124.46 feet, thence N 89° 47' 53" E a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 2,115.83 sq. ft. or 0.05 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 13

Text File Number: E-1011-64

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-64 (CONSTRUCTION) FROM CYNTHIA L. CALDWELL IN THE AMOUNT OF $375 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-64; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Tempoary Easement No. E-1011-64 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 2.1 E-1011-64
STP-114B(256)AG

THAT, Cynthia L. Caldwell A Single Person, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 5th day of January, 2011.

BY: Cynthia L Caldwell BY: _____

Owner

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 5th day of January, 2011, personally appeared Cynthia L. Caldwell to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that She executed the same as her 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.

JASON M. COOK NOTARY PUBLIC 10008239 EXP. 9/30/14 STATE OF OKLAHOMA

Notary Public

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 2.1
STP-114B(256)AG

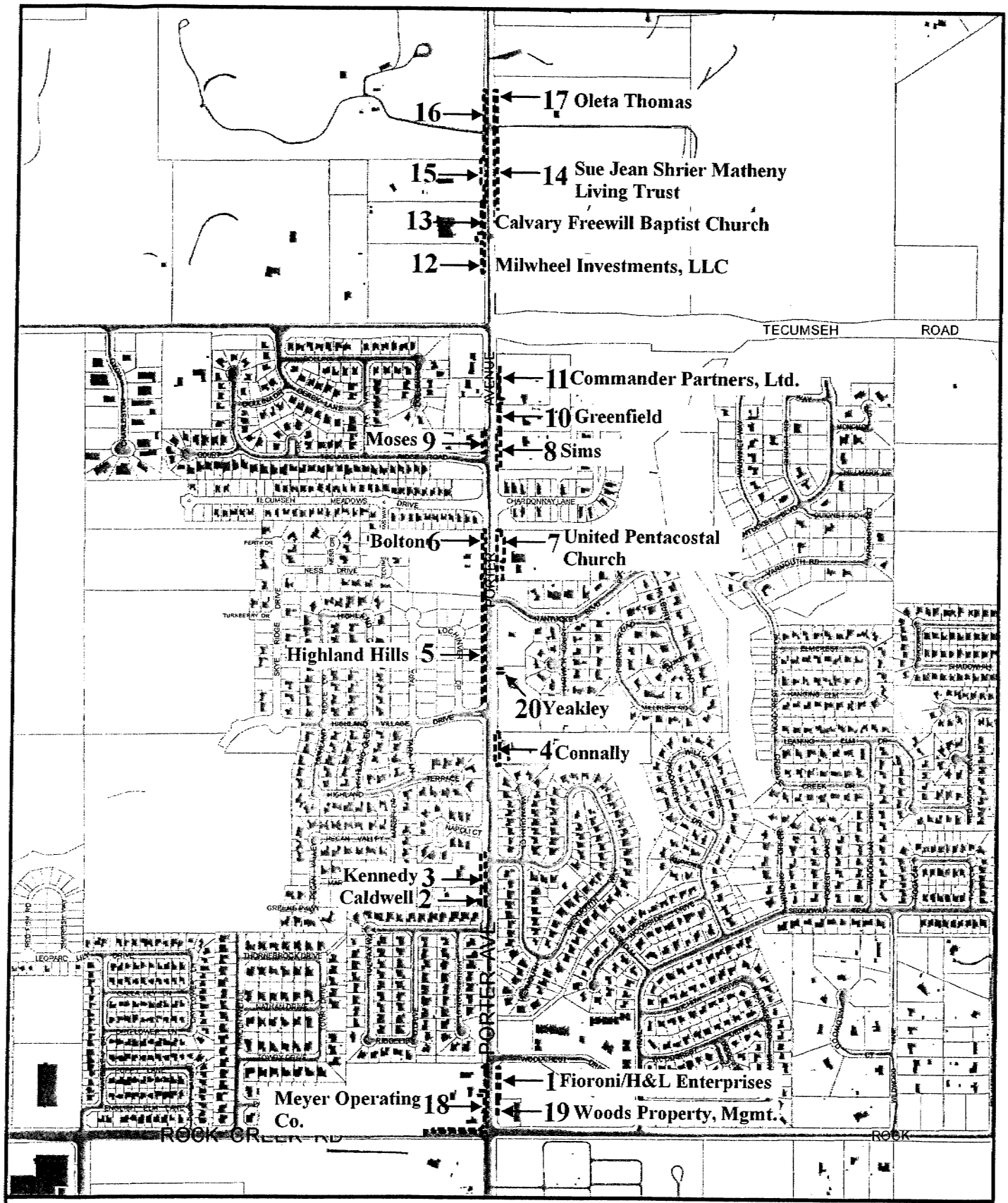
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said SE 1/4, thence S 00° 28' 06" E along the East line of said SE 1/4 a distance of 1025.03 feet, thence S 89° 47' 53" W a distance of 50.00 feet to the POINT OF BEGINNING, thence S 00° 28' 06" E parallel with the East line of said SE 1/4 a distance of 124.46 feet, thence S 89° 47' 34" W a distance of 10.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 124.46 feet, thence N 89° 47' 53" E a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 1,244.62 sq. ft. or 0.03 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 14

Text File Number: E-1011-65

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-65 (DRIVEWAY) DONATED BY CYNTHIA L. CALDWELL FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-65; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-65 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
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14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 2.2 E-1011-65
STP-114B(256)AG

THAT, Cynthia L. Caldwell, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 5th day of January, 2011.

BY: Cynthia L Caldwell BY: _____

owner

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 5th day of January, 2011, personally appeared Cynthia L. Caldwell, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her 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.

JASON M. COOKE NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

_____
Notary Public

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

_____
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 2.2
STP-114B(256)AG

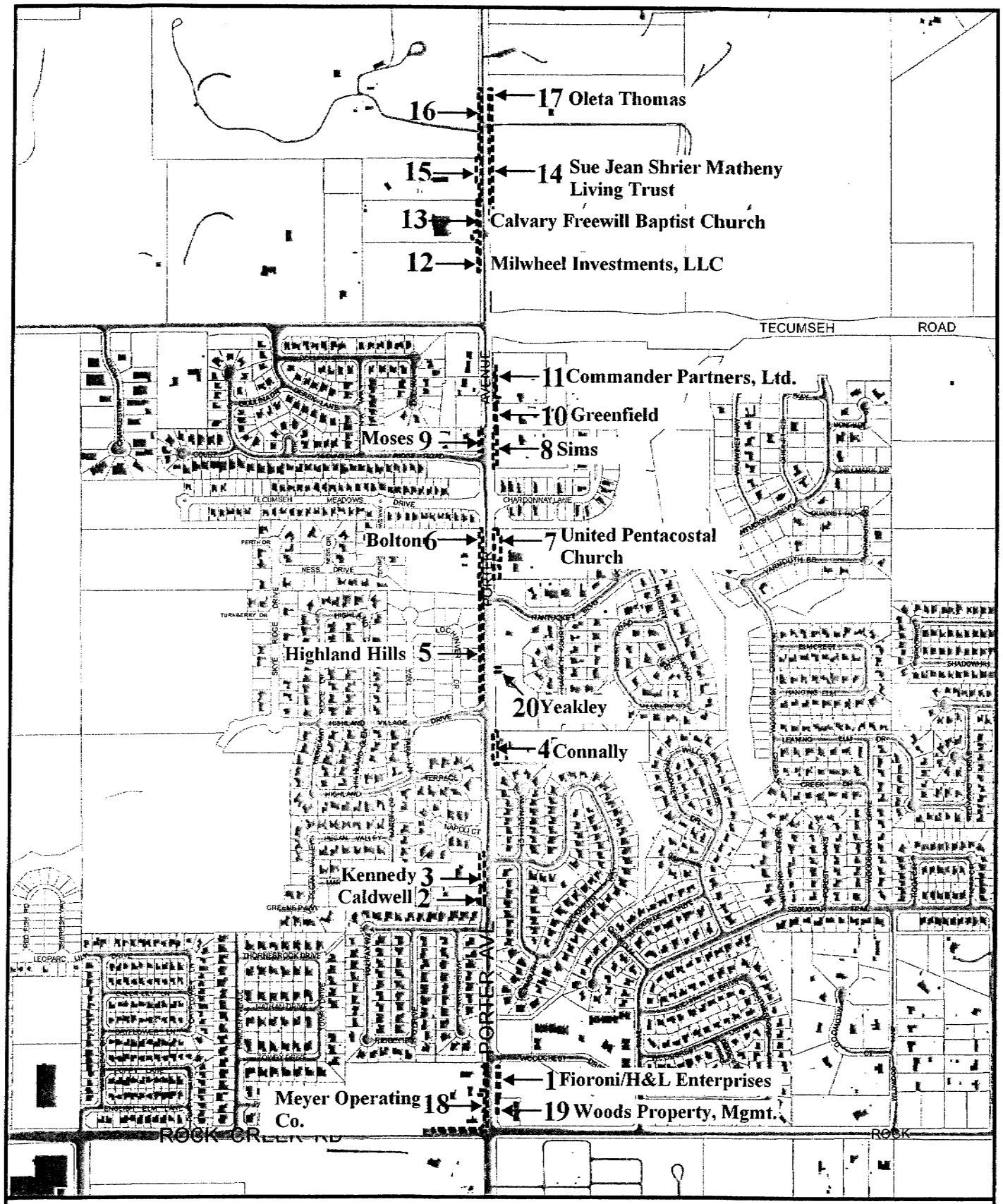
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said SE 1/4, thence S 00° 28' 06" E along the East line of said SE 1/4 a distance of 1125.93 feet, thence S 89° 31' 54" W a distance of 60.00 feet to the POINT OF BEGINNING, thence continuing S 89° 31' 54" W a distance of 30.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 20.00 feet, thence N 89° 31' 54" E a distance of 30.00 feet, thence S 00° 28' 06" E parallel with the East line of said SE 1/4 a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 600.00 sq. ft. or 0.01 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 15

Text File Number: E-1011-66

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-66 (ROADWAY, DRAINAGE, AND UTILITY) FROM CHRISTOPHER R. KENNEDY IN THE AMOUNT OF $9,200 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-66; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-66 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 3.0
STP-114B(256)AG

E-1011-66

THAT, Christopher R. Kennedy, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 30 day of December, 2010.

BY: Christopher Kennedy

BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
CHARITIE BAKER
Commission #10007094
Expires August 26, 2014

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 30 day December of _____, 2010, personally appeared Christopher Kennedy _____, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

Charitie Baker
Notary Public

My Commission Expires: Aug. 26, 2014

Approved as to form and legality this 15th day of April, 2011.

R Bonnie
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 3.0
STP-114B(256)AG

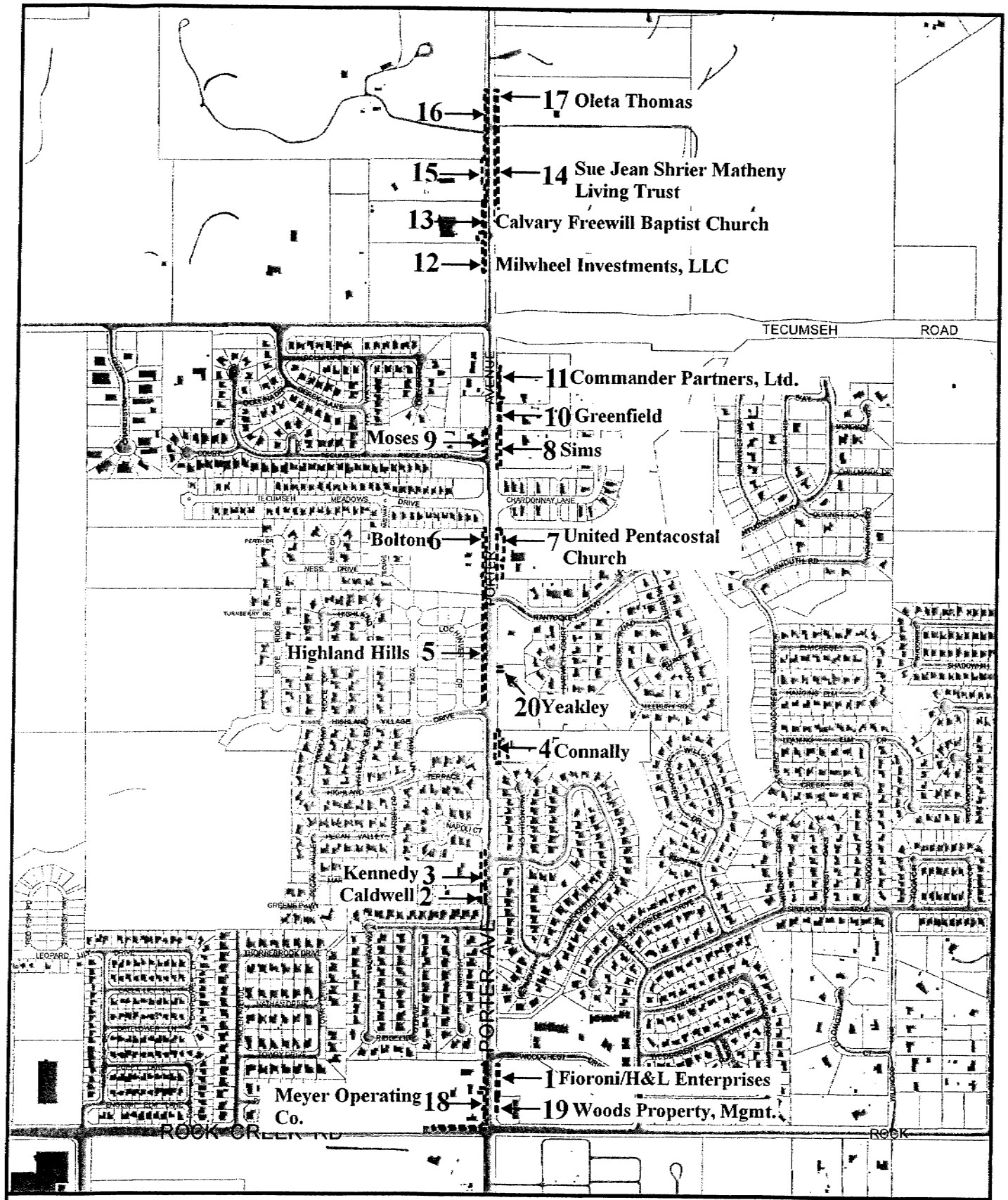
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said SE 1/4, thence S 00° 28' 06" E along the East line of said SE 1/4 a distance of 794.73 feet to the POINT OF BEGINNING, thence continuing
S 00° 28' 06" E along the East line of said SE 1/4 a distance of 230.30 feet, thence S 89° 47' 53" W a distance of 50.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 230.07 feet, thence N 89° 31' 54" E a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 3,911.87 sq. ft. or 0.09 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 16

Text File Number: E-1011-67

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-67 (DRIVEWAY) FROM CHRISTOPHER R. KENNEDY IN THE AMOUNT OF $700 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-67; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction and driveway easements or program roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-67 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 3.1 E-1011-67
STP-114B(256)AG

THAT, Christopher R. Kennedy, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 30 day of December, 2010.

BY: Christopher Kennedy BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

OFFICIAL SEAL
CHARITIE BAKER
Commission #10007094
Expires August 26, 2014
NOTARY PUBLIC SEAL STATE OF OKLAHOMA

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 30 day of December, 2010, personally appeared Christopher Kennedy, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

Charitie Baker
Notary Public

My Commission Expires: Aug. 26, 2014

Approved as to form and legality this 15th day of April, 2011.

R Bonner
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 kw

26840(04) Parcel No. 3.1
STP-114B(256)AG

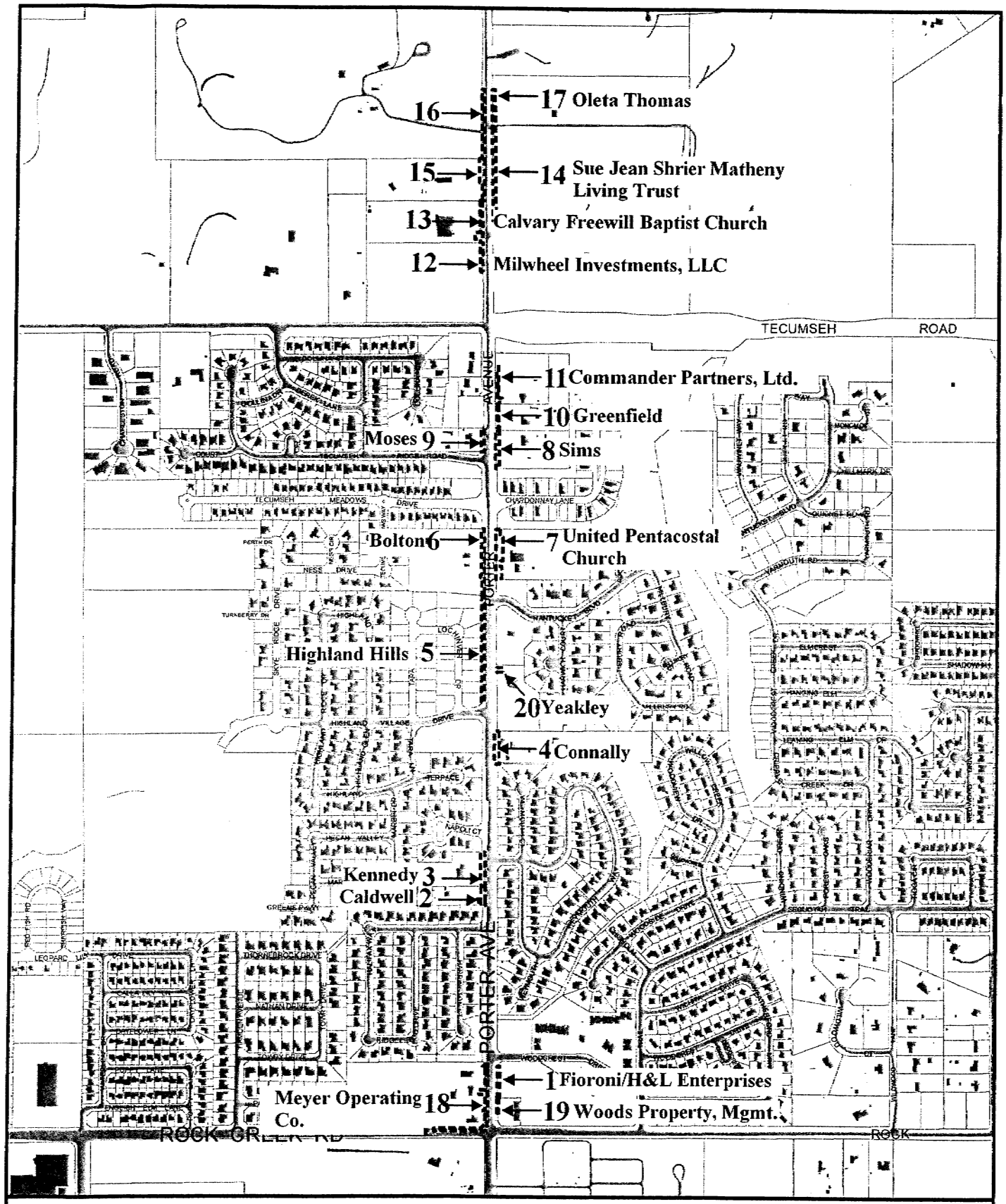
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said SE 1/4, thence S 00° 28' 06" E along the East line of said SE 1/4 a distance of 794.73 feet, thence S 89° 31' 54" W a distance of 50.00 feet to the POINT OF BEGINNING, thence S 00° 28' 06" E parallel with the East line of said SE 1/4 a distance of 230.07 feet, thence S 89° 47' 53" W a distance of 10.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 230.02 feet, thence N 89° 31' 54" E a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 2300.47sq. ft. or 0.05 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 17

Text File Number: E-1011-68

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-68 (ROADWAY, DRAINAGE, AND UTILITY) FROM TOM SHI CONNALLY AND JENNIFER CONNALLY IN THE AMOUNT OF $10,100 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-68; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-68 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
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14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 4.0
STP-114B(256)AG

E-1011-68

THAT, Tom Shi Connally + Jennifer P. Connally, husband + wife, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 22 day of February 2011.

BY: _____ BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day February of _____, 2011, personally appeared Tom Shi Connally, + Jennifer P. Connally husband + wife, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

Sandra Kline
Notary Public

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
SANDRA KLINE
Commission #09005223
Expires June 23, 2013

My Commission Expires: June 23, 2013

Approved as to form and legality this 15 day of April, 2011.

R B [illegible]
City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 19____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 4.0
STP-114B(256)AG

Exhibit "A"

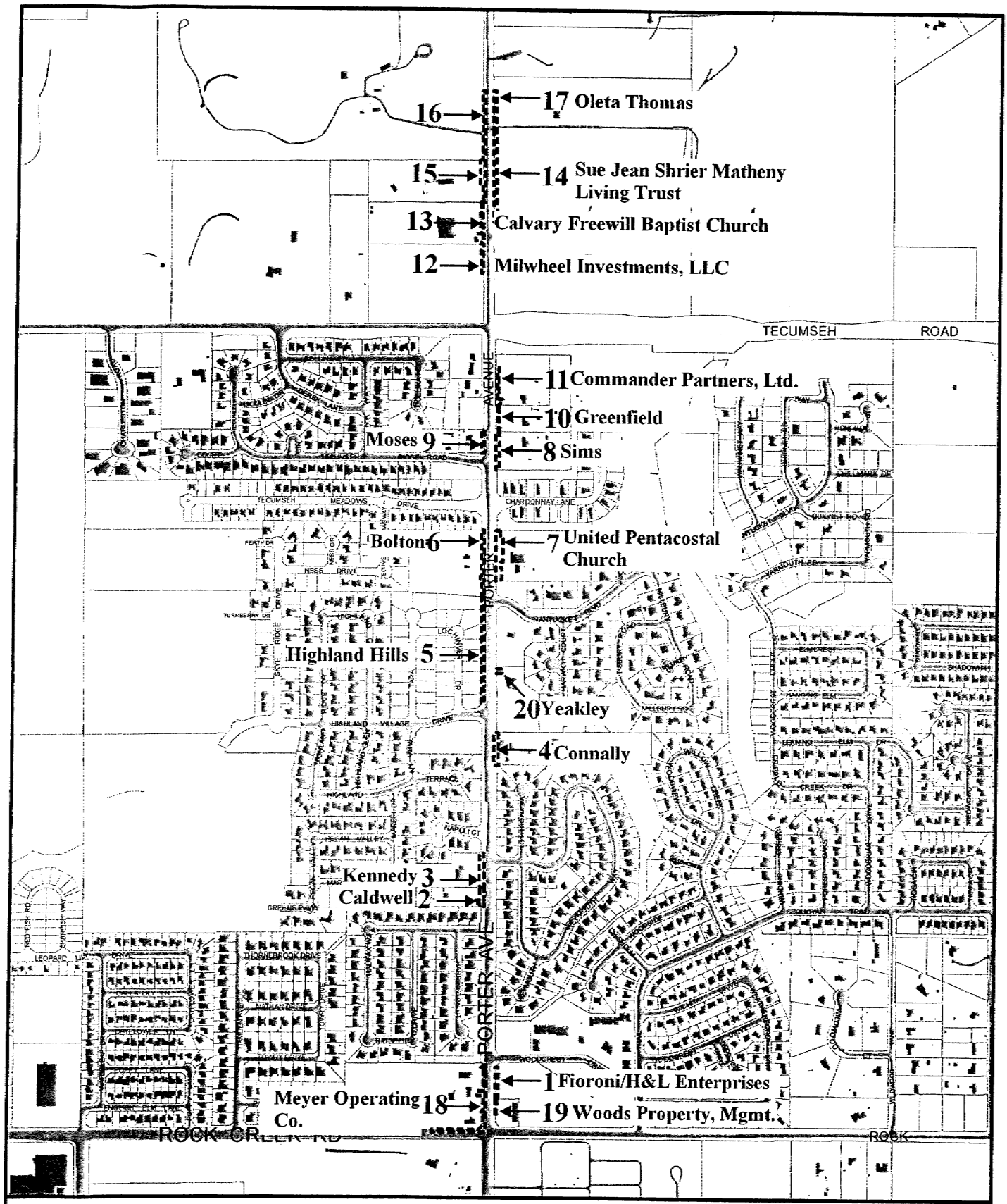
A strip, piece, or parcel of land lying in the SW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

BEGINNING at the NW corner of said SW 1/4, thence N 89° 46' 55" E along the North line of said SW 1/4 a distance of 50.00 feet, thence S 00° 28' 06" E parallel with the West line of said SW 1/4 a distance of 224.05 feet, thence S 89° 01' 37" W a distance of 50.00 feet, thence N 00° 28' 06" W along the West line of said SW 1/4 a distance of 224.71 feet to the POINT OF BEGINNING.

Containing 3,810.83 sq. ft. or 0.09 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

TC
2-22-11



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 18

Text File Number: E-1011-69

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-69 (DRIVEWAY) DONATED BY TOM SHI CONNALLY AND JENNIFER CONNALLY FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-69; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR024).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-69 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 4.1
STP-114B(256)AG

E-1011-69

THAT, Tom Shi Connally + Jennifer P. Connally, husband + wife, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 22 day of February, 2011.

BY: _____ BY: Connally

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day of February, 2011, personally appeared Tom Shi Connally + Jennifer P. Connally husband + wife to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

Sandra Kline
Notary Public

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
SANDRA KLINE
Commission #09005223
Expires June 23, 2013

My Commission Expires: June 23, 2013

Approved as to form and legality this 15th day of April, 2011.

R Bruce
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

26840(04) Parcel No. 4.1
STP-114B(256)AG

DEC 27 2010 KW

Exhibit "A"

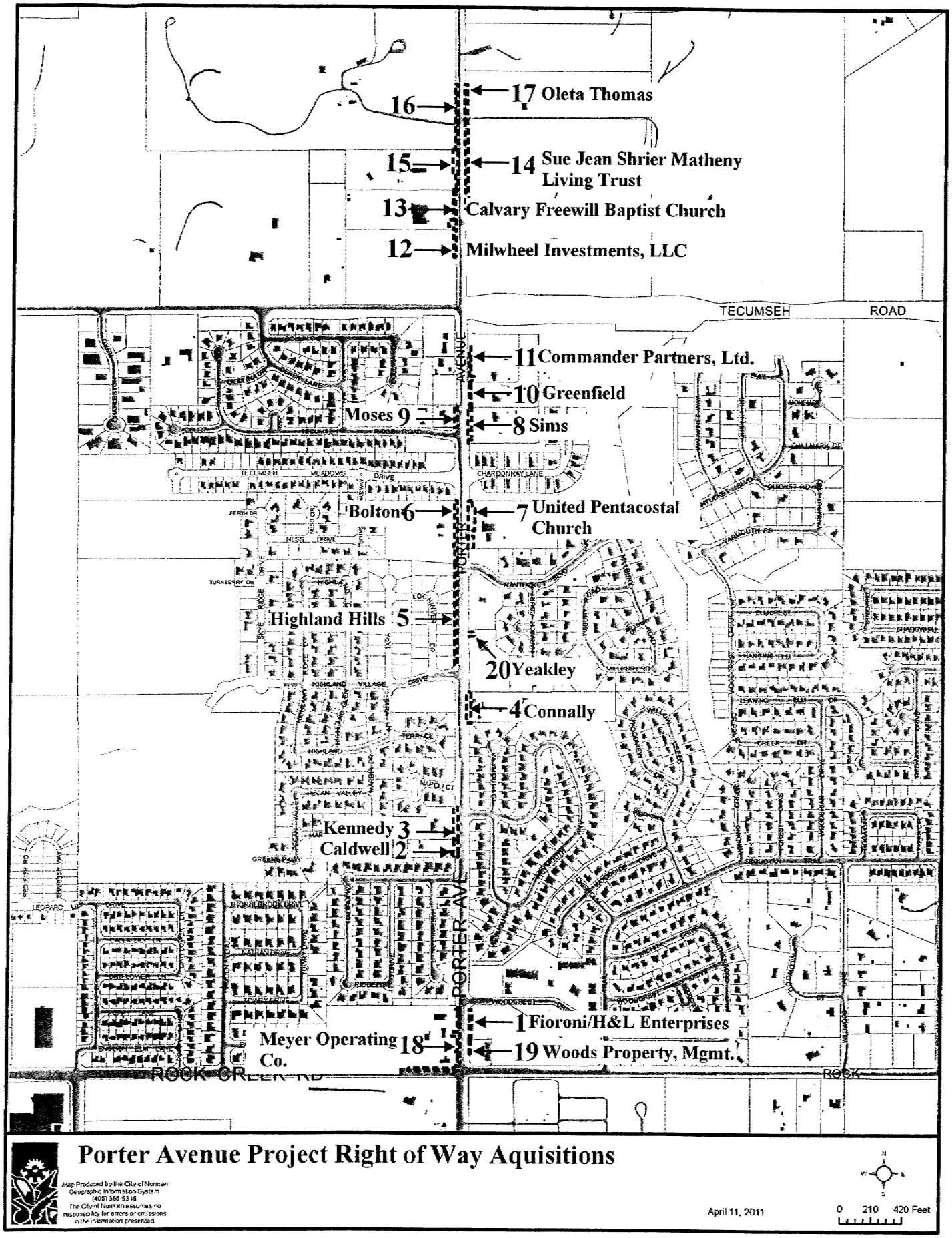
A strip, piece, or parcel of land lying in the SW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said SW 1/4, thence N 89° 46' 55" E a distance of 50.00 feet, thence S 00° 28' 06" E parallel with the West line of said SW ¼ a distance of 95.88 feet to the POINT OF BEGINNING, thence N 89° 31' 54" E a distance of 10.00 feet, thence S 00° 28' 06" E a parallel with the West line of said SW ¼ a distance of 34.00 feet, thence S 89° 31' 54" W a distance of 10.00 feet, thence N 00° 28' 06" W parallel with the West line of said SW ¼ a distance of 34.00 feet to the POINT OF BEGINNING.

Containing 340.00 sq. ft. or 0.01 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

TC JC
2/22/4



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 19

File Number: E-1011-70

Introduced: 4/8/2011 **Current Status:** Consent Item

Version: 1 **Matter Type:** Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-70 (ROADWAY, DRAINAGE, AND UTILITY) FROM HIGHLAND HILLS, L.L.C., IN THE AMOUNT OF $650 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-70; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-70 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 5.0 E-1011-70
STP-114B(256)AG

THAT, Highland Hills, LLC,
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 6th day of May, 2011.

BY: Don Wells BY: _____

Don Wells Managing Partner of Highland Hills LLC

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 6th day of February, 2011, personally appeared Don Wells Managing Partner of Highland Hills LLC, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that He executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

JASON M. COOK NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

Notary Public

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 5.0
STP-114B(256)AG

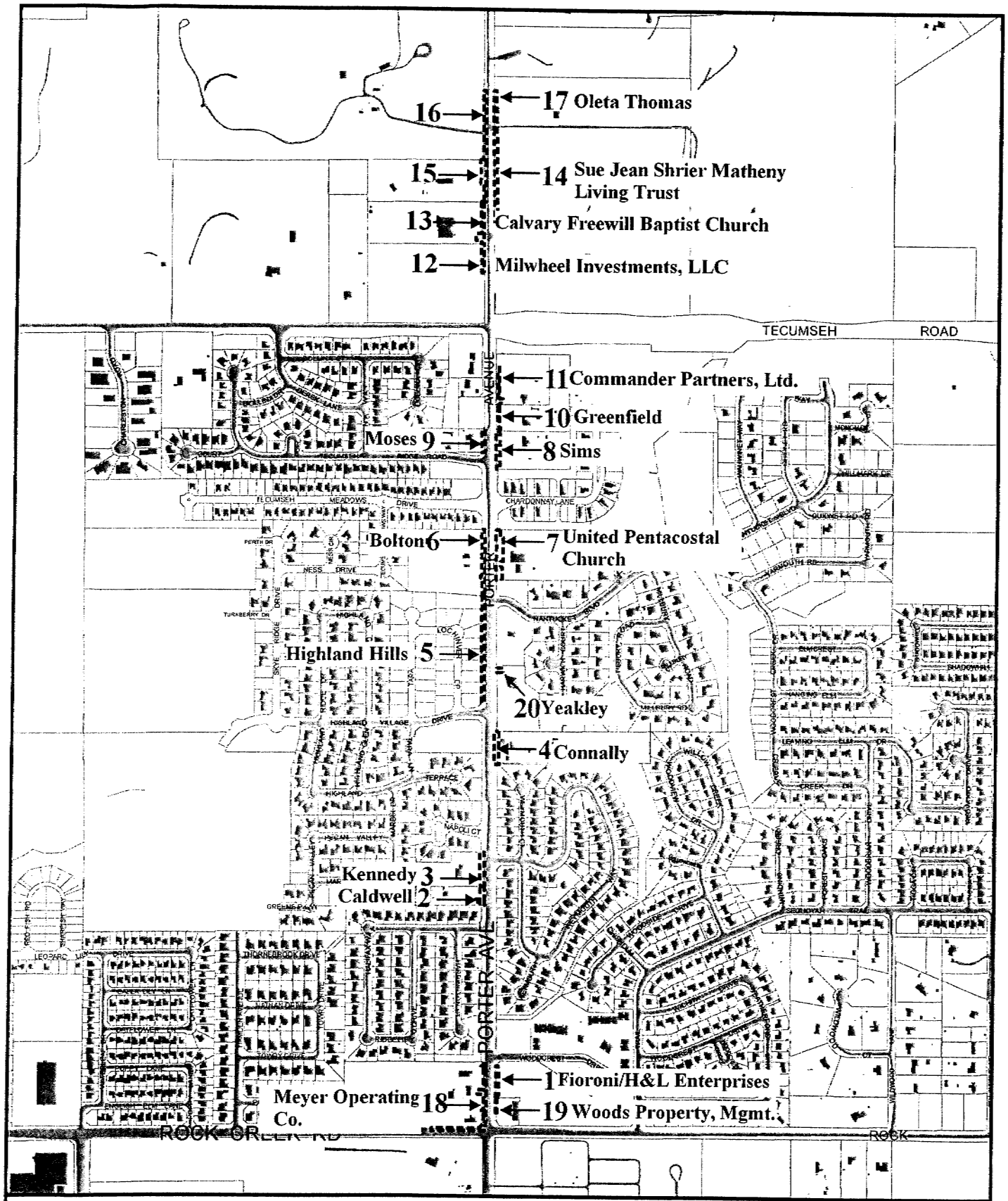
Exhibit "A"

A strip, piece, or parcel of land lying in the NE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said NE 1/4, thence N 00° 27' 58" W along the East line of said NE 1/4 a distance of 181.56 feet to the POINT OF BEGINNING, thence S 89° 32' 02" W a distance of 50.00 feet, thence N 00° 27' 58" W parallel with the East line of said NE 1/4 a distance of 726.18 feet, thence N 89° 48' 07" E a distance of 50.00 feet, thence S 00° 27' 58" E along the East line of said NE 1/4 a distance of 724.95 feet to the POINT OF BEGINNING.

Containing 12,344.49 sq. ft. or 0.28 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 20

Text File Number: E-1011-71

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-71 (ROADWAY, DRAINAGE, AND UTILITY) FROM BARRY D. BOLTON AND SHERI K. FEILER-BOLTON IN THE AMOUNT OF $71,000 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-71; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-71 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 6.0 E-1011-71
STP-114B(256)AG

THAT, Barry D. Bolton and Sheri K. Feiler-Bolton, as joint tenants, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 25th day of February, 2011.

BY: Barry D. Bolton
BARRY BOLTON

BY: Sheri K. Bolton

REPRESENTATIVE ACKNOWLEDGMENT

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 February, 2011, personally appeared Barry D. Bolton and Sheri K. Feiler-Bolton, as joint tenants, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year above written.

JASON M. BOOTH NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

Notary Public

My Commission Expires: 9/30/14 Commission #: 10008236

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 6.0
STP-114B(256)AG

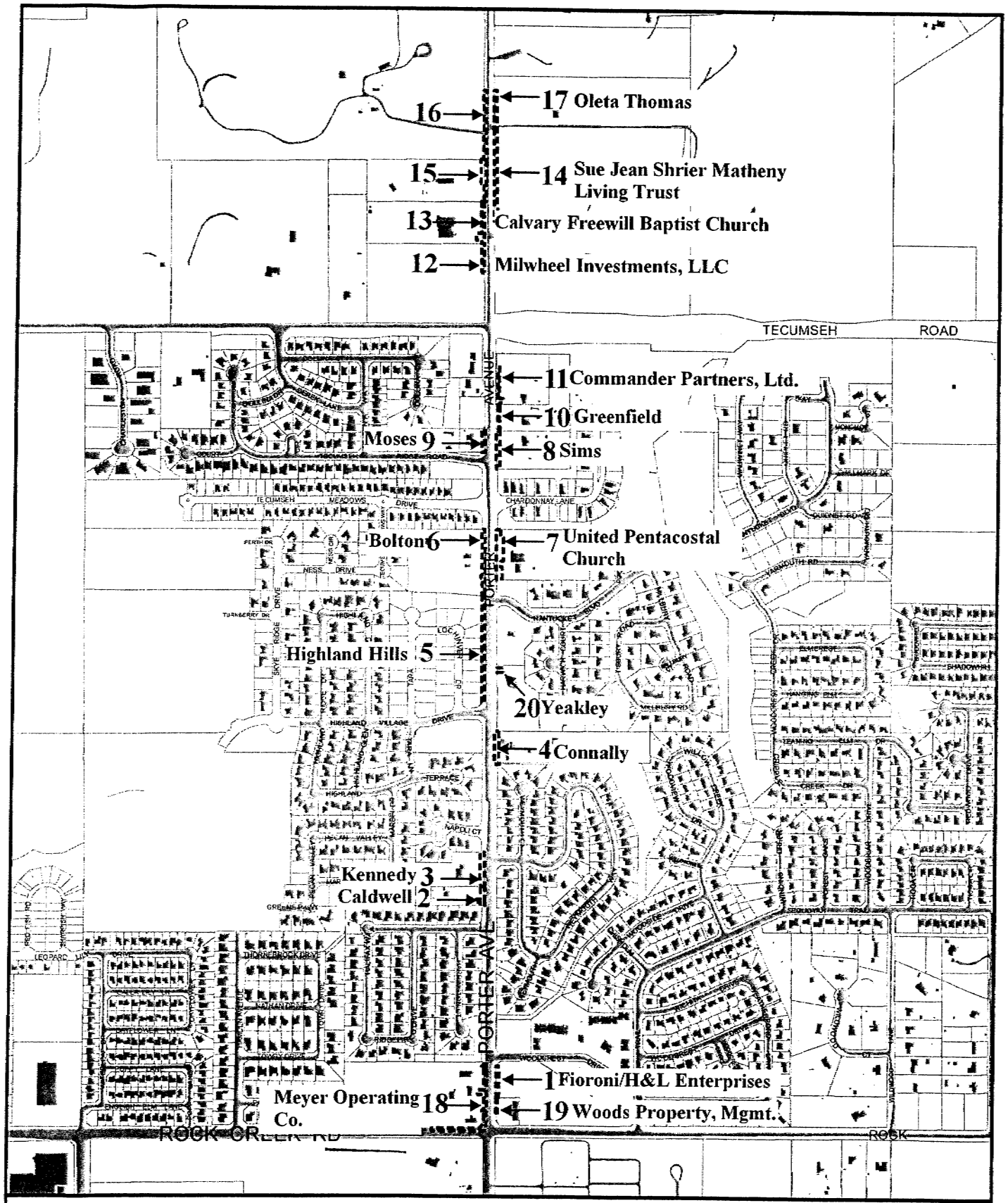
Exhibit "A"

A strip, piece, or parcel of land lying in the NE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said NE 1/4, thence N 00° 27' 58" W along the East line of said NE 1/4 a distance of 907.51 feet to the POINT OF BEGINNING, thence S 89° 48' 07" W a distance of 50.00 feet, thence N 00° 27' 58" W parallel with the East line of said NE 1/4 a distance of 412.77 feet, thence N 89° 48' 19" E a distance of 50.00 feet, thence S 00° 27' 58" E along the East line of said NE 1/4 a distance of 412.76 feet to the POINT OF BEGINNING.

Containing 7,017.01 sq. ft. or 0.16 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 21

Text File Number: E-1011-72

Introduced: 4/8/11 by John Clink, Capital Projects Engineer **Current Status:** Consent Item

Version: 1 **Matter Type:** Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-72 (DRIVEWAY) DONATED BY BARRY D. BOLTON AND SHERI K. FEILER-BOLTON FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-72; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-72 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 6.1 E-1011-72
STP-114B(256)AG

That, Barry D. Bolton and Sheri K. Feiler-Bolton, as joint tenants, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 25th day of February, 2011.

BY: Barry D. Bolton BY: Sheri K. Bolton

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of February, 2011, personally appeared Barry D. Bolton and Sheri K. Feiler-Bolton, as joint tenants, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Notary Public

My Commission Expires: 9/30/14 Commission #: 10008236

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 (kw)

26840(04) Parcel No. 6.1
STP-114B(256)AG

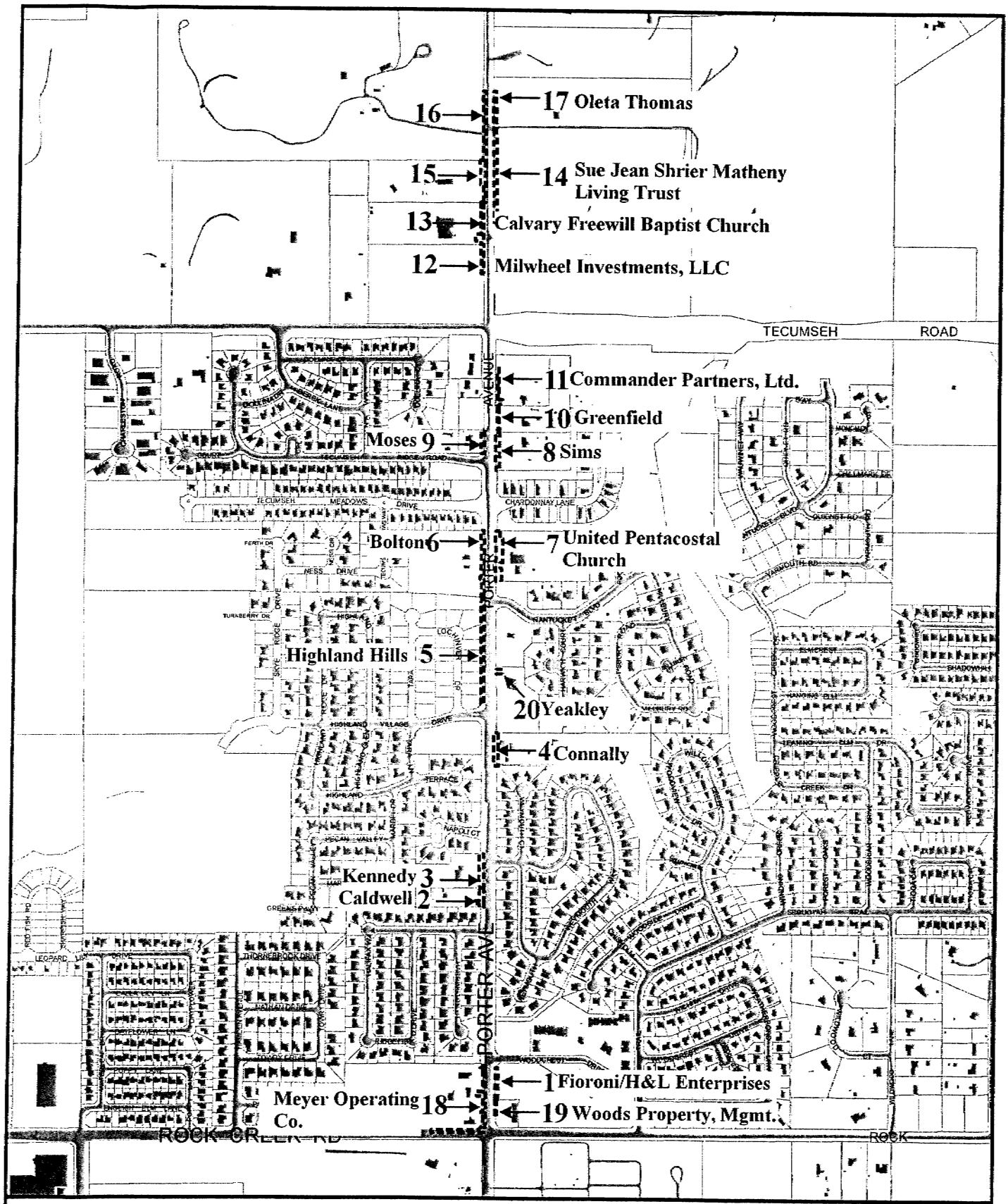
Exhibit "A"

A strip, piece, or parcel of land lying in the NE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said NE 1/4, thence N 00° 27' 58" W along the East line of said NE 1/4 a distance of 1074.26 feet, thence S 89° 32' 02" W a distance of 50.00 feet to the POINT OF BEGINNING, thence continuing S 89° 32' 02" W a distance of 5.00 feet, thence N 00° 27' 58" W parallel with the East line of said NE 1/4 a distance of 20.00 feet, thence N 89° 32' 02" E a distance of 5.00 feet, thence S 00° 27' 58" E parallel with the East line of said NE 1/4 a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 100.00 sq. ft. or 0.002 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 22

Text File Number: E-1011-73

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-73 (ROADWAY, DRAINAGE, AND UTILITY) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $11,525 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-73; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-73 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 7.0
STP-114B(256)AG

E-1011-73

THAT, United Pentecostal Church of Norman, an Oklahoma Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 25th day of January, 2011.

BY: [signature]
TRUSTEE

BY: [signature]
Pastor

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of January, 2011, personally appeared Michael Robidoux, Pastor, Trustees to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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.

CHERYL L. ELGIN
Notary Public
State of Oklahoma
Commission # 08011816 Expires 04/26/12

My Commission Expires: 4/26/12

[signature]
Notary Public
#08011816

Approved as to form and legality this 15th day of April, 2011.

[signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2016 LW

26840(04) Parcel No. 7.0 E-1011-73
STP-114B(256)AG

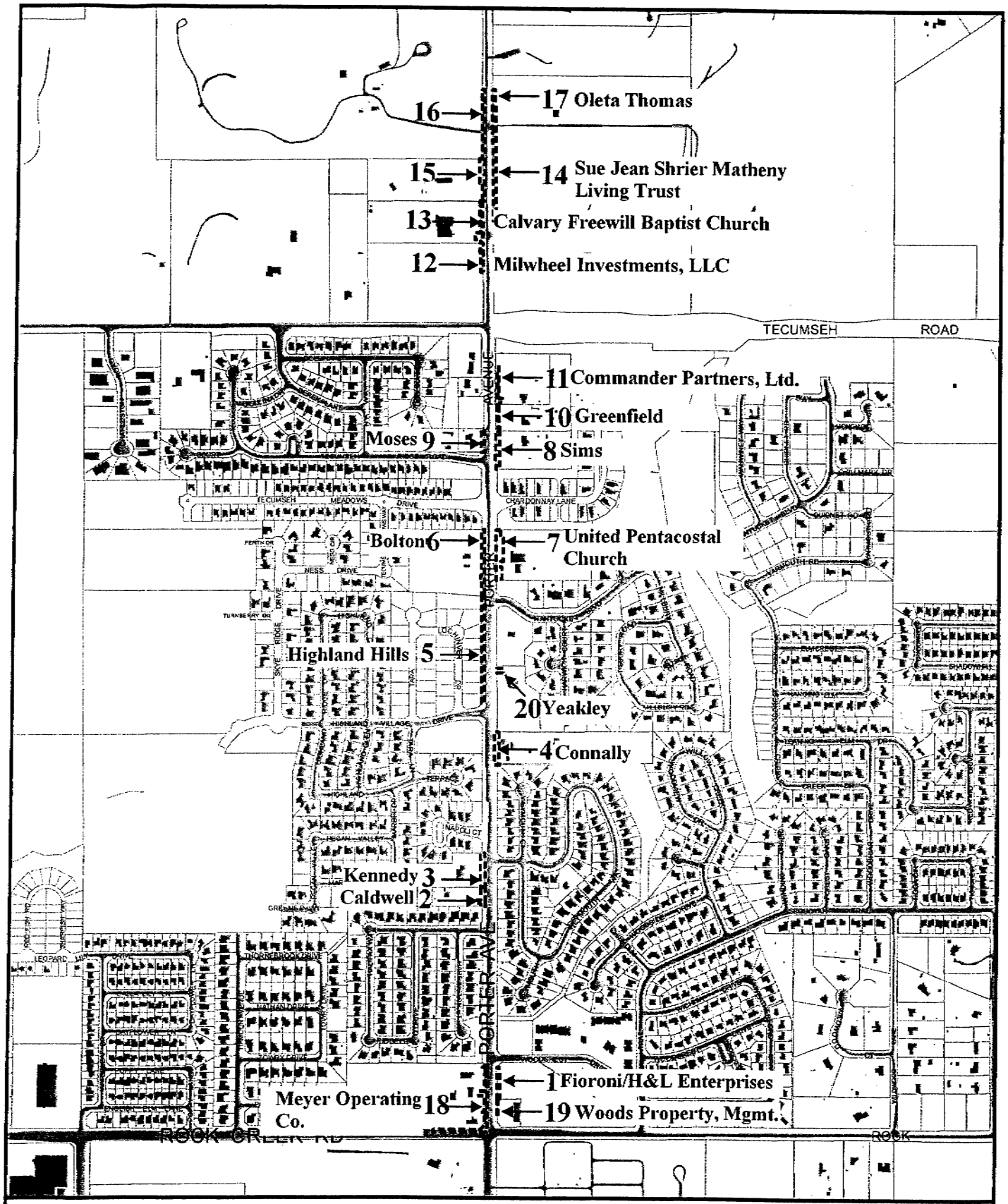
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said NW 1/4, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 989.55 feet to the POINT OF BEGINNING, thence continuing N 00° 27' 58" W along the West line of said NW 1/4 a distance of 328.00 feet, thence N 89° 55' 28" E a distance of 45.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 327.94 feet, thence S 89° 51' 06" W a distance of 45.00 feet to the POINT OF BEGINNING.

Containing 3,935.43 sq. ft. or 0.09 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 23

Text File Number: E-1011-74

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-74 (DRAINAGE) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $225 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-74; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-74 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 7.3 E-1011-74
STP-114B(256)AG

THAT, United Pentecostal Church of Norman, an Oklahoma Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public drainage easement indicated below:

permanent drainage easement

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 25th day of January, 2011.

BY: [signature] BY: [signature]

TRUSTEE Pastor

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of January, 2011, personally appeared Michial Pobidax & Pastor Border, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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 SEAL PUBLIC
CHERYL L. ELGIN
Notary Public
State of Oklahoma
Commission # 08011816 Expires 11/26/12

[signature]
Notary Public

My Commission Expires: 11/26/12

Approved as to form and legality this 15th day of April, 2011.

[signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KO

26840(04) Parcel No. 7.3
STP-114B(256)AG

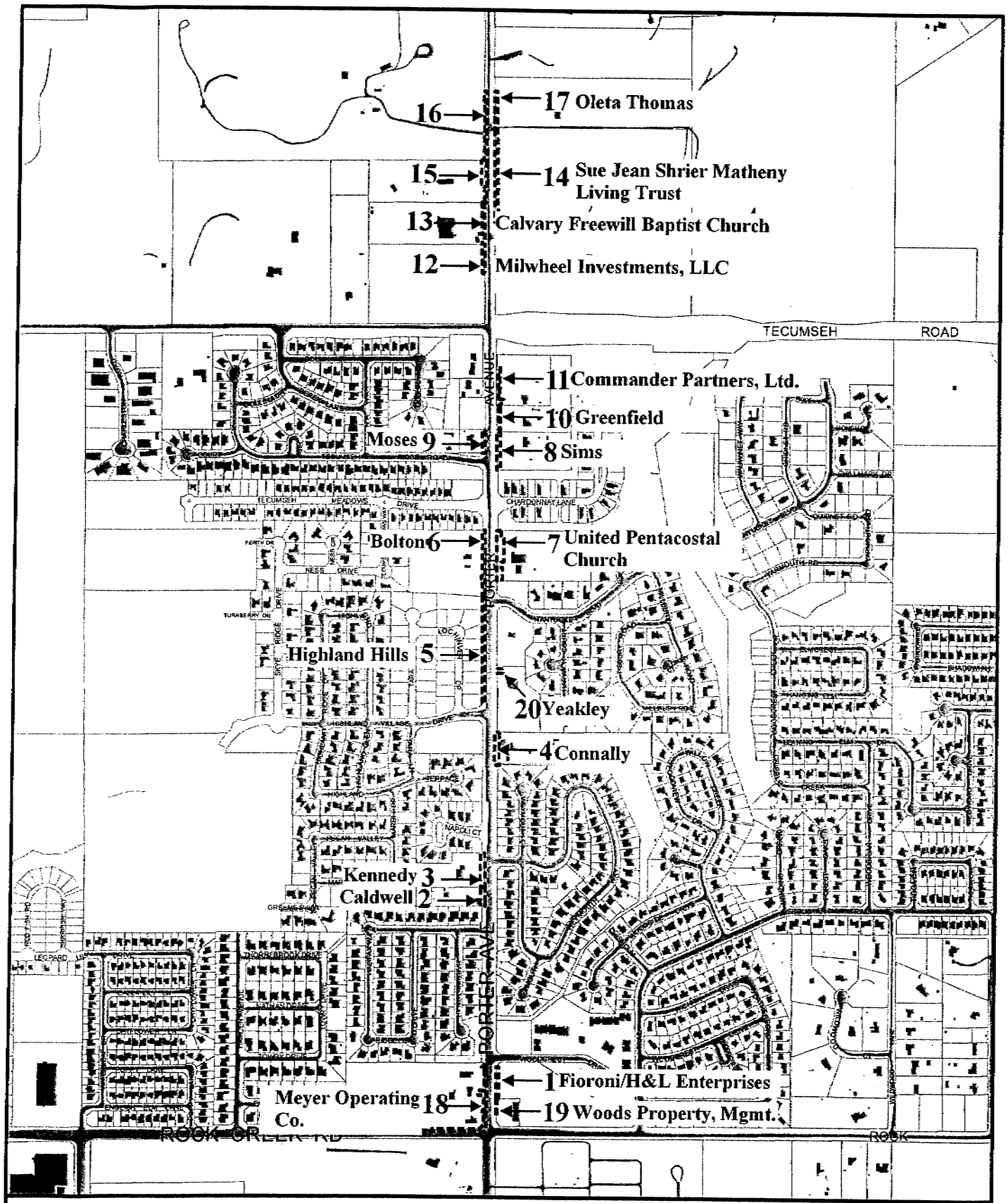
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said NW 1/4, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 1,103.33 feet, thence N 89° 32' 02" E a distance of 45.00 feet to the POINT OF BEGINNING, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 20.00 feet, thence N 89° 32' 02" E a distance of 9.33 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 20.00 feet, thence S 89° 32' 02" W a distance of 9.33 feet to the POINT OF BEGINNING.

Containing 186.66 sq. ft. or 0.004 acres, more or less, of Drainage Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 24

Text File Number: E-1011-75

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-75 (CONSTRUCTION) FROM UNITED PENTECOSTAL CHURCH OF NORMAN IN THE AMOUNT OF $500 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-75; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-75 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 7.1 E-1011-75
STP-114B(256)AG

THAT, United Pentecostal Church of Norman, an Oklahoma Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 25th day of January, 2011.

BY: _____ BY: _____

TRUSTEE Pastor

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of January, 2011, personally appeared Michial Babidaux + Pastor Border _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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.

CHERYL L. ELGIN
Notary Public
State of Oklahoma
Commission # 08011816 Expires 11/26/12

Notary Public

My Commission Expires: 11/26/12

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 7.1
STP-114B(256)AG

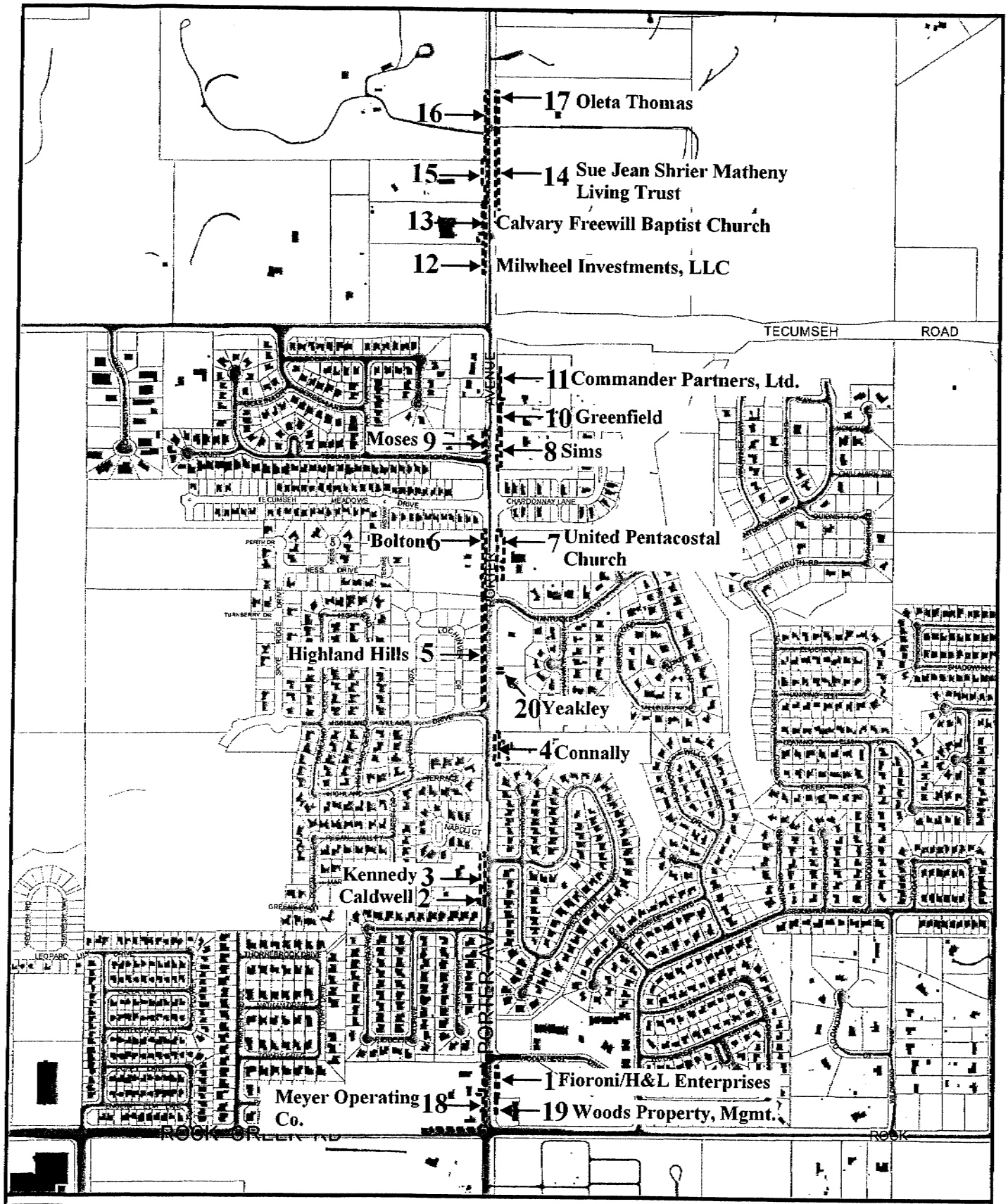
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said NW 1/4, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 989.55 feet, thence N 89° 51' 06" E a distance of 45.00 feet to the POINT OF BEGINNING, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 327.94 feet, thence N 89° 55' 28" E a distance of 5.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 327.94 feet, thence S 89° 51' 06" W a distance of 5.00 feet to the POINT OF BEGINNING.

Containing 1,639.64 sq. ft. or 0.04 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 25

Text File Number: E-1011-76

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-76 (DRIVEWAY) DONATED BY THE UNITED PENTECOSTAL CHURCH OF NORMAN FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-76; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-76 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 7.2 E-1011-76
STP-114B(256)AG

THAT, United Pentecostal Church of Norman, an Oklahoma Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 25th day of January, 2011.

BY: _____ BY: _____

TRUSTEE Pastor

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of January, 2011, personally appeared Michial Robidoux & Pastor Border to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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
CHERYL L. ELGIN
Notary Public
State of Oklahoma
Commission # 08011816 Expires 11/26/12

_____
Notary Public

My Commission Expires: 11/26/12

Approved as to form and legality this 15th day of April, 2011.

_____
City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 7.2
STP-114B(256)AG

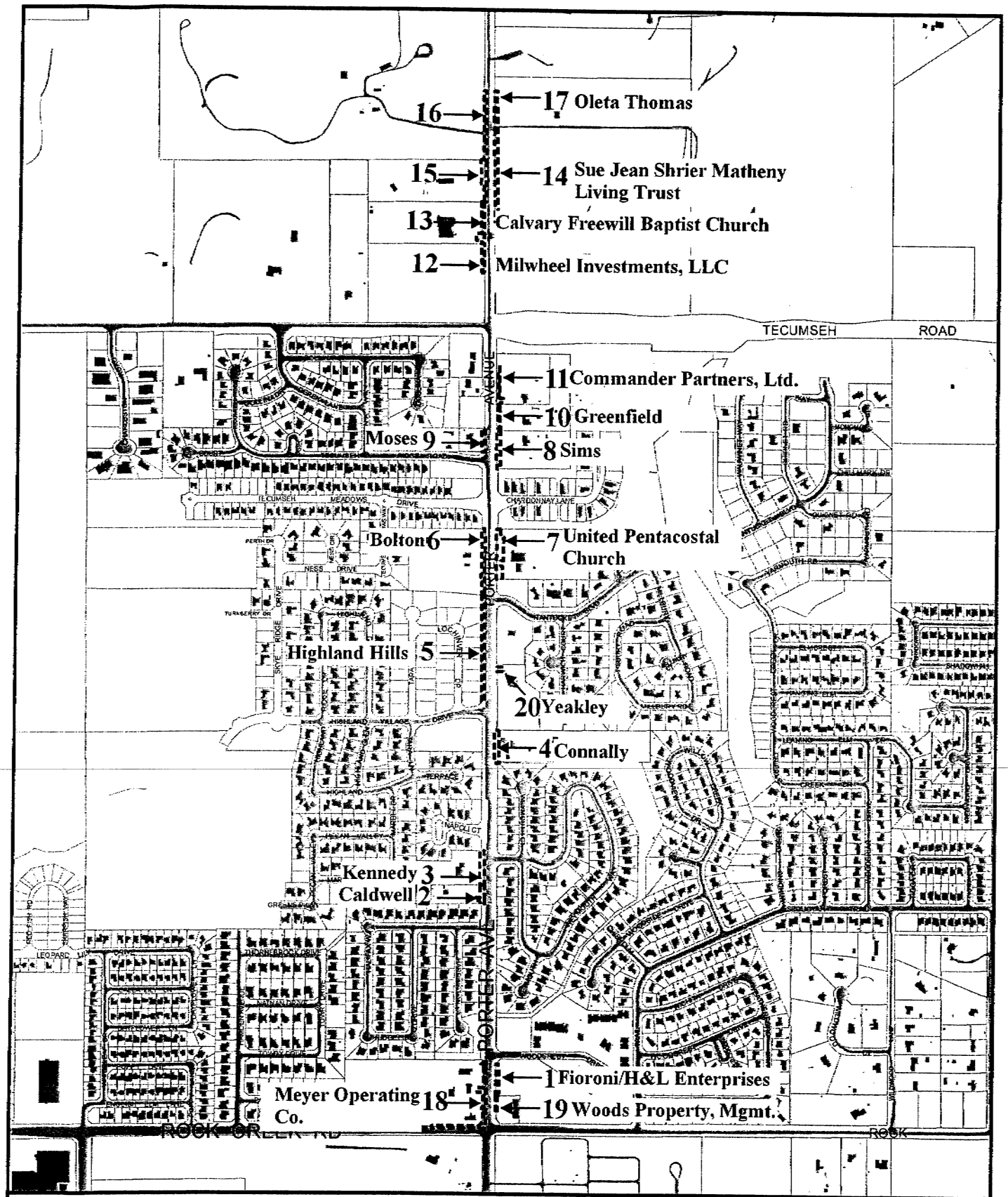
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said NW 1/4, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 989.55 feet, thence N 89° 51' 06" E a distance of 50.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 8.28 feet to the POINT OF BEGINNING, thence continuing N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 273.53 feet, thence S 88° 02' 15" E a distance of 22.89 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 154.42 feet, thence S 84° 17' 40" W a distance of 16.28 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 35.99 feet, thence N 89° 32' 02" E a distance of 11.84 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 80.67 feet, thence S 89° 32' 02" W a distance of 18.50 feet to the POINT OF BEGINNING.

Containing 5,296.65 sq. ft. or 0.12 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 26

Item File Number: E-1011-77

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-77 (ROADWAY, DRAINAGE, AND UTILITY) FROM STEVEN M. SIMS IN THE AMOUNT OF $13,450 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD)

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-77; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-77 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 8.0
STP-114B(256)AG

E-1011-77

THAT, Steven M. Sims a single man, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 22 day of Feb, 20 11.

BY: _____ BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day February of _____, 20 11, personally appeared Steven M. Sims, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
RUTH SIMPSON
Commission #09009233
Expires Nov. 5, 2013

Ruth Simpson
Notary Public

My Commission Expires: Nov 5, 2013

Approved as to form and legality this 15th day of April, 20 11.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

Mayor

ATTEST:

City Clerk

SEAL:

Sims

SEP 27 2010 KW

26840(04) Parcel No. 8.0 E-1011-77
STP-114B(256)AG

Exhibit "A"

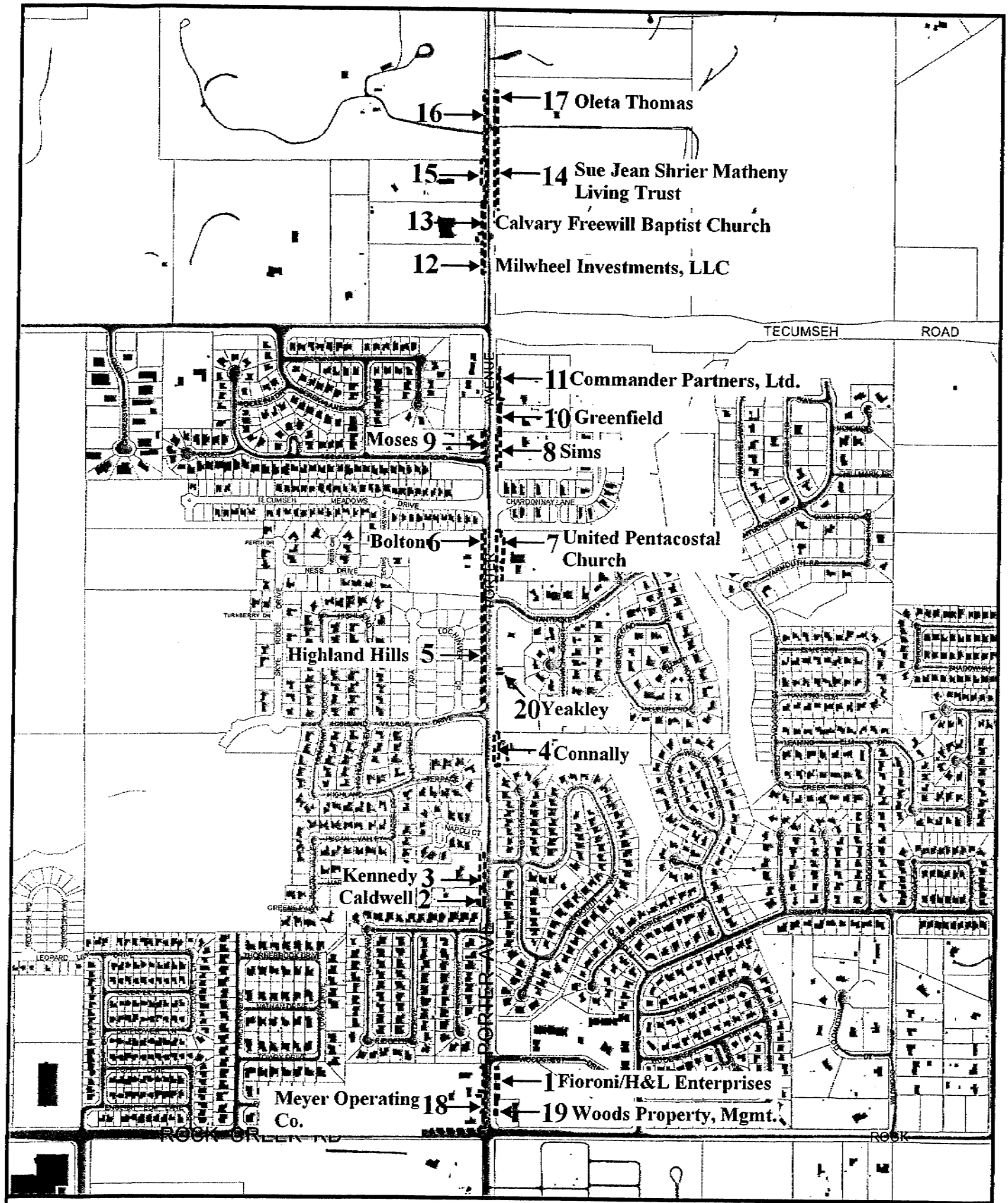
A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 672.35 feet to the POINT OF BEGINNING, thence N 89° 55' 19" E a distance of 50.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 249.61 feet, thence S 89° 28' 24" W a distance of 50.00 feet, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 250.00 feet, to the POINT OF BEGINNING.

Containing 4,244.44 sq. ft. or 0.10 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

SMS



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 27

Text File Number: E-1011-78

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-78 (CONSTRUCTION) FROM STEVEN M. SIMS IN THE AMOUNT OF $750 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-78; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-78 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 8.1 E-1011-78
STP-114B(256)AG

THAT, STEVEN M. SIMS a single man, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 22 day of Feb., 20 11.

BY: _____ BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day of February, 20 11, personally appeared STEVEN M. SIMS to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
RUTH SIMPSON
Commission #09009233
Expires Nov. 5, 2013

Ruth Simpson
Notary Public

My Commission Expires: NOV 5, 2013

Approved as to form and legality this 15th day of April, 2011.

R Bonnie
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SMS

SEP 27 2010 Ku

26840(04) Parcel No. 8.1
STP-114B(256)AG

E-1011-78

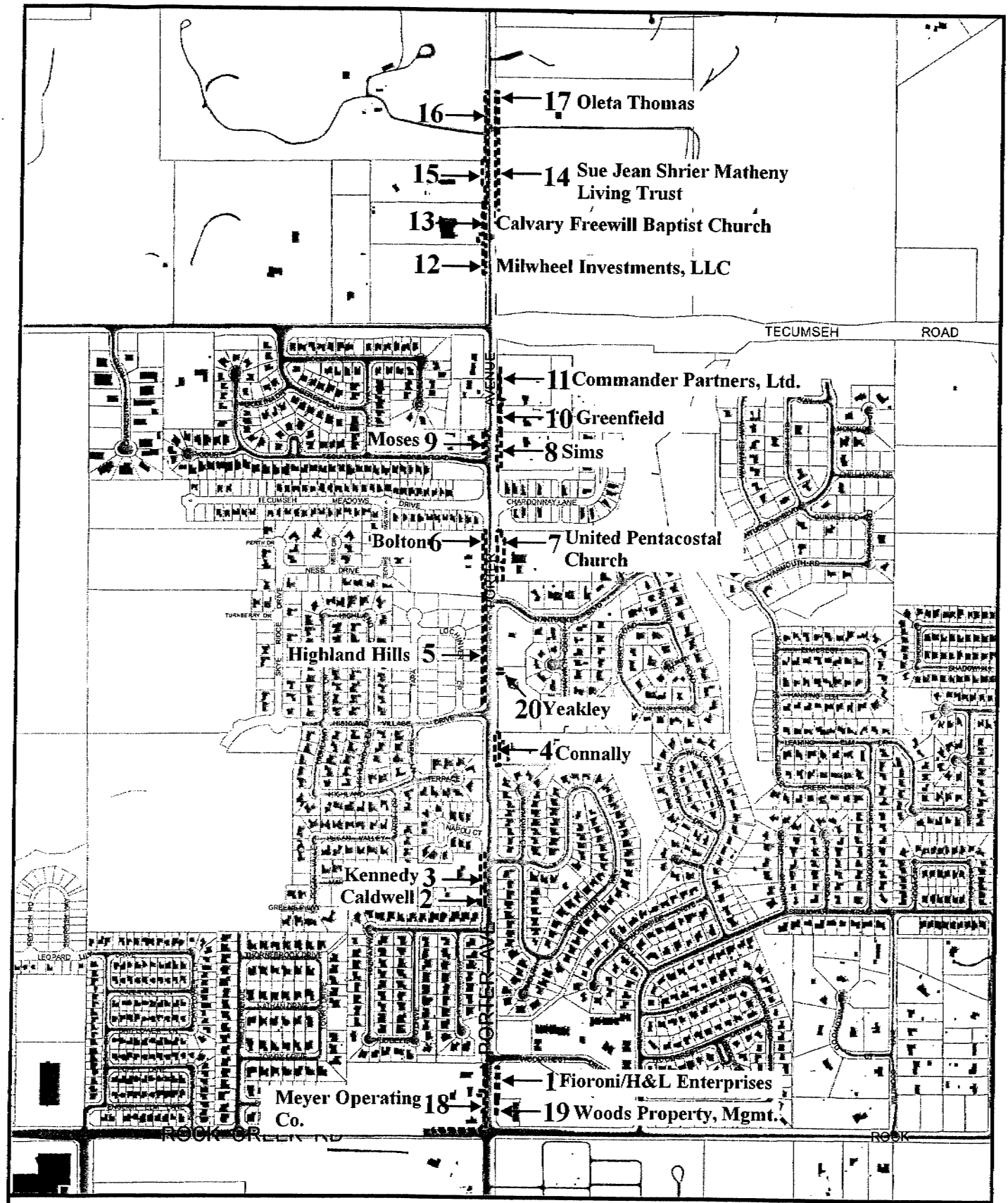
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 672.35 feet, thence N 89° 55' 19" E a distance of 50.00 feet to the POINT OF BEGINNING, thence continuing N 89° 55' 19" E a distance of 10.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 249.53 feet, thence S 89° 28' 24" W a distance of 10.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 249.61 feet POINT OF BEGINNING.

Containing 2,495.67 sq. ft. or 0.06 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 28

Text File Number: E-1011-79

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-79 (DRIVEWAY) DONATED BY STEVEN M. SIMS FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-79; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-79 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 8.2 E-1011-79
STP-114B(256)AG

THAT, STEVEN M. SIMS a single man, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 22 day of Feb., 20____.

BY: _____ BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day of February, 2011, personally appeared Steven M. Sims to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
RUTH SIMPSON
Commission #09009233
Expires Nov. 5, 2013

Ruth Simpson
Notary Public

My Commission Expires: NOV 5, 2013

Approved as to form and legality this 25th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SMS

SEP 27 2010 KW

26840(04) Parcel No. 8.2 E-1011-79
STP-114B(256)AG

Exhibit "A"

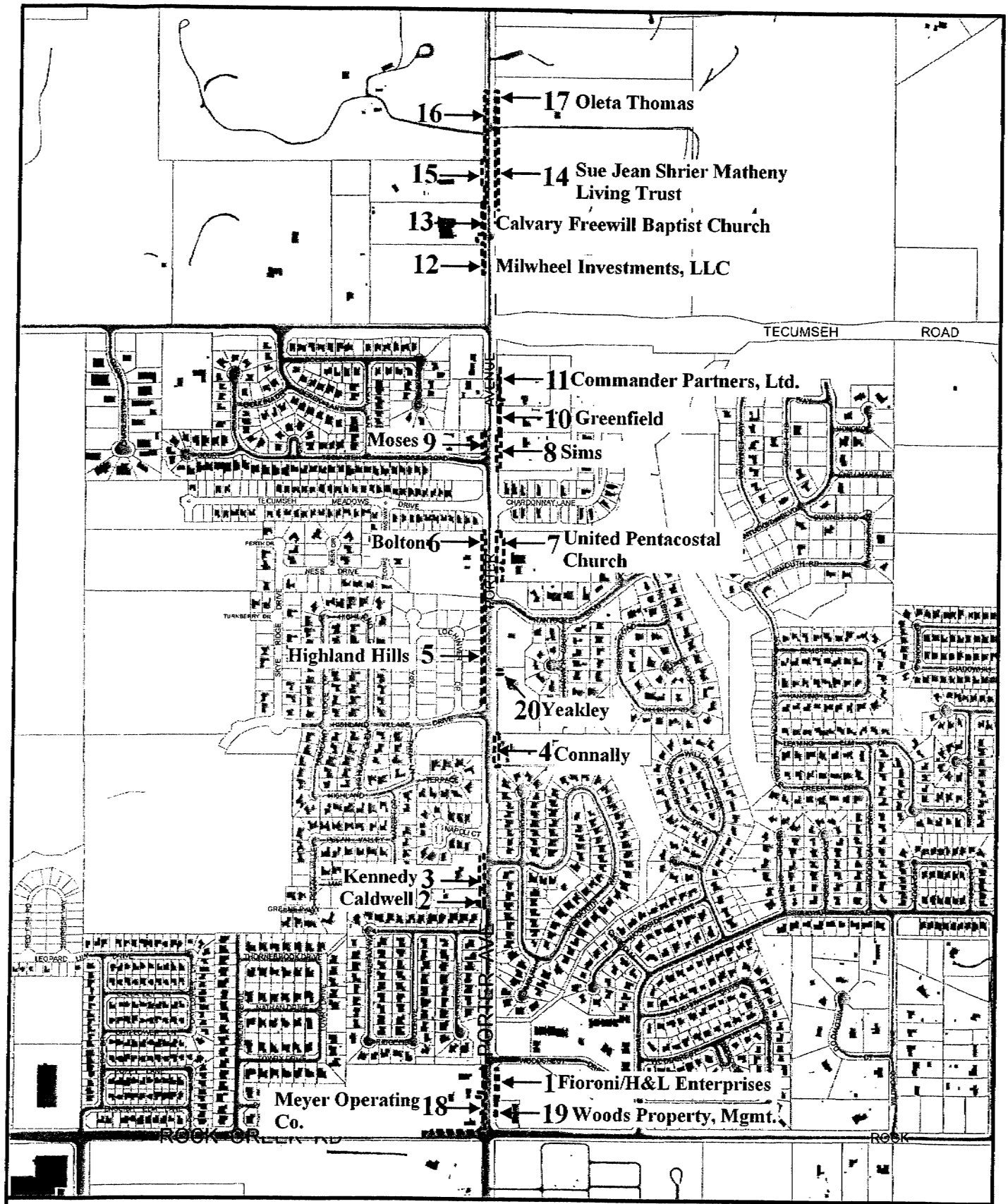
A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 825.60 feet, thence N 89° 32' 02" E a distance of 60.00 feet to the POINT OF BEGINNING, thence continuing N 89° 32' 02" E a distance of 8.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 20.00 feet, thence S 89° 32' 02" W a distance of 8.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 160.00 sq. ft. or 0.004 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

SMS



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 29

Text File Number: E-1011-80

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-80 (ROADWAY, DRAINAGE, AND UTILITY) FROM JIMMY PAUL AND CLARA NEVADA MOSES N THE AMOUNT OF $38,511 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-80; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-80 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: 26840(04) Parcel No. 9.0 E-1011-80
STP-114B(256)AG

THAT, Jimmie Paul Moses + Clara Nevada Moses, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 25th day of February, 2011.

BY: Jimmie Paul Moses BY: Clara Nevada Moses

Jimmie Paul Moses Clara Nevada Moses

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of February, 2011, personally appeared Jimmie Paul Moses + Clara Nevada Moses, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that They executed the same as Their 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.

JASON M. COOKE NOTARY 10008236 EXP. 9/30/14 PUBLIC STATE OF OKLAHOMA

Notary Public

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 19____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 9.0 E-1011-80
STP-114B(256)AG

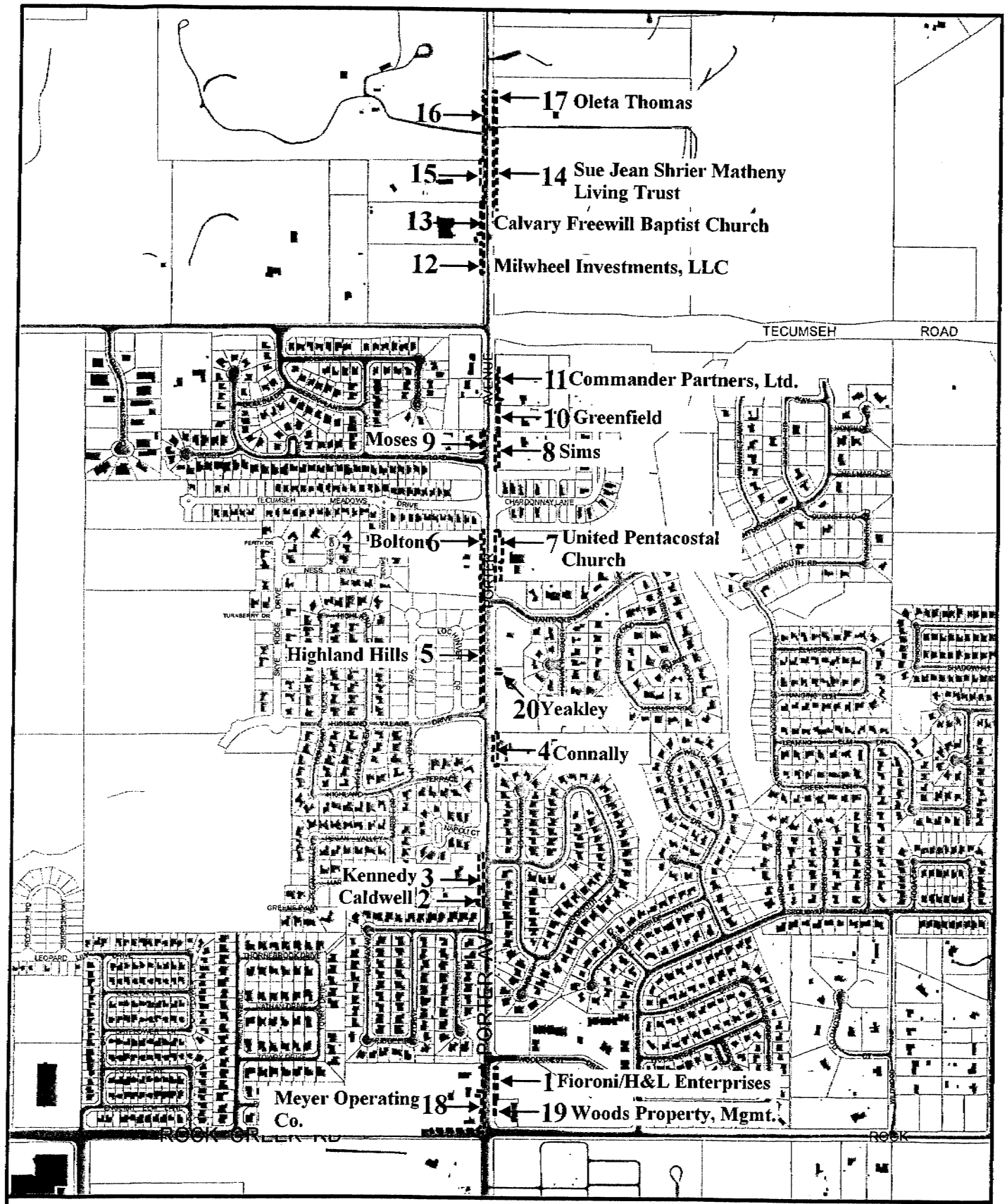
Exhibit "A"

A strip, piece, or parcel of land lying in the NE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NE corner of said NE 1/4, thence S 00° 27' 58" E along the East line of said NE 1/4 a distance of 659.06 feet to the POINT OF BEGINNING, thence continuing S 00° 27' 58" E along the East line of said NE 1/4 a distance of 154.78 feet, thence S 89° 45' 23" W a distance of 50.00 feet, thence N 00° 27' 58" W parallel with the East line of said NE 1/4 a distance of 154.95 feet, thence N 89° 57' 17" E a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 2,633.63 sq. ft. or 0.06 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 30

Text File Number: E-1011-81

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-81 (CONSTRUCTION) FROM GREG A. AND L. MARIA GREENFIELD IN THE AMOUNT OF $525 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-81; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-81 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 10.0
STP-114B(256)AG

E-1011-81

THAT, Greg A. Greenfield & L. Marcia Greenfield, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 4 day of February, 2011.

BY: _____ BY: _____

Greg A. Greenfield L. Marcia Greenfield

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 4th day of February, 2011, personally appeared Greg A. Greenfield & L. Marcia Greenfield, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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

JASON M. COOK NOTARY 10008236 EXP. 9/30/14 PUBLIC STATE OF OKLAHOMA

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of Apr. 1, 2011.

_____
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 10.0
STP-114B(256)AG

E-1011-81

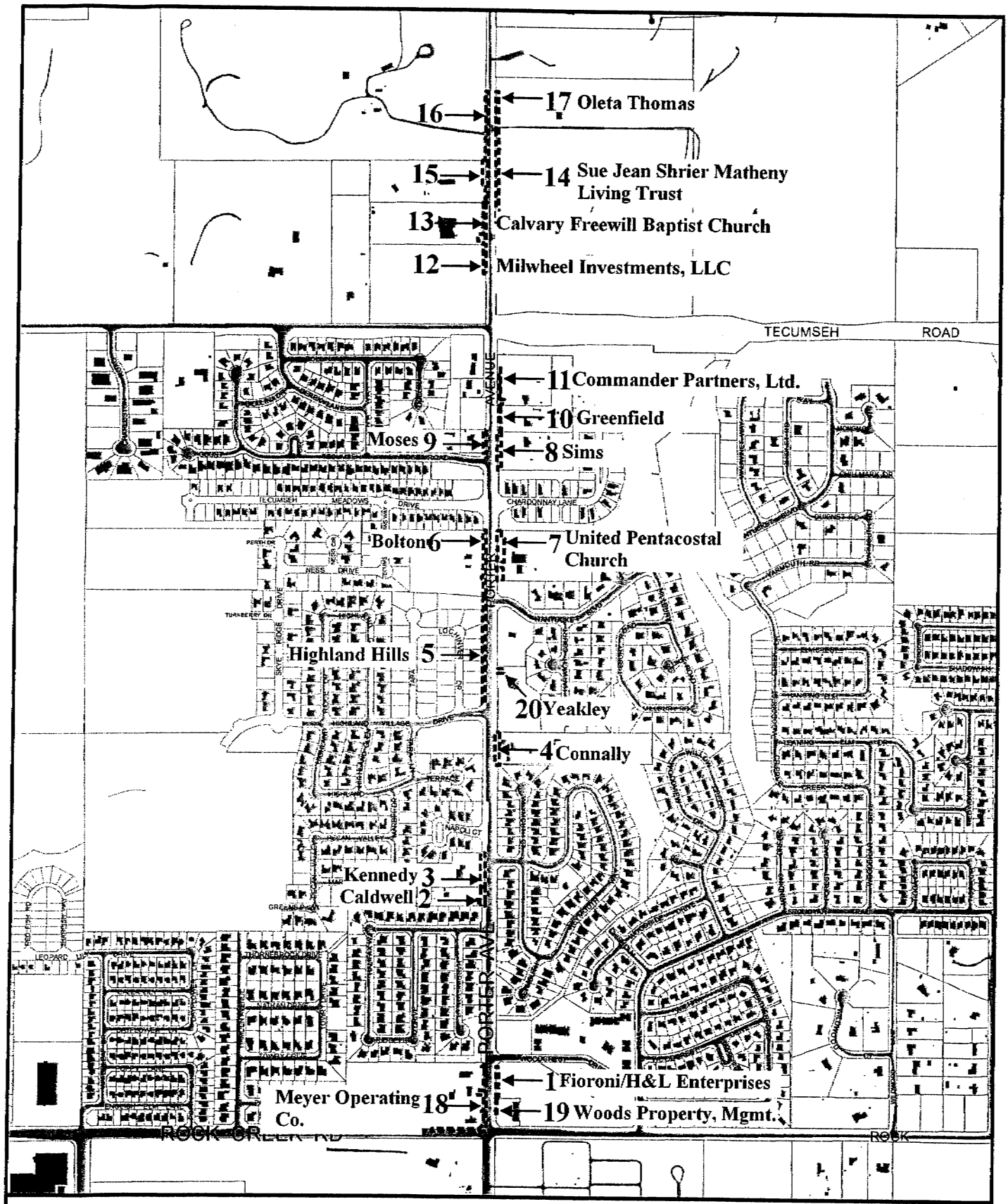
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 502.37 feet, thence S 89° 55' 49" E a distance of 50.00 feet to the POINT OF BEGINNING, thence continuing S 89° 55' 49" E a distance of 10.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 169.83 feet, thence S 89° 55' 19" W a distance of 10.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 169.85 feet to the POINT OF BEGINNING.

Containing 1,698.38 sq. ft. or 0.04 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 31

Text File Number: E-1011-82

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-82 (CONSTRUCTION) FROM COMMANDER PARTNERS, LTD., IN THE AMOUNT OF $725 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-82; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No E-1011-82 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 11.0 E-1011-82
STP-114B(256)AG

THAT, Commander Partners LTD, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 7 day of January, 20 11.

BY: _____ BY: _____

Thomas L. Russell, Partner/Manager

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 7 day of January, 20 11, personally appeared Thomas L Russell, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS my hand and seal the day and year last above written.

STACEY R. OVERTON NOTARY PUBLIC # 09004202 EXP. 05/15/13 STATE OF OKLAHOMA

Notary Public

My Commission Expires: 5/15/13

Approved as to form and legality this 15th day of April, 20 11.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 11.0
STP-114B(256)AG

E-1011-82

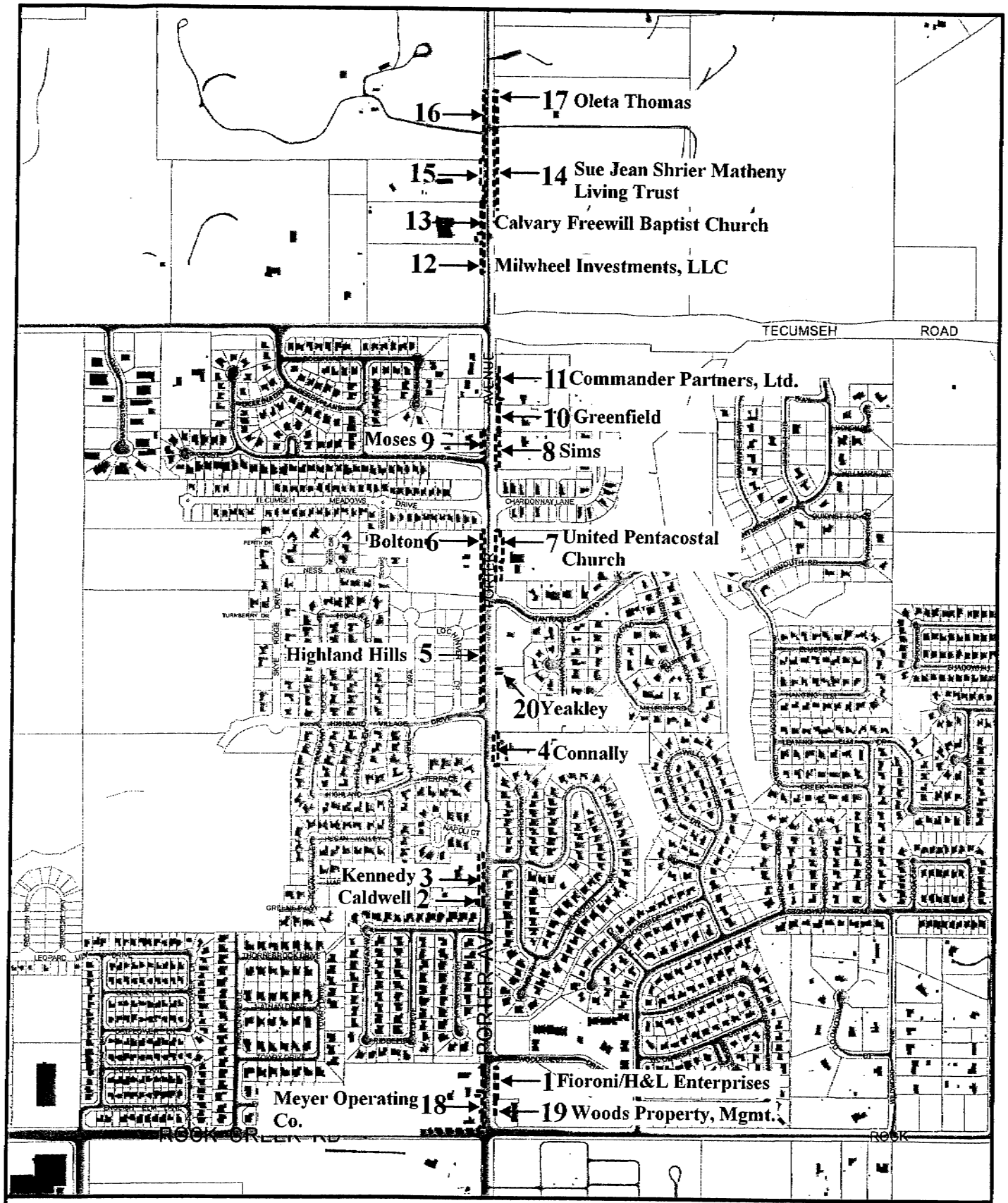
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 172.16 feet, thence S 89° 55' 49" E a distance of 70.00 feet, thence S 08° 28' 01" W a distance of 64.40 feet to the POINT OF BEGINNING, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 266.50 feet, thence N 89° 55' 49" W a distance of 10.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 202.79 feet, thence N 08° 28' 01" E a distance of 64.40 feet to the POINT OF BEGINNING.

Containing 2,346.42 sq. ft. or 0.05 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 32

Text File Number: E-1011-83

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-83 (DRIVEWAY) DONATED BY COMMANDER PARTNERS, LTD., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD)

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-83; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction and driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-83 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

E-1011-83

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 11.1
STP-114B(256)AG

THAT, Commander Partners, LTD, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 7 day of January, 20 11.

BY: X _____ BY: _____

Thomas L. Russell, Partner / Manager

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 7 day of January, 20 11, personally appeared Thomas L. Russell, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

STACEY R. OVERTON NOTARY PUBLIC #09004202 EXP. 05/15/13 STATE OF OKLAHOMA

Notary Public

My Commission Expires: 5/15/13

Approved as to form and legality this 15th day of April, 20 11.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 kw

E-1011-83

26840(04) Parcel No. 11.1
STP-114B(256)AG

Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the NW corner of said NW 1/4, thence S 00° 27' 58" E along the West line of said NW 1/4 a distance of 469.12 feet, thence N 89° 32' 02" E a distance of 60.00 feet to the POINT OF BEGINNING, thence continuing N 89° 32' 02" E a distance of 23.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 25.00 feet, thence S 89° 32' 02" W a distance of 23.00 feet, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 575.00 sq. ft. or 0.01 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 33

Text File Number: E-1011-84

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-84 (ROADWAY, DRAINAGE, AND UTILITY) FROM MILLWHEEL INVESTMENTS, L.L.C., IN THE AMOUNT OF $1,758 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-84; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-84 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 12.0
STP-114B(256)AG

E-1011-84

THAT, Millwheel Investments, LLC
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 17 day of FEB, 2011.

BY: X [signature] BY: THOMAS RUSSELL

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF ~~CLEVELAND~~ OKLAHOMA, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of FEBRUARY, 2011, personally appeared THOMAS RUSSELL, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal this day and year last above written.

STACE R. GUERTON NOTARY # 09004202 EXP. 05/15/13 PUBLIC STATE OF OKLAHOMA

[signature]
Notary Public

My Commission Expires: 5/15/13

Approved as to form and legality this 15th day of April, 2011.

[signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 12.0 E-1011-84
STP-114B(256)AG

Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 60.87 feet to the POINT OF BEGINNING, thence S 89° 53' 06" W a distance of 90.01 feet, thence N 44° 40' 43" E a distance of 35.24 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 313.61 feet, thence N 16° 10' 45" E a distance of 17.40 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 133.90 feet, thence N 89° 57' 20" E a distance of 60.00 feet, thence S 00° 31' 12" E along the East line of said SE 1/4 a distance of 489.15 to the POINT OF BEGINNING.

Containing 1,171.92 sq. ft. or 0.03 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 34

Text File Number: E-1011-85

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-85 (CONSTRUCTION) FROM MILLWHEEL INVESTMENTS, L.L.C., IN THE AMOUNT OF $442 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-85; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

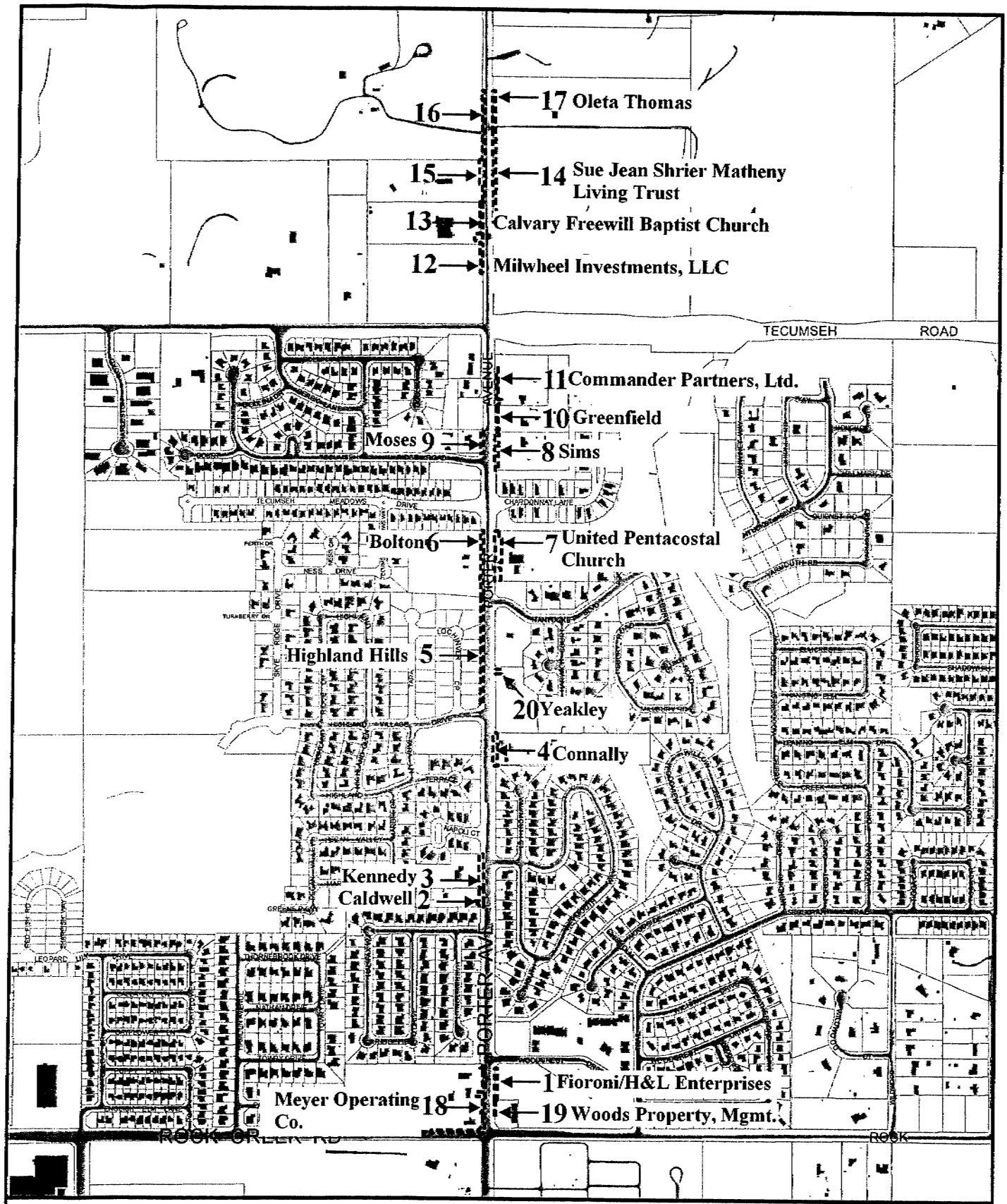
ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-85 be accepted, payment be authorized, and the filing thereof be directed.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

TEMPORARY EASEMENT

E-1011-85

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 12.1
STP-114B(256)AG

THAT, Millwheel Investments, LLC, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 17 day of FEB, 2011.

BY: X [signature] BY: THOMAS RUSSELL

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of FEBRUARY, 2011, personally appeared THOMAS RUSSELL, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

STACE R. CLARTON NOTARY # 09004202 EXP. 05/15/13 PUBLIC STATE OF OKLAHOMA

[signature]
Notary Public

My Commission Expires: 5/15/13

Approved as to form and legality this 15th day of April, 2011.

[signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 K40

26840(04) Parcel No. 12.1
STP-114B(256)AG

E-1011-85

Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 60.87 feet, thence S 89° 53' 06" W a distance of 90.01 feet, thence
N 44° 40' 43" E a distance of 35.24 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 313.61 feet to the POINT OF BEGINNING, thence S 89° 28' 48" W perpendicular to the East line of said SE 1/4 a distance of 5.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 150.65 feet, thence N 89° 57' 20" E a distance of 10.00 feet, thence S 00° 31' 12" E parallel with the East line of said SE 1/4 a distance of 133.90 feet, thence S 16° 10' 45" W a distance of 17.40 feet to the POINT OF BEGINNING.

Containing 1,464.42 sq. ft. or 0.03 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 35

Text File Number: E-1011-86

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-86 (ROADWAY, DRAINAGE, AND UTILITY) FROM CALVARY FREE WILL BAPTIST CHURCH IN THE AMOUNT OF $5,750 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-86; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-86 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 13.0 E-1011-86
STP-114B(256)AG

THAT, Calvary Free Will Baptist Church, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 16 day of Jan, 20 11.

BY: X Duwane Harell
Vice President

BY: X Stanley Meyer
President

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 16 day Jan of _____, 20 11, personally appeared Duwane Harell Stanley Meyer, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal the day and year last above written.

KIMBERLY SLOAN
Notary Public in and for
State of Oklahoma
Comm. # 04009860 Exp. 10/29/2012

Kimberly Sloan
Notary Public

My Commission Expires: 10-29-12

Approved as to form and legality this 15th day of April, 20 11.

R Bond
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 13.0 E-1011-86
STP-114B(256)AG

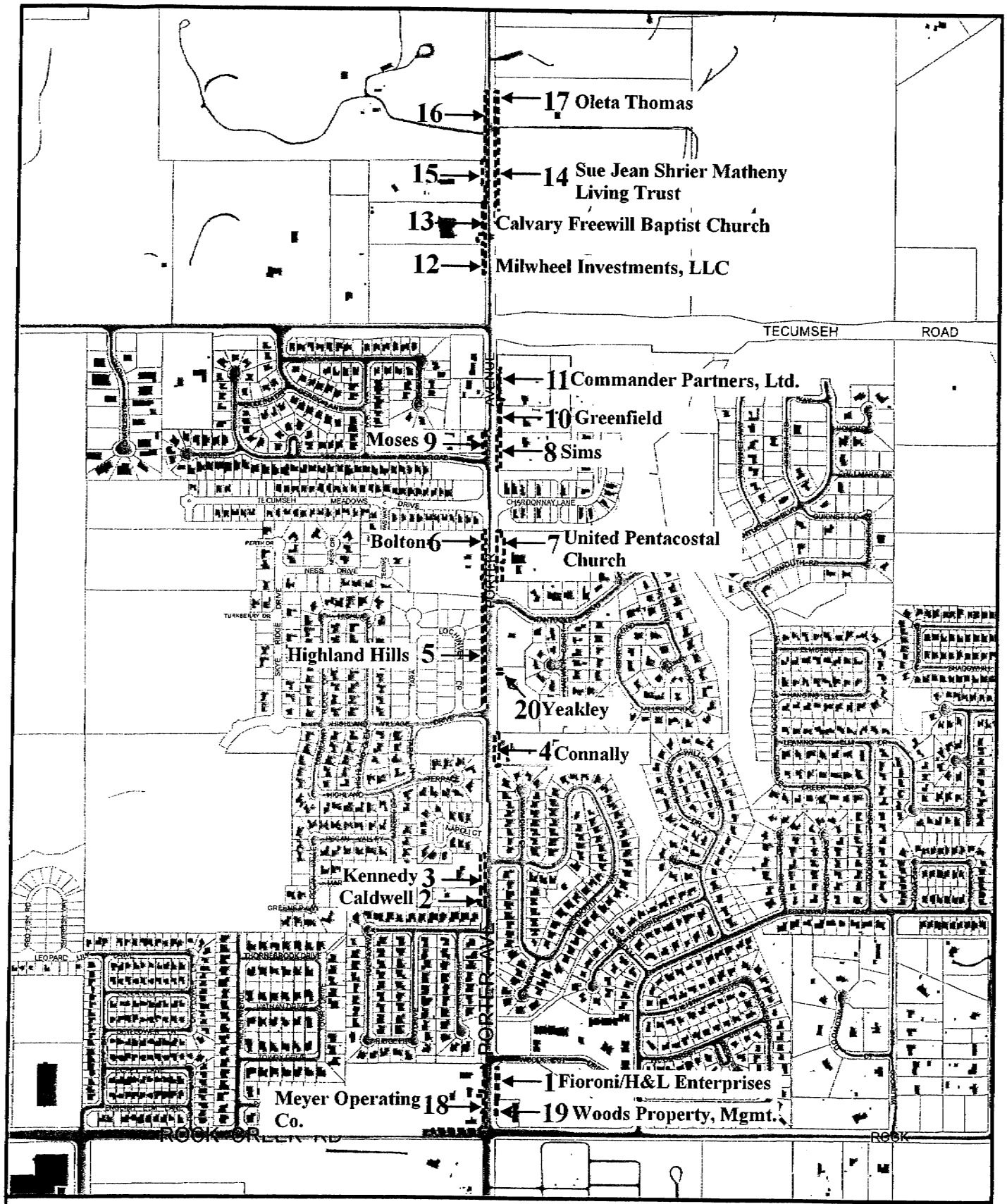
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 550.02 feet to the POINT OF BEGINNING. thence S 89° 57' 20" W a distance of 60.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 275.01 feet, thence N 89° 57' 20" E a distance of 60.00 feet, thence S 00° 31' 12" E along the East line of said SE 1/4 a distance of 275.01 feet to the POINT OF BEGINNING.

Containing 2,750.09 sq. ft. or 0.06 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 36

Text File Number: E-1011-87

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-87 (CONSTRUCTION) FROM CALVARY FREE WILL BAPTIST CHURCH IN THE AMOUNT OF $825 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-87; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-86 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

E-1011-87

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 13.1
STP-114B(256)AG

THAT, Calvary Free Will Baptist Church, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 16 day of Jan, 20 11.

BY: Dwayne Harrell
Vice President

BY: Stanley Meyer
President

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 16 day of Jan, 20 11, personally appeared Dwayne Harrell, Stanley Meyer to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

KIMBERLY SLOAN
Notary Public in and for
State of Oklahoma
Comm. # 04009860 Exp. 10/29/2012

Kimberly Sloan
Notary Public

My Commission Expires: _____

Approved as to form and legality this 15 day of Apr. 1, 20 11.

R Bonn
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010

26840(04) Parcel No. 13.1
STP-114B(256)AG

E-1011-87

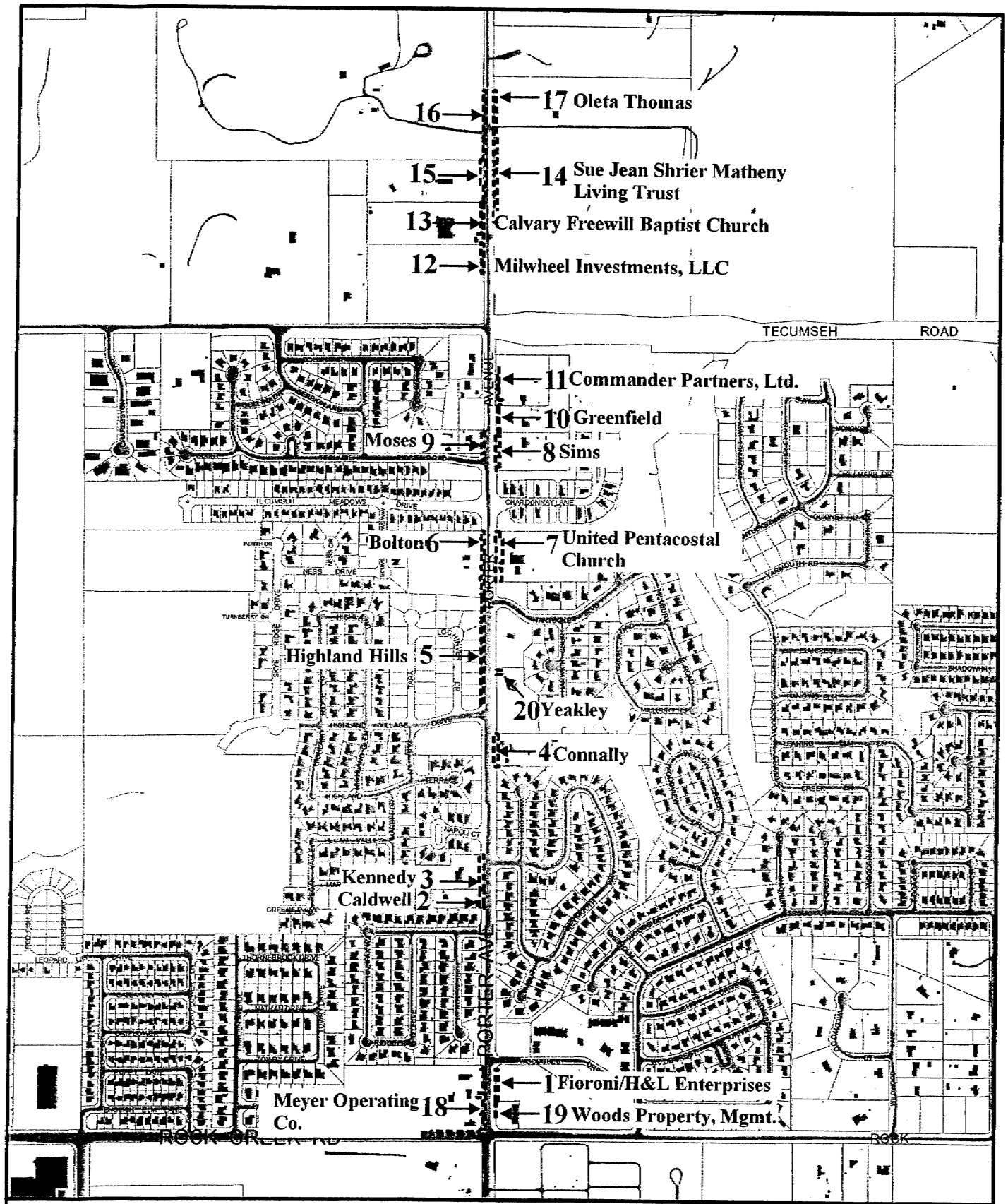
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 550.02 feet, thence S 89° 57' 20" W a distance of 60.00 feet to the POINT OF BEGINNING, thence continuing S 89° 57' 20" W a distance of 10.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 275.01 feet, thence N 89° 57' 20" E a distance of 10.00 feet, thence S 00° 31' 12" E parallel with the East line of said SE 1/4 a distance of 275.01 feet to the POINT OF BEGINNING.

Containing 2,750.09 sq. ft. or 0.06 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 37

Text File Number: E-1011-88

Introduced: 4/9/2011 BY John Clink, Capital Projects Enginee

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-88 (DRIVEWAY) DONATED BY CALVARY FREE WILL BAPTIST CHURCH FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-88; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-88 be accepted and the filing thereof be directed

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: 26840(04) Parcel No. 13.2 STP-114B(256)AG E-1011-88

THAT, Calvary Free Will Baptist Church, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 16 day of Jan, 2011.

BY: X Dwayne Harrell BY: X [signature]

Vice President President

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 11th day of Jan, 2011, personally appeared Dwayne Harrell and Stanley Meyer to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that _____ 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.

KIMBERLY SLOAN
Notary Public in and for
State of Oklahoma
Comm. # 04009860 Exp. 10/29/2012

Kimberly Sloan
Notary Public

My Commission Expires: 10-29-12

Approved as to form and legality this 15th day of April, 2011.

[signature]
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 13.2
STP-114B(256)AG E-1011-88

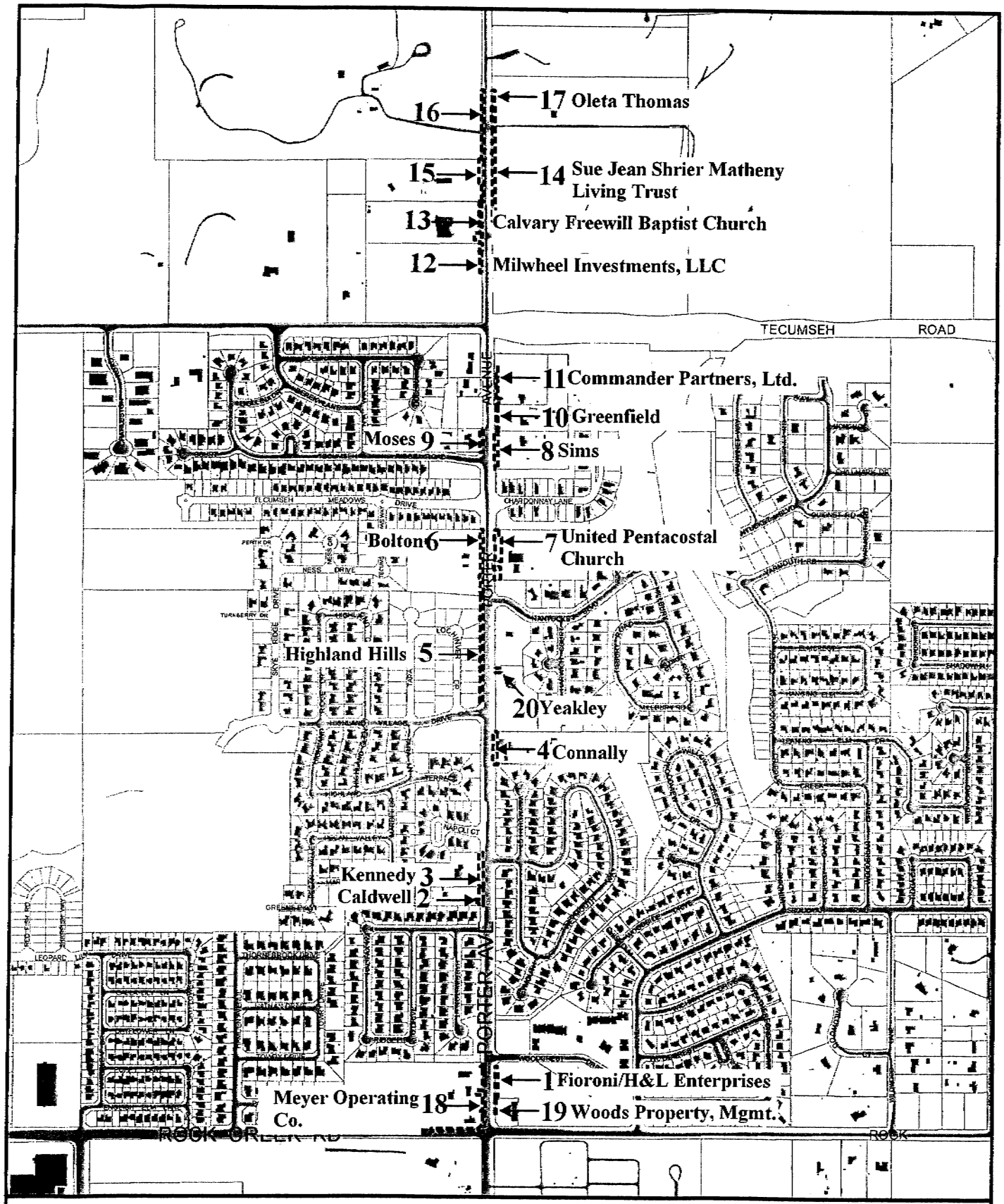
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 579.43 feet, thence S 89° 28' 48" W a distance of 70.00 feet to the POINT OF BEGINNING, thence continuing S 89° 28' 48" W a distance of 35.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 45.00 feet, thence N 89° 28' 48" E a distance of 35.00 feet, thence S 00° 31' 12" E parallel with the East line of said SE 1/4 a distance of 45.00 feet to the POINT OF BEGINNING.

Containing 1575.00 sq. ft. or 0.04 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 38

Text File Number: E-1011-89

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-89 (CONSTRUCTION) DONATED BY THE SUE JEAN SHRIER MATHENY LIVING TRUST FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-89; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-89 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
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12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
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13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
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15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
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18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
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18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

E-1011-89

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 14 0
STP-114B(256)AG

THAT, I, trustee for the Sue Jean Shrier Matheny Living trust, in consideration of the sum of One Dollar ($1 00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below.

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this _____ day of _____, 20____.

BY:_____ BY: Sue Jean Shrier Matheny

TRUSTEE: SUE JEAN SHRIER MATHENY

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of October, 20 10, personally appeared Sue Jean Shrier Matheny, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that She executed the same as her 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
Tarena Furr
Commission # 07001083
Expires January 31, 2011

Tarena Furr
Notary Public

My Commission Expires: 01.31.2011

Approved as to form and legality this 15th day of April, 20 11

R B
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 14.0
STP-114B(256)AG

E-1011-89

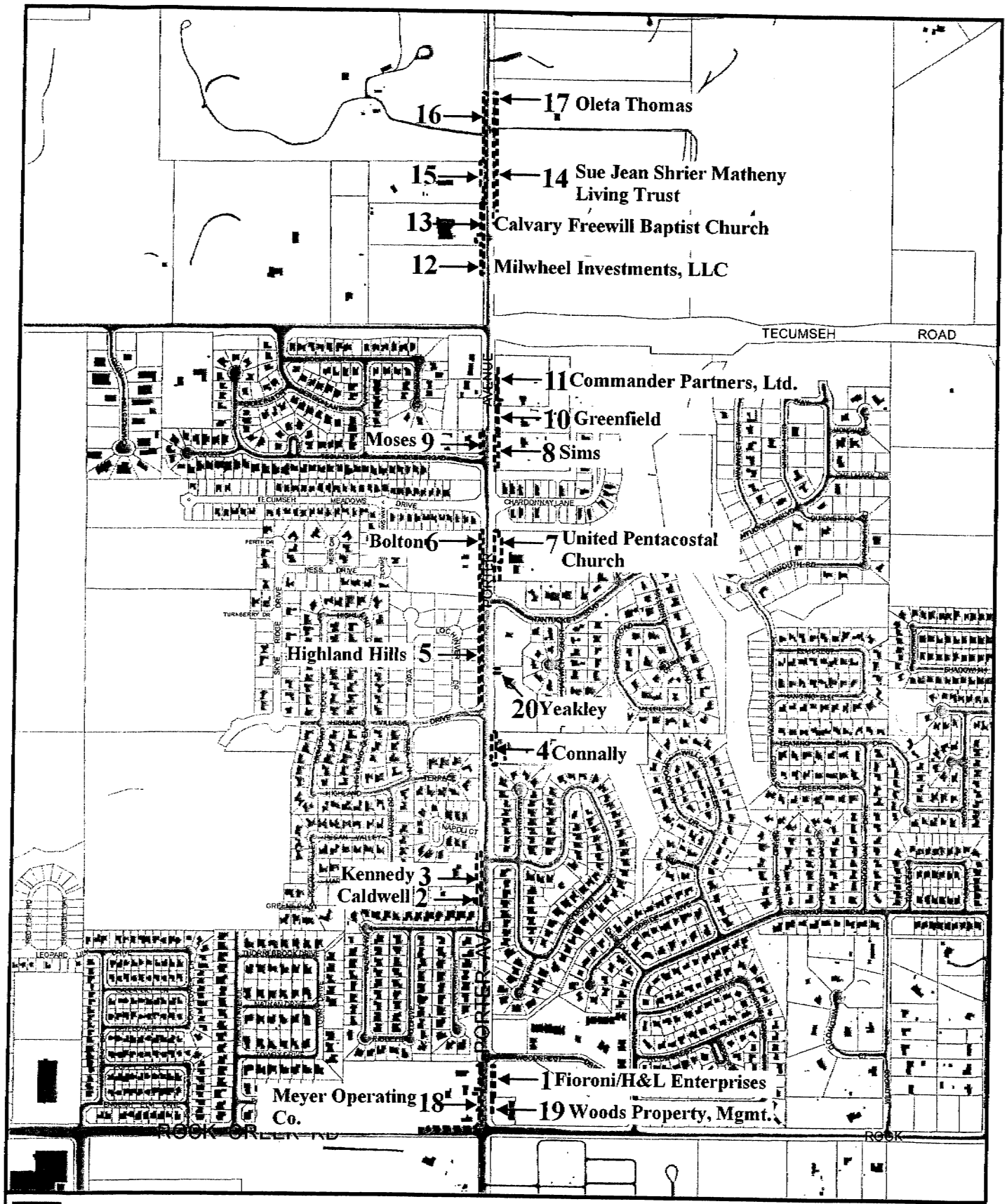
Exhibit "A"

A strip, piece, or parcel of land lying in the SW 1/4 of Section 8, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said SW 1/4, thence N 00° 31' 12" W along the West line of said SW 1/4 a distance of 700.00 feet, thence N 89° 28' 48" E a distance of 33.00 feet to the POINT OF BEGINNING, thence N 00° 31' 12" W parallel with the West line of said SW 1/4 a distance of 600.15 feet, thence N 89° 38' 40" E a distance of 20.00 feet, thence S 00° 31' 12" E parallel with the West line of said SW 1/4 a distance of 600.09 feet, thence S 89° 28' 48" W a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 12,002.42 sq. ft. or 0.28 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 39

Text File Number: E-1011-90

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-90 (ROADWAY, DRAINAGE, AND UTILITY) FROM NORTHGATE BAPTIST CHURCH F/K/A BIBLE BAPTIST CONGREGATION IN THE AMOUNT OF $9,700 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-90; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-90 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 15.0
STP-114B(256)AG

E-1011-90

THAT, Northgate Baptist Church FKA Bible Baptist Congregation, A Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 20th day of February, 2011.

BY: _____ Trustee

BY: _____ Trustee

BY: _____ Trustee

BY: _____ Trustee

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this20th day of Feburary, 2011, personally appeared the Trustee's as stated and signed above, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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

Commission #: 06000678

My Commission Expires: 1/18/14

CRAIG L. CUNNINGHAM NOTARY # 06000678 EXP. 01/18/14 PUBLIC STATE OF OKLAHOMA

Approved as to form and legality this 15th day of April, 2011.

_____ City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 2011.

_____ Mayor

ATTEST:

_____ City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 15.0 E-1011-90
STP-114B(256)AG

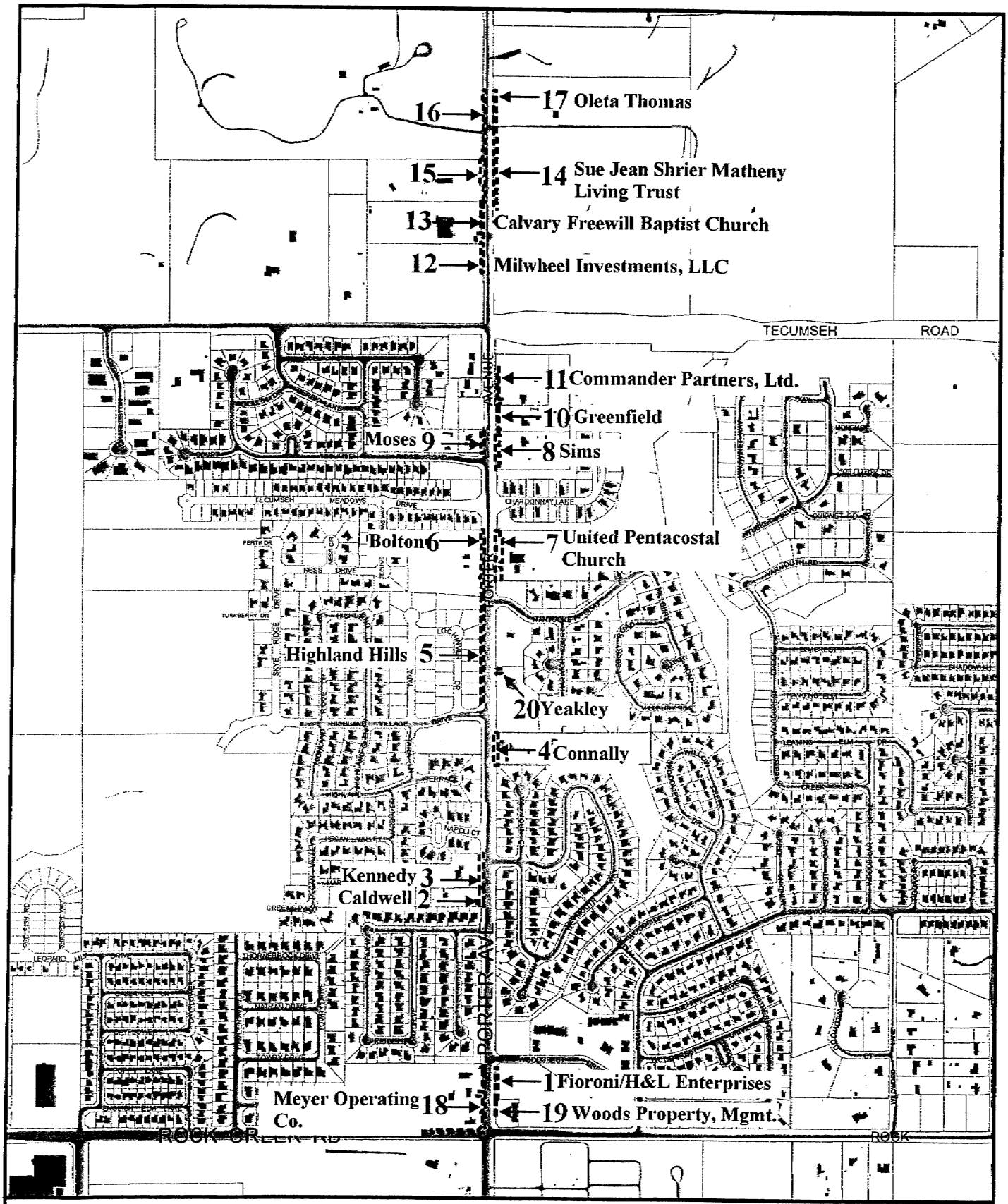
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 825.03 feet to the POINT OF BEGINNING, thence S 89° 57' 20" W a distance of 50.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 275.01 feet, thence N 89° 57' 20" E a distance of 50.00 feet, thence S 00° 31' 12" E along the East line of said SE 1/4 a distance of 275.01 feet to the POINT OF BEGINNING.

Containing 4,675.16 sq. ft. or 0.11 acres, more or less, of new Highway Easement, the remaining area included in the above description being right-of-way occupied by the present highway.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 40

Text File Number: E-1011-91

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-91 (CONSTRUCTION) FROM NORTHGATE BAPTIST CHURCH F/K/A BIBLE BAPTIST CONGREGATION IN THE AMOUNT OF $725 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-91; and, if accepted, direct the filing thereof with the County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-91 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 15.1 E-1011-91
STP-114B(256)AG

THAT, Northgate Bible Church FKA Bible Baptist Congregation, A Corporation, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 20th day of February, 2011.

BY: _____ Trustee

BY: _____ Trustee

BY: _____ Trustee

BY: _____ Trustee

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 20th, day of February, 2011, personally appeared the Trustee's as stated and signed above, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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

Commission #: 06000678

My Commission Expires: 1/18/14

CRAIG L. CUNNINGHAM NOTARY PUBLIC # 06000678 EXP. 01/18/14 STATE OF OKLAHOMA

Approved as to form and legality this _____ day of _____, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 2011.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 15.1 E-1011-91
STP-114B(256)AG

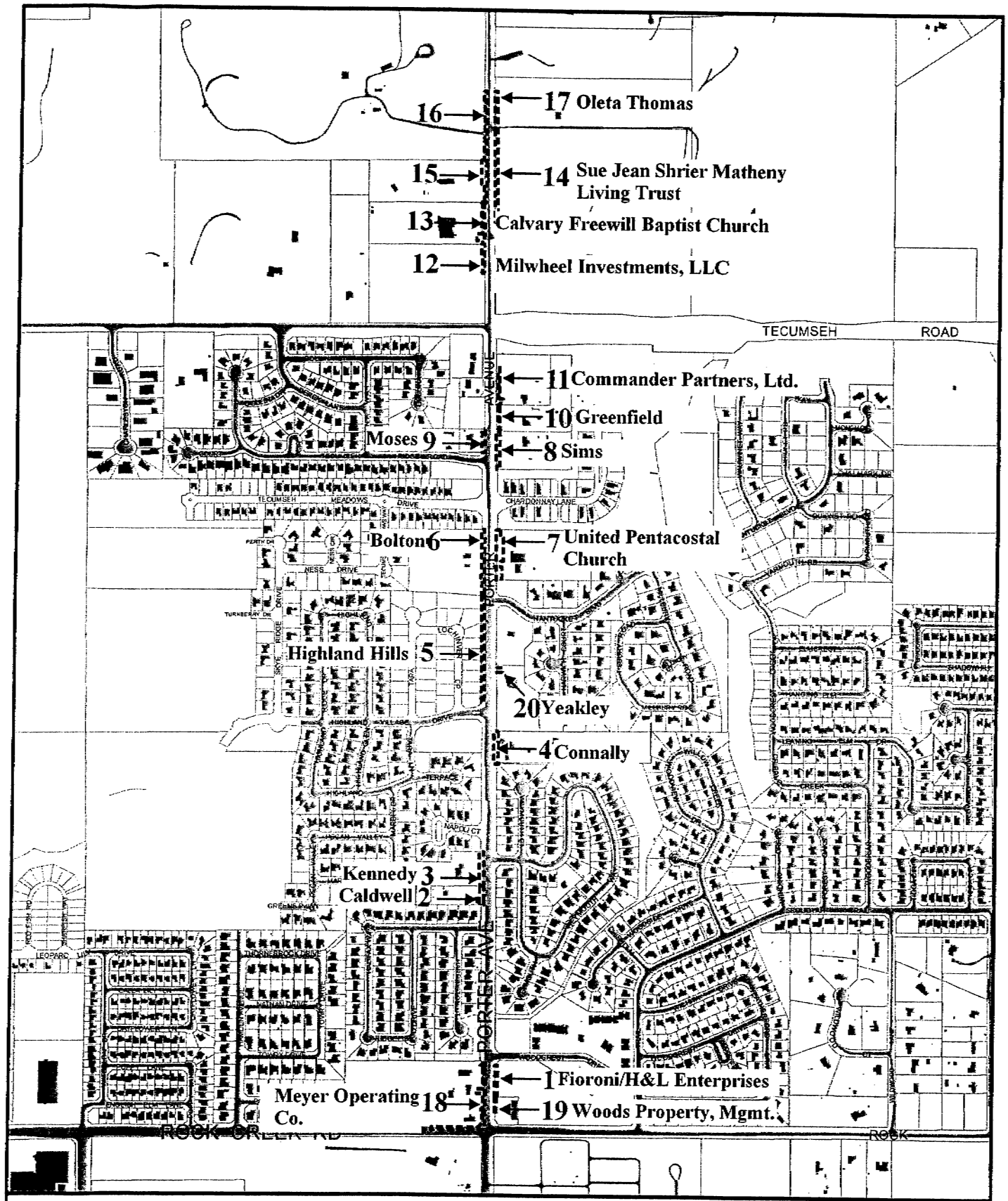
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 31' 12" W along the East line of said SE 1/4 a distance of 825.03 feet, thence S 89° 57' 20" W a distance of 50.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 115.01 feet to the POINT OF BEGINNING, thence S 89° 28' 48" W perpendicular to the East line of said SE 1/4 a distance of 15.00 feet, thence N 00° 31' 12" W parallel with the East line of said SE 1/4 a distance of 160.12 feet, thence N 89° 57' 20" E a distance of 15.00 feet, thence S 00° 31' 12" E parallel with the East line of said SE 1/4 a distance of 160.00 feet to the POINT OF BEGINNING.

Containing 2,400.93 sq. ft. or 0.06 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System. (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 42

Text File Number: E-1011-93

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-93 (CONSTRUCTION) FROM OLETA I. THOMAS IN THE AMOUNT OF $1,550 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-93; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-93 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
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12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
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13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
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18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

E-1011-93

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 17.0
STP-114B(256)AG

THAT, OLETA I. Thomas, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 03 day of January, 20 11.

BY: Oleta Thomas BY: _____

OLETA I. Thomas

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 03 day of January, 20 11, personally appeared OLETA I Thomas, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her 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 VAUGHN R. DEWEY Notary Public in and for the State of Oklahoma Commission #07010853 My Commission expires 11/06/2011

Notary Public

My Commission Expires: 11-06-2011

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 17.0 E-1011-93
STP-114B(256)AG

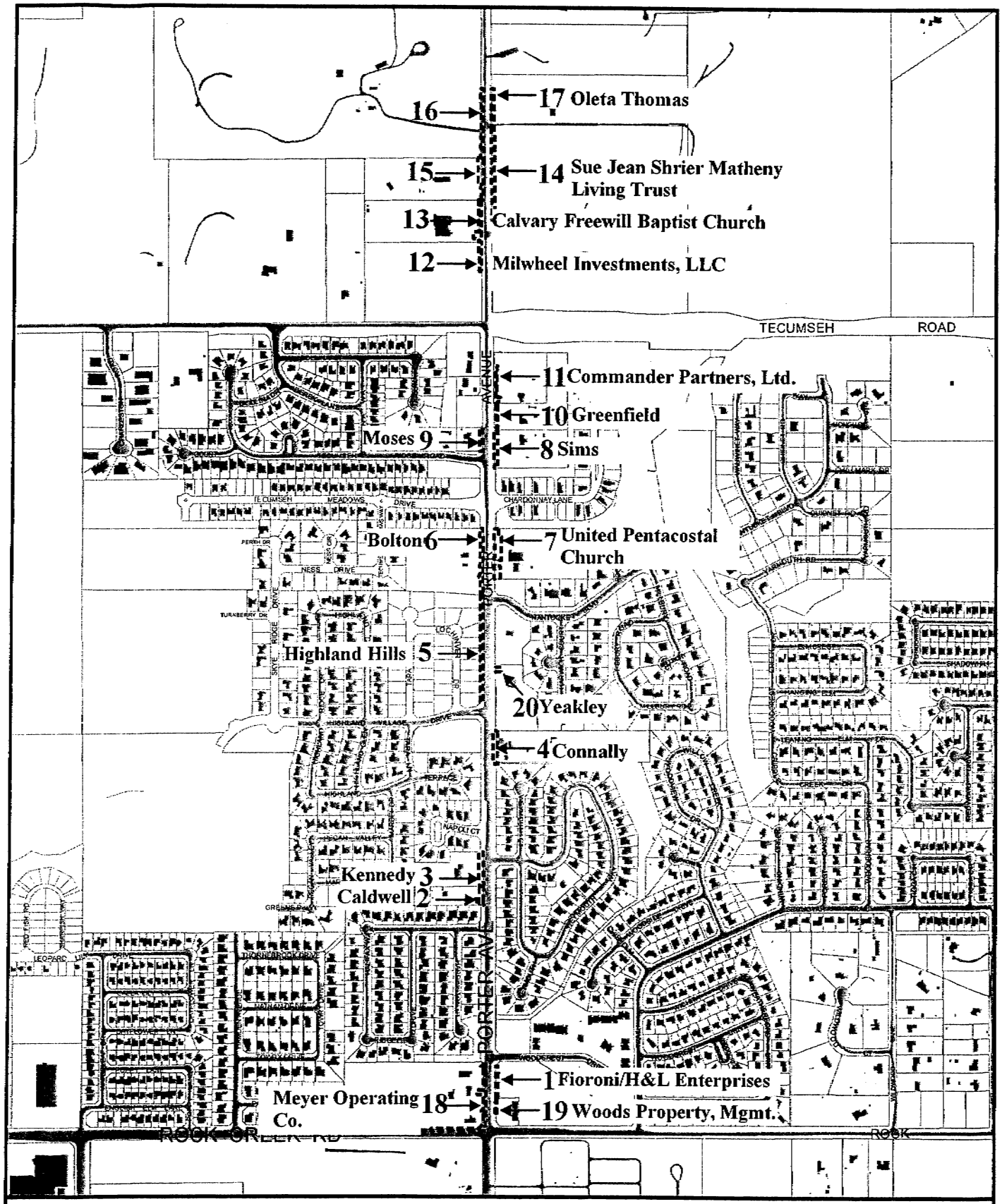
Exhibit "A"

A strip, piece, or parcel of land lying in the SW 1/4 of Section 8, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said SW 1/4, thence N 00° 31' 12" W along the West line of said SW 1/4 a distance of 1300.24 feet, thence N 89° 38' 40" E a distance of 33.00 feet to the POINT OF BEGINNING, thence N 00° 31' 12" W parallel with the West line of said SW 1/4 a distance of 255.33 feet, thence N 89° 28' 48" E a distance of 20.00 feet, thence S 00° 31' 12" E parallel with the West line of said SW 1/4 a distance of 255.39 feet, thence S 89° 38' 40" W a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 5,107.23 sq. ft. or 0.12 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 43

Text File Number: E-1011-94

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-94 (ROADWAY, DRAINAGE, AND UTILITY) FROM MEYER OPERATING COMPANY, L.P., IN THE AMOUNT OF $1,105 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-94; and, if accepted, direct the filing thereof with the Cleveland County Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-94 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 18.3 E-1011-94
STP-114B(256)AG

THAT, Mayer Operating Company, L.P.,
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 17 day of FEBRUARY, 20 11.

BY: President Clarabelle W. Mayer. BY:

Clarabelle W. Mayer

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of February, 20 11, personally appeared Clarabelle W. Mayer as President of Mayer Operating Company, L.P., to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that She executed the same as her 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

JASON M. COOK NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of _____, 20____.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19_____.

Mayor

ATTEST:

City Clerk

SEAL:

26840(04) Parcel No. 18.3 E-1011-94
STP-114B(256)AG

DEC 27 2010 KW

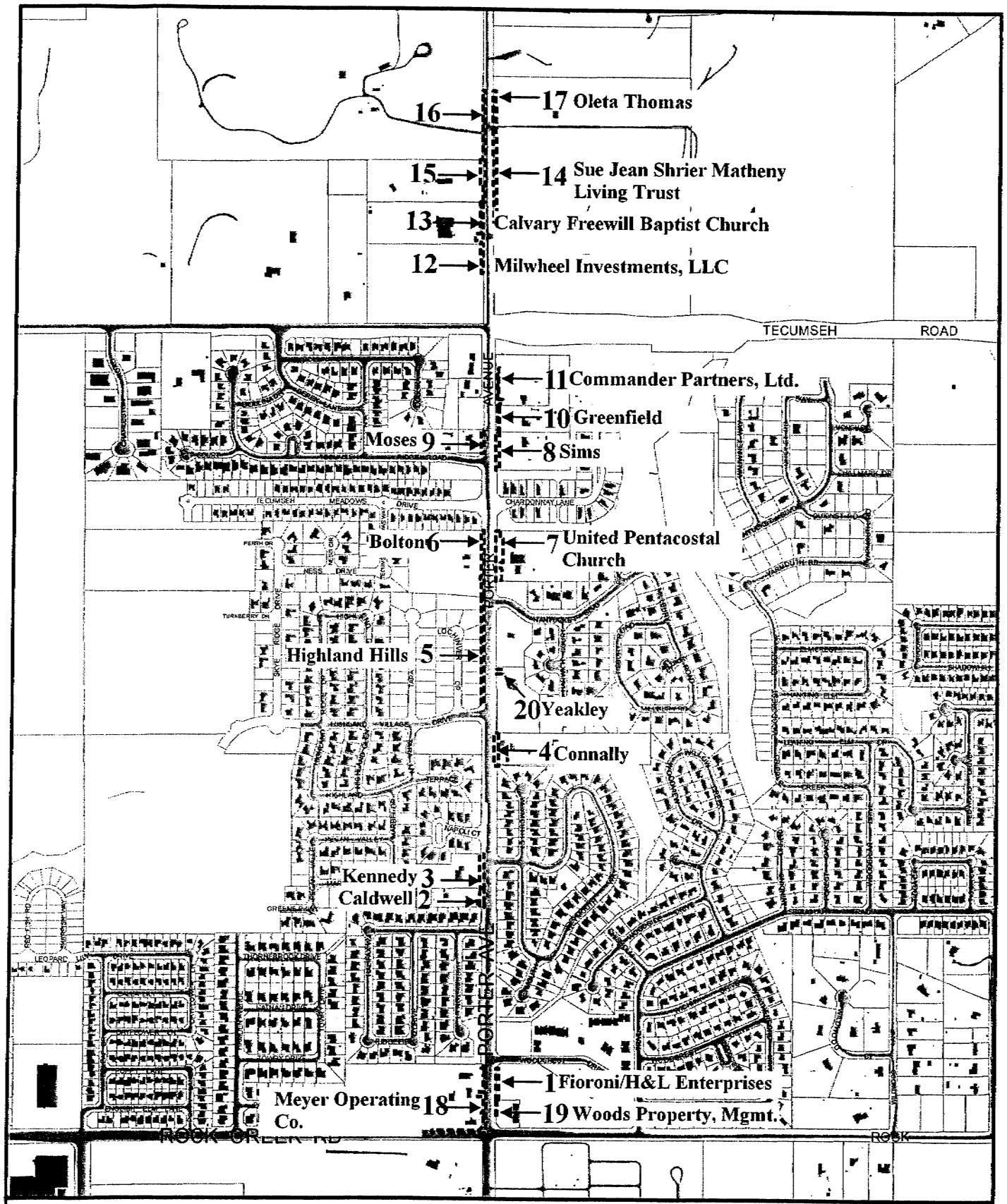
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 28' 06" W along the East line of said SE 1/4 a distance of 107.82 feet, thence S 89° 31' 54" W a distance of 55.00 feet to the POINT OF BEGINNING, thence S 00° 28' 06" E a distance of 35.01 feet, thence S 44° 47' 49" W a distance of 17.76 feet, thence N 14° 24' 08" E a distance of 49.15 feet to the POINT OF BEGINNING.

Containing 220.81 sq. ft. or 0.01 acres, more or less, of Right-of-Way Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 44

Text File Number: E-1011-95

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-95 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-95; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-95 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 18.0
STP-114B(256)AG

E-1011-95

THAT, Meyer Operating Company, L.P., in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 17th day of February, 2011.

BY: President Clarabelle W. Meyer

Clarabelle W. Meyer

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of February, 2011, personally appeared Clarabelle W. Meyer President of Meyer Operating Company, L.P. to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her 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

JASON M. COOK NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KD

26840(04) Parcel No. 18.0 E-1011-95
STP-114B(256)AG

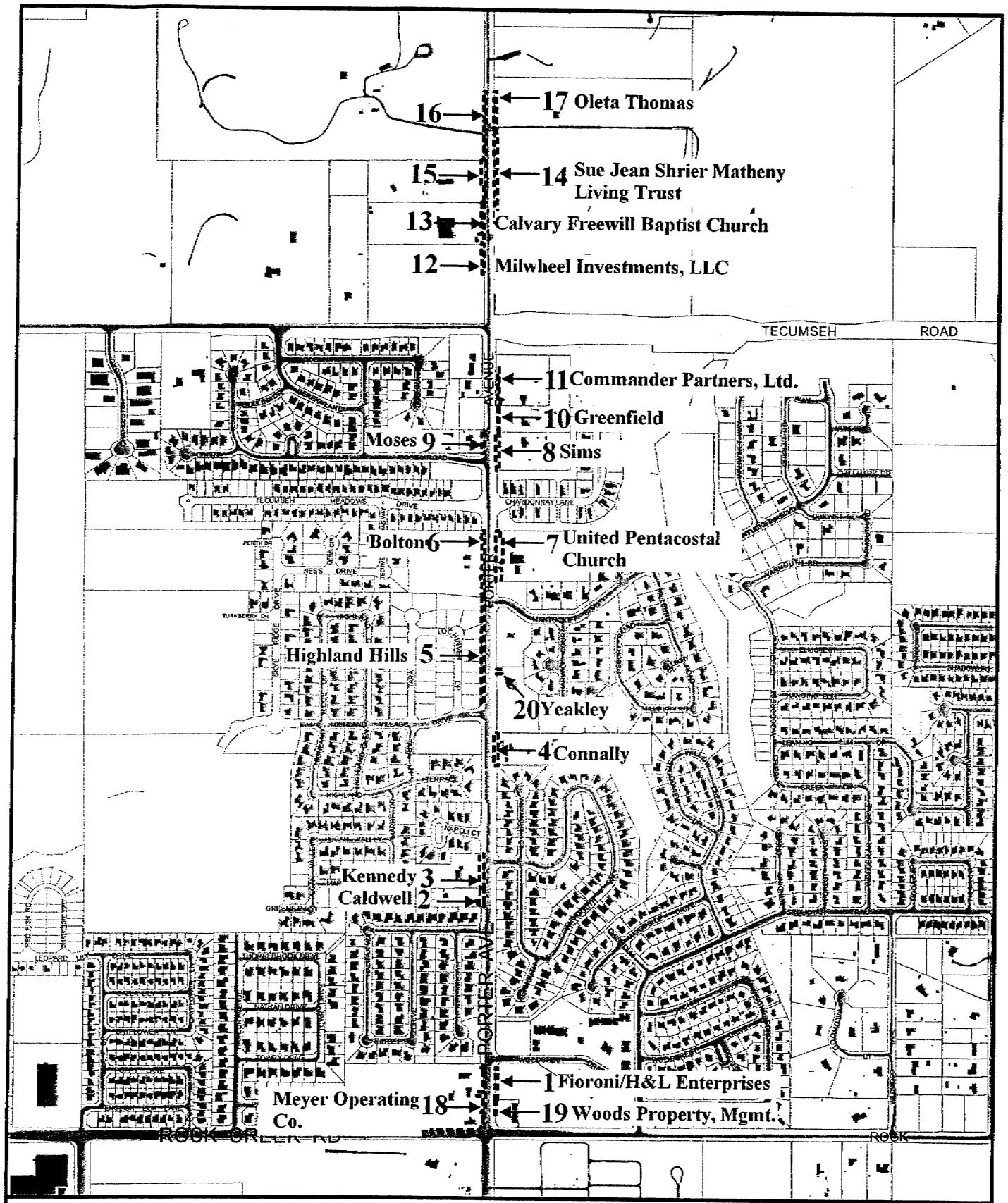
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 28' 06" W along the East line of said SE 1/4 a distance of 136.58 feet, thence S 89° 31' 54" W a distance of 55.00 feet to the POINT OF BEGINNING, thence continuing S 89° 31' 54" W a distance of 11.00 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 35.00 feet, thence N 89° 31' 54" E a distance of 11.24 feet, thence S 00° 04' 00" E a distance of 35.00 feet to the POINT OF BEGINNING.

Containing 389.27 sq. ft. or 0.01 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 45

Text File Number: E-1011-96

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-96 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-96; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-96 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
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6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
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15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
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18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 18.1 E-1011-96
STP-114B(256)AG

THAT, Meyer Operating Company L.P.,
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 17 day of February, 2011.

BY: President Clarabelle W. Meyer BY:
Clarabelle W. Meyer

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of February, 2011, personally appeared Clarabelle W. Meyer President of Meyer Operating Company L.P. to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her 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

JASON M. COOKE NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 18.1 E-1011-96
STP-114B(256)AG

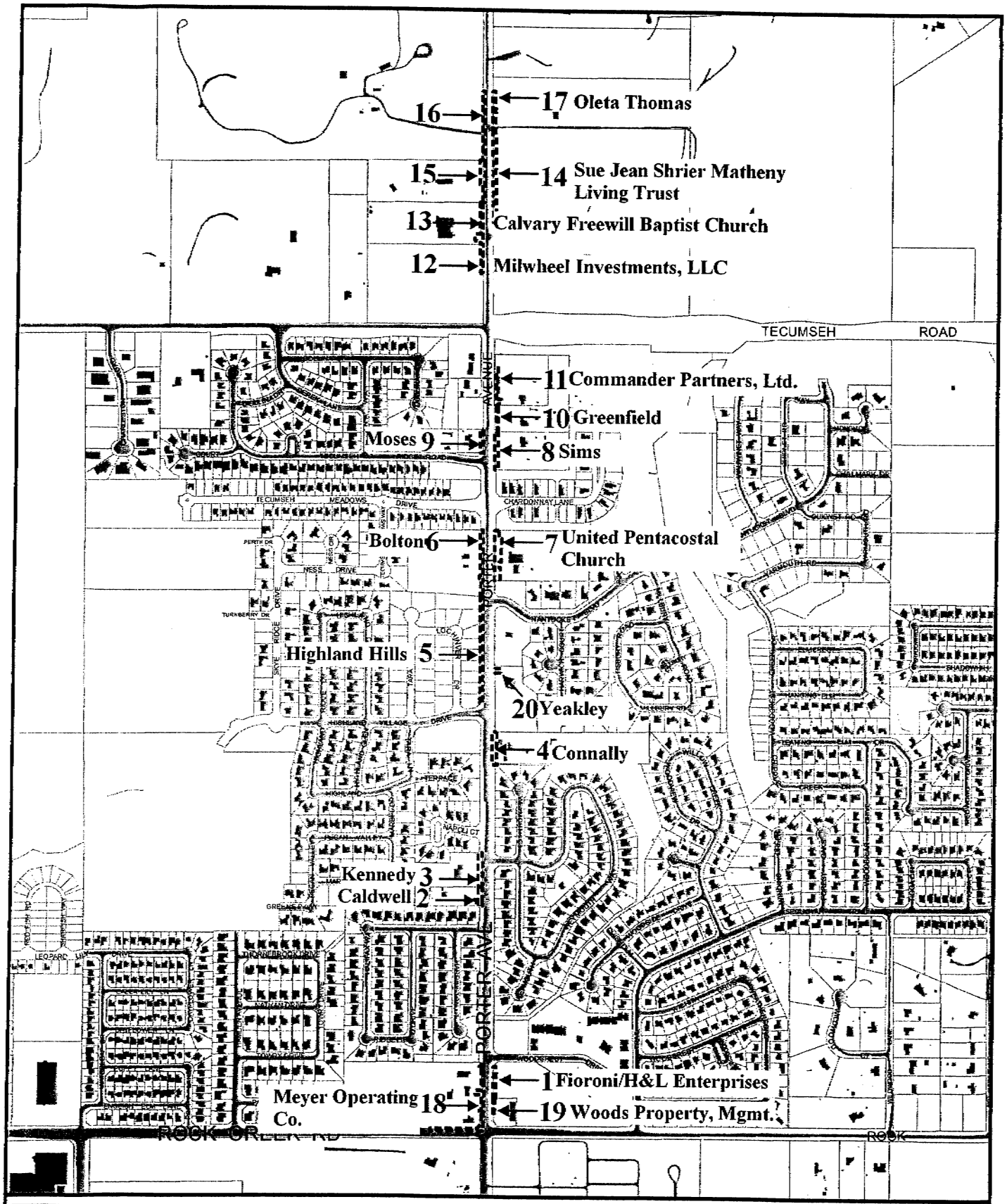
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 28' 06" W along the East line of said SE 1/4 a distance of 285.29 feet, thence S 89° 31' 54" W a distance of 52.92 feet to the POINT OF BEGINNING, thence continuing S 89° 31' 54" W a distance of 39.08 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 30.00 feet, thence N 89° 31' 54" E a distance of 39.56 feet, thence S 00° 27' 22" W a distance of 30.00 feet to the POINT OF BEGINNING.

Containing 1179.66 sq. ft. or 0.03 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 46

Text File Number: E-1011-97

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-97 (DRIVEWAY) DONATED BY MEYER OPERATING COMPANY, L.P. FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-97; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-97 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 18.2 E-1011-97
STP-114B(256)AG

THAT, Meyer Operating Company, L.P.,
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 17 day of February, 2011.

BY: President Clarabelle W. Meyer BY:

Clarabelle W. Meyer

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17 day of February, 2011, personally appeared Clarabelle W. Meyer as President of Meyer Operating Company, L.P. to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her 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

JASON M. COOK NOTARY 10008236 EXP. 9/30/14 PUBLIC STATE OF OKLAHOMA

My Commission Expires: 9/30/14

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of_____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 18.2 E-1011-97
STP-114B(256)AG

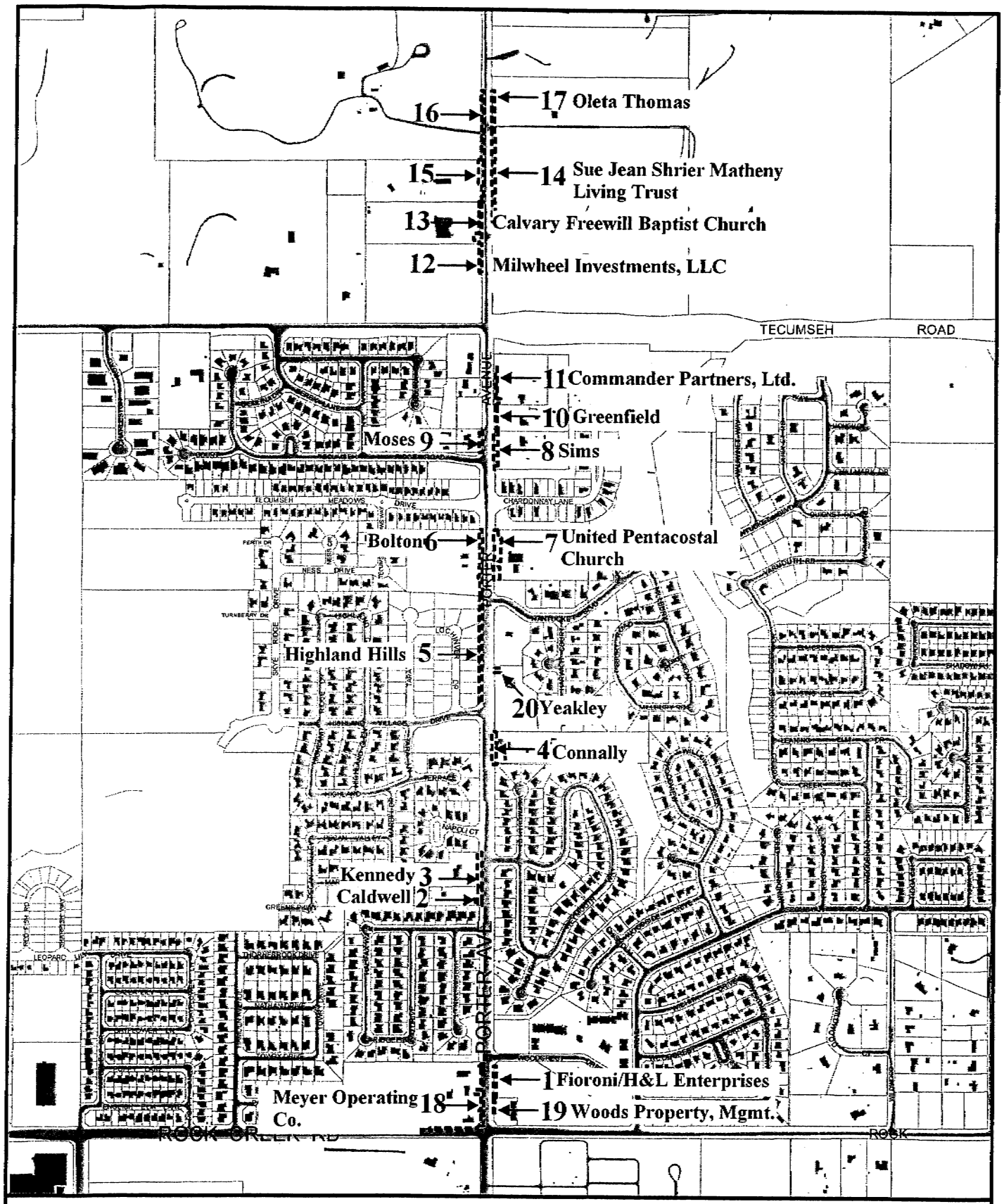
Exhibit "A"

A strip, piece, or parcel of land lying in the SE 1/4 of Section 18, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SE corner of said SE 1/4, thence N 00° 28' 06" W along the East line of said SE 1/4 a distance of 414.80 feet, thence S 89° 31' 54" W a distance of 50.83 feet to the POINT OF BEGINNING, thence continuing S 89° 31' 54" W a distance of 16.17 feet, thence N 00° 28' 06" W parallel with the East line of said SE 1/4 a distance of 25.00 feet, thence N 89° 31' 54" E a distance of 16.17 feet, thence S 00° 27' 22" E a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 409.29 sq. ft. or 0.01 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 47

Text File Number: E-1011-98

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-98 (DRIVEWAY) DONATED BY WOODS PROPERTY MANAGEMENT, L.L.C., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-98; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends acceptance of Temporary Easement No. E-1011-98 and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 19.0
STP-114B(256)AG

E-1011-98

THAT, Woods Property Management, LLC, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

Subject to the "Addendum" dated 1-20-2011 signed by Grantor and by the City of Norman Project Engineer

See Attached Exhibit "A" and "Addendum"

Subject to the terms of the Exhibit "A" Addendum dated Sept 27, 2010, attached hereto and made a part hereof.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 26 day of JANUARY, 2011.

Woods Property Management, LLC

~~BY:~~ _____

BY: Roy Woods

Roy Woods, as Corporate President
of Cecil Woods Management, Inc.
~~the corporate Manager of said L.L.C.~~

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 26 day of JAN., 2011, personally appeared Roy Woods, Corporate President of the Manager of said L.L.C. to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Dorothy J. Henning
Notary Public

OFFICIAL SEAL
NOTARY PUBLIC Dorothy J. Henning
IN AND FOR STATE OF OKLAHOMA Commission #99015429
Expires September 26, 2011

My Commission Expires: September 26, 2011

Approved as to form and legality this 15th day of April, 2011.

R Bruce
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 19.0 E-1011-98
STP-114B(256)AG

Exhibit "A"

A strip, piece, or parcel of land lying in the SW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said SW 1/4, thence N 00° 28' 06" W along the West line of said SW 1/4 a distance of 116.52 feet, thence N 89° 31' 54" E a distance of 50.00 feet to the POINT OF BEGINNING, thence N 00° 28' 06" W parallel with the West line of said SW 1/4 a distance of 112.85 feet, thence N 89° 31' 54" E a distance of 6.00 feet, thence S 00° 28' 06" E parallel with the West line of said SW 1/4 a distance of 112.85 feet, thence S 89° 31' 54" W a distance of 6.00 feet to the POINT OF BEGINNING.

Containing 677.11 sq. ft. or 0.02 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.

E-1011-98

"Addendum"
1-20-2011

It is hereby agreed as follows:
1. This easement is for the purpose of allowing the Oklahoma Department of Transportation's Contractor in conjunction with a federally funded project with the City of Norman to replace the existing sidewalk(s). In order to meet federal standards said contractor will be required to replace and rebuild, in a timely and workmanlike manner, in the exact same location, the two existing entry drives.
2. It is agreed that the normal construction time necessary to replace an entry driveway is three to five days (exclusive of any temporary weather delay).
3. It is agreed that the City of Norman will note on the plans for ODOT's contractor to replace and reopen the first driveway before starting work on the second driveway, and also note that only one driveway at a time can be closed due to this construction. Unless otherwise agreed to by the property owner.
4. The City of Norman has informed Grantor that the only work being done in North Porter Avenue west of and adjacent to Grantor's property is the sidewalk replacement and the two drive replacements necessary tobring said sidewalk replacement in conformity with federal standards. Except for this work the existing pavement of North Porter west of and adjacent to Grantor's property will remain unchanged.
5. The City of Norman and ODOT's contractor will communicatewith and coordinate, in good faith, with Grantor's Tenants to minimize inconvenience to all parties. Based upon the above representations and agreements, Grantor has elected to donate this Temporary Easement to the City of Norman without monetary compensaton.

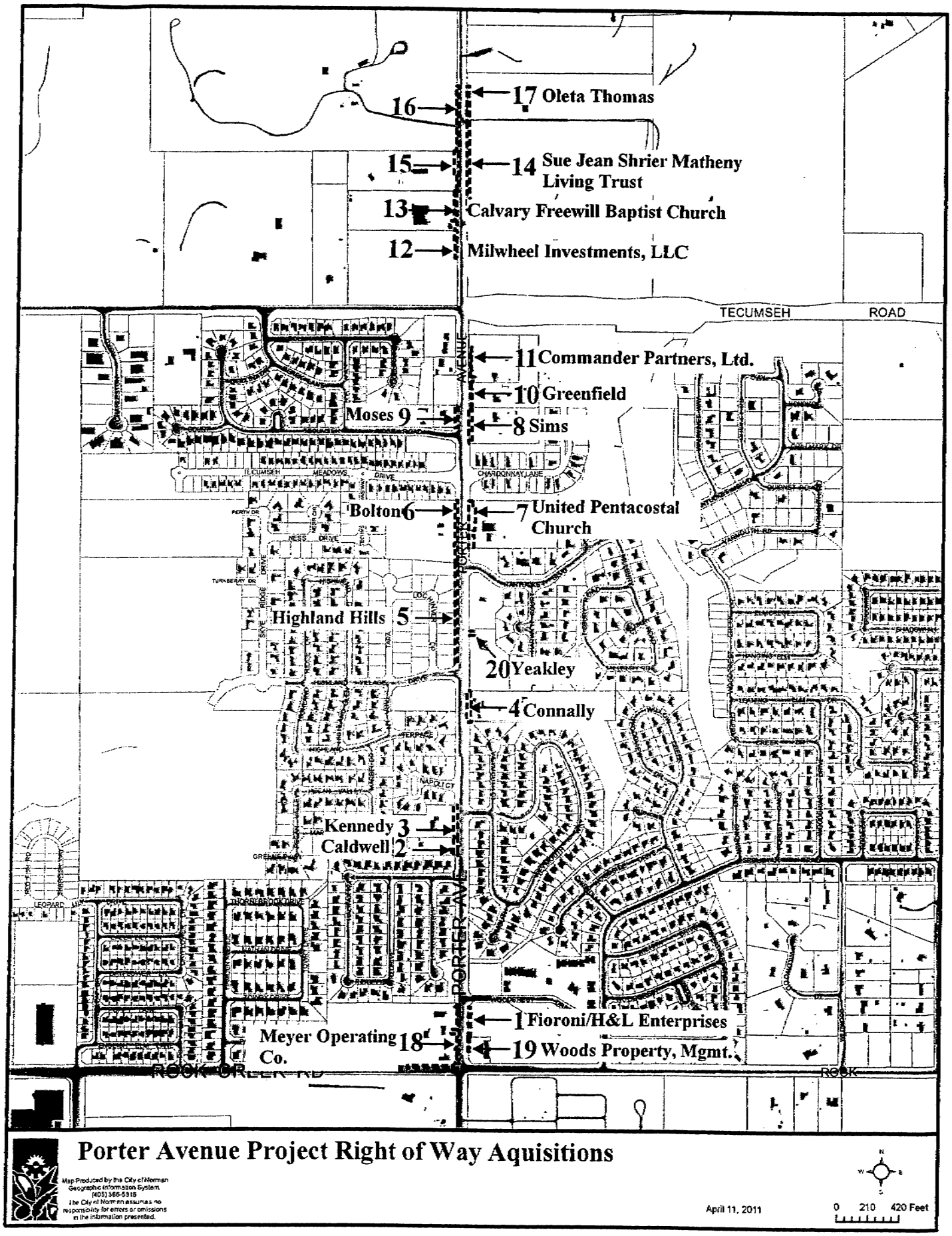
Lonnie Ferguson
City of Norman, Project Engineer

1/20/11
Date

Roy ~~William~~ Woods, Woods Property Management, LLC

1-26-11
Date

Roy Woods, as Corporate President
of Cecil Woods Management, Inc.
the corporate Manager of said L.L.C.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 48

Text File Number: E-1011-99

Introduced: 4/9/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-99 (DRIVEWAY) DONATED BY DAVID E. AND BRENDA J. YEAKLEY FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-99; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-99 be accepted and the filing be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
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13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
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13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY DRIVEWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 20.0
STP-114B(256)AG

E-1011-99

THAT, David E. Yeakley & Brenda J. Yeakley, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway entrance

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 26th day of OCTOBER, 2010.

BY: _____ BY: _____

David E. Yeakley Brenda J. Yeakley

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 26th day of OCTOBER, 2010, personally appeared David E. Yeakley & Brenda J. Yeakley, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that They executed the same as Their 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.

JASON M. COOK NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

_____
Notary Public

My Commission Expires: 9/30/2014

Approved as to form and legality this 15th day of Apr. 1, 2011.

_____
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 (40)

26840(04) Parcel No. 20.0 E-1011-99
STP-114B(256)AG

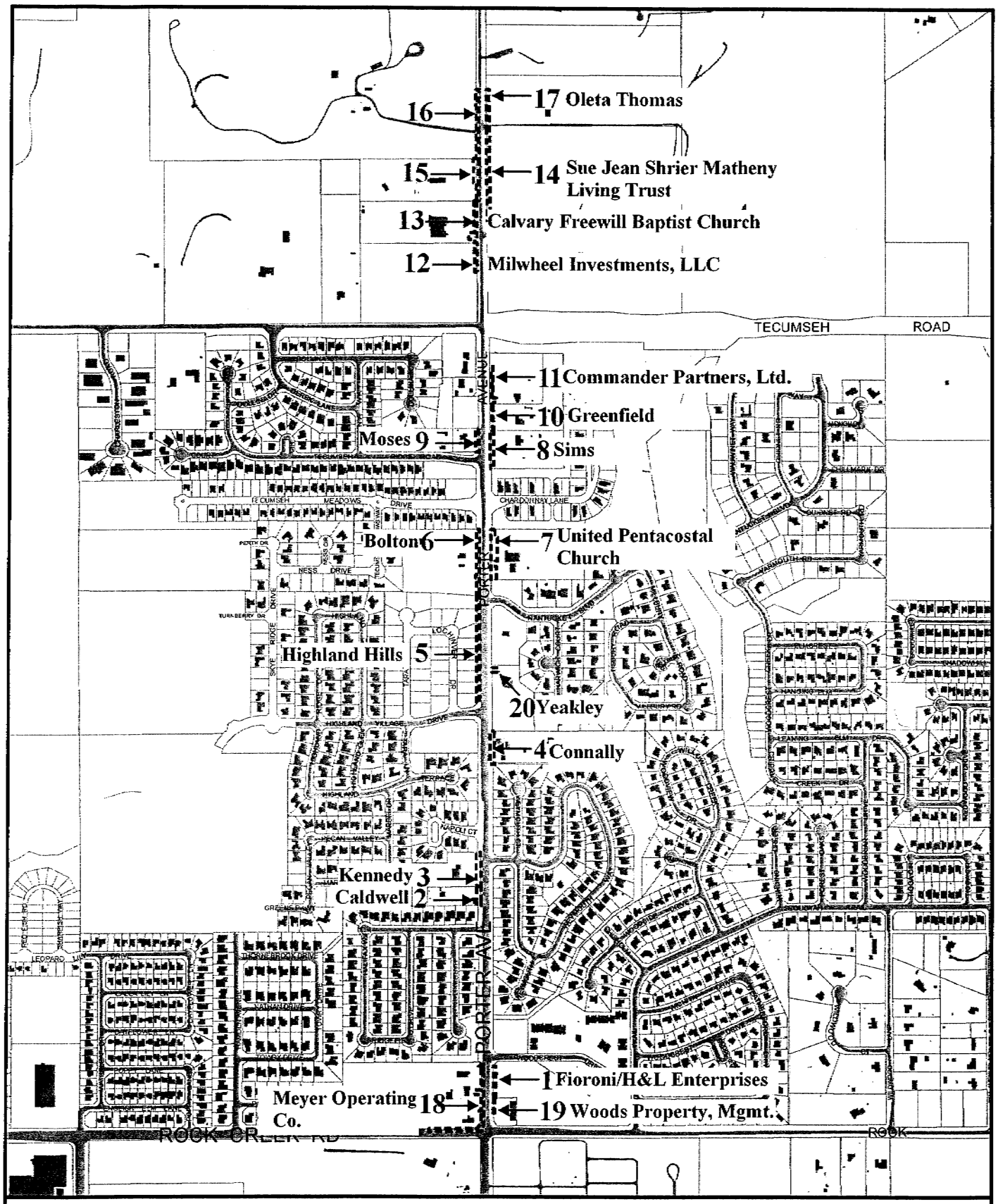
Exhibit "A"

A strip, piece, or parcel of land lying in the NW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said NW 1/4, thence N 00° 27' 58" W along the West line of said NW 1/4 a distance of 397.93 feet, thence N 89° 32' 02" E a distance of 50.00 feet to the POINT OF BEGINNING, thence N 00° 27' 58" W parallel with the West line of said NW 1/4 a distance of 30.00 feet, thence N 89° 32' 02" E a distance of 40.00 feet, thence S 00° 27' 58" E parallel with the West line of said NW 1/4 a distance of 30.00 feet, thence S 89° 32' 02" W a distance of 40.00 feet to the POINT OF BEGINNING.

Containing 1200.00 sq. ft. or 0.03 acres, more or less, of Temporary Driveway Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 49

File Number: E-1011-100

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer

Current Status: Consent Item

Version: 1

Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-100 (CONSTRUCTION) FROM RICHARD D. GRAVLIN D/B/A GRAVCO, INC.; DANIEL J. FIORONI; AND H & L ENTERPRISES IN THE AMOUNT OF $675 FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1011-100; and, if accepted, direct the filing thereof with the City Clerk and authorize payment for the easement.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Temporary Easement No. E-1011-100 be accepted, payment be authorized, and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 1.0 E-1011-100
STP-114B(256)AG

(Gravco Inc.)

THAT, Richard D. Gravlin 1/6 interest,
in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 18th day of October, 20 10.

BY: Richard D. Gravlin BY: _____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 18th day of October, 20 10, personally appeared Richard D. Gravlin, _____ to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

DAVID TODD NOTARY # 00003614 EXP. 02/28/12 STATE OF OKLAHOMA PUBLIC

Notary Public
00003614

My Commission Expires: 2/28/12

Approved as to form and legality this 15th day of April, 20 11.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

Mayor

ATTEST:

City Clerk

SEAL:

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 1.0 E-1011-100
STP-114B(256)AG

THAT, Daniel J. Fioroni ½ int, H+L Enterprises ½ interest, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a temporary construction easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) and/or roadway(s) as indicated below:

driveway, sidewalk, roadway, drainage, and utilities

To have and to hold the same unto the said City, its successors, and assigns, until official completion of construction of the proposed project pertinent to the above described parcel.

SIGNED and delivered this 16th day of February, 2011.

BY: Daniel Fioroni BY: [illegible]

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 16th day of February, 2011, personally appeared Daniel J. Fioroni + Patrick Russell, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that they executed the same as their 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 SEAL PUBLIC
LESLIE A. BRAKEFIELD
Notary Public
State of Oklahoma
Commission # 04004648 Expires 05/21/12

Leslie A Brakefield
Notary Public

My Commission Expires: 5/21/12

Approved as to form and legality this 15th day of April, 2011.

[illegible]
City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20_____.

_____
Mayor

ATTEST:

_____
City Clerk

SEAL:

SEP 27 2010 KW

26840(04) Parcel No. 1.0
STP-114B(256)AG

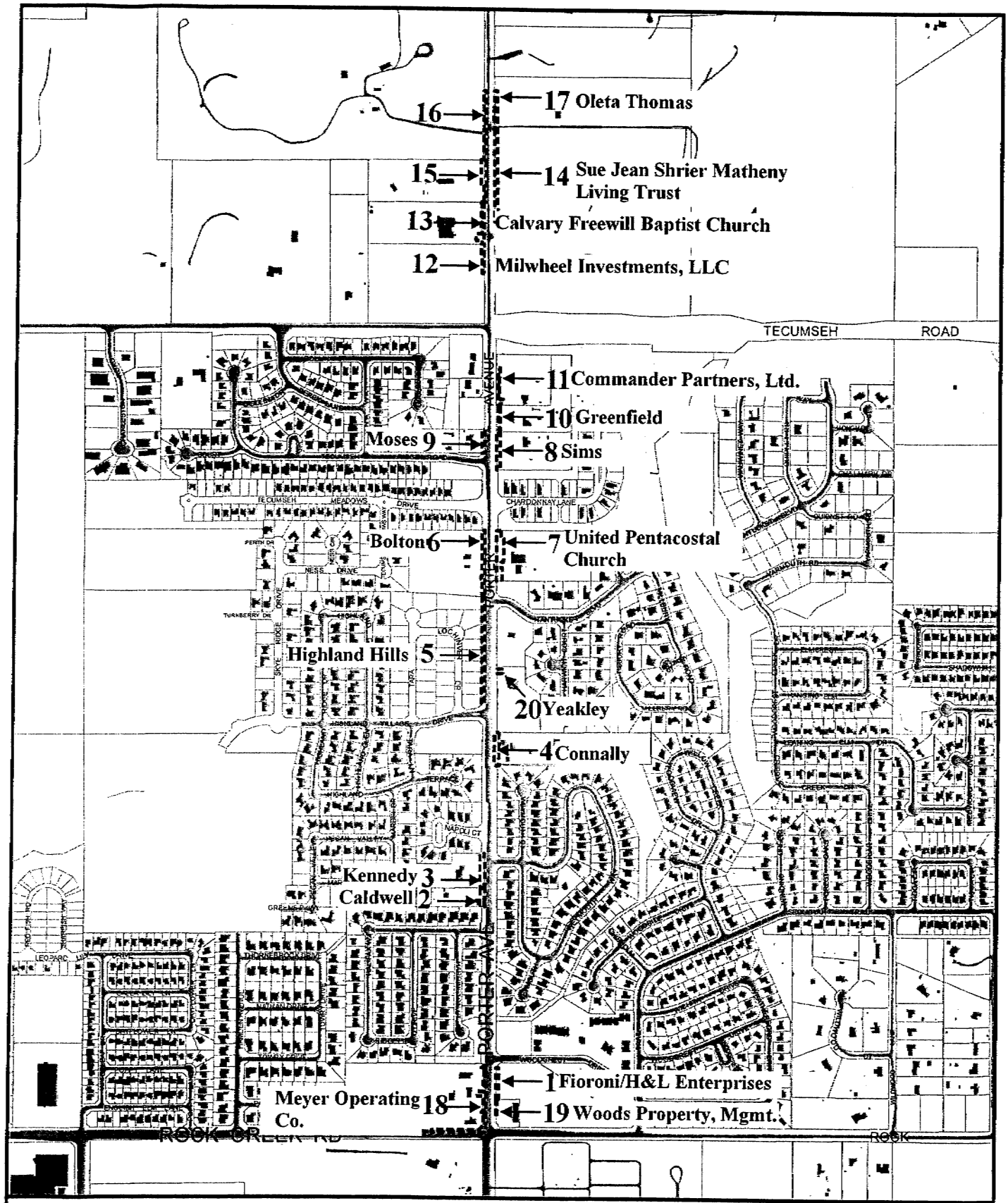
Exhibit "A"

A strip, piece, or parcel of land lying in the SW 1/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma. Said parcel of land being more particularly described as follows:

Commencing at the SW corner of said SW 1/4, thence N 00° 28' 06" W along the West line of said SW 1/4 a distance of 229.37 feet, thence N 89° 31' 54" E a distance of 50.00 feet to the POINT OF BEGINNING, thence N 00° 28' 06" W parallel with the West line of said SW 1/4 a distance of 215.63 feet, thence N 44° 31' 54" E a distance of 14.14 feet, thence S 00° 28' 06" E parallel with the West line of said SW 1/4 a distance of 225.63 feet, thence S 89° 31' 54" W a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 2,206.27 sq. ft. or 0.05 acres, more or less, of Temporary Construction Easement.

Basis of Bearing: project bearings derived from the Oklahoma State Plane Coordinate System, NAD 83, South Zone.



Porter Avenue Project Right of Way Aquisitions

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.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 50

Text File Number: E-1011-101

Introduced: 4/8/2011 by John Clink, Capital Projects Engineer
Current Status: Consent Item
Version: 1
Matter Type: Easement

Title

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-101 (DRAINAGE) DONATED BY HIGHLAND HILLS, L.L.C., FOR THE NORTH PORTER AVENUE WIDENING PROJECT FROM WOODCREST DRIVE TO TECUMSEH ROAD.

ACTION NEEDED: Motion to accept or reject Easement No. E-1011-101; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Body

BACKGROUND: The North Porter Avenue Widening Project is included in the City's 2011-2015 Capital Improvement Program. On January 27, 2009 City Council approved Programming Resolution No. R-0809-88 requesting federal funds to widen North Porter Avenue to four lanes between Woodcrest Drive and Tecumseh Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to pay 80% of the construction cost with a 20% matching share from the City of Norman. On October 26, 2010, the City Council approved Contract K-1011-90, a Right-of-Way, Public Utility and Encroachment Agreement with the Oklahoma Department of Transportation (ODOT).

DISCUSSION: The City needs to acquire property from twenty (20) parcels, a total of 39 easements, for this project for temporary construction or driveway easements or permanent roadway, drainage and utility easements. All of the parcel owners have accepted the City's offer. Staff requested donations prior to making any offers of fair market value. Funds are available in the Capital Fund, North Porter Avenue Widening, Right-of-Way (Account No. 078-9366-431.60-01, Project No. AR0243).

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1011-101 be accepted and the filing thereof be directed.

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
1.0	Daniel Fioroni, H&L Enterprises, LP	100	$ 675	0.05 acres
2.0	Cynthia L. Caldwell	63	$ 5,025	0.05 acres includes damages to landscaping
2.1	Cynthia L. Caldwell	64	$ 375	0.03 acres
2.2	Cynthia L. Caldwell	65	Donation	0.01 acre
3.0	Christopher R. Kennedy	66	$ 9,200	0.09 acres includes damages to landscaping
3.1	Christopher R. Kennedy	67	$ 700	0.05 acres
4.0	Tom Shi & Jennifer P. Connally	68	$ 10,100	0.09 acres includes damages to fence & sprinklers
4.1	Tom Shi & Jennifer P. Connally	69	Donation	0.01
5.0	Highland Hills, LLC	70	$ 650	0.28 acres includes damages to fence
5.1	Highland Hills, LLC	101	Donation	All of Block A
6.0	Barry D. Bolton & Sheri K. Feller-Bolton	71	$ 71,000	0.16 acres includes proximity damages to structure, damages to fence, irrigation & landscaping
6.1	Barry D. Bolton & Sheri K. Feller-Bolton	72	Donation	0.02 acres
7.0	United Pentecostal Church of Norman	73	$ 11,525	0.09 acres includes damages to parking lot & landscaping
7.1	United Pentecostal Church of Norman	75	$ 500	0.04 acres
7.2	United Pentecostal Church of Norman	76	Donation	0.12 acres
7.3	United Pentecostal Church of Norman	74	$ 225	0.004 acres
8.0	Steven M. Sims	77	$ 13,450	0.10 acres includes damages to fence & landscaping
8.1	Steven M. Sims	78	$ 750	0.06 acres
8.2	Steven M. Sims	79	Donation	0.004 acres
9.0	Jimmie P. & Clara N. Moses	80	$ 38,511	0.06 acres includes damages to fence & proximity damages

NORTH PORTER EASEMENTS
(Woodcrest Dr & Tecumseh Rd)

PARCEL NO.	GRANTORS	EASEMENT NO.	COST	COMMENTS
10.0	Greg A. & L. Maria Greenfield	81	$ 525	0.04 acres
11.0	Commander Partners, Ltd.	82	$ 725	0.05 acres
11.1	Commander Partners, Ltd.	83	Donation	0.01 acres
12.0	Millwheel Investments, LLC	84	$ 1,758	0.03 acres
12.1	Millwheel Investments, LLC	85	$ 442	0.03 acres
13.0	Calvary Freewill Baptist Church	86	$ 5,750	0.06 includes damages to parking lot & landscaping
13.1	Calvary Freewill Baptist Church	87	$ 825	0.06 acres
13.2	Calvary Freewill Baptist Church	88	Donation	0.04 acres
14.0	Sue Jean Shrier Matheny Living Trust	89	Donated	0.28 acres
15.0	Northgate Baptist Church	90	$ 9,700	0.11 acres
15.1	Northgate Baptist Church	91	$ 725	0.06 acres
16.0	Ideal Land Fund 2, LLC	92	$ 2,750	0.21 acres
17.0	Oleta L. Thomas	93	$ 1,550	0.12 acres
18.0	Meyer Operating Co. LP	95	Donated	0.01 acres
18.1	Meyer Operating Co. LP	96	Donated	0.03 acres
18.2	Meyer Operating Co. LP	97	Donated	0.01 acres
18.3	Meyer Operating Co. LP	94	$ 1,105	0.01 acres
19.0	Woods Property Management	98	Donated	0.02 acres
20.0	David E. & Brenda J. Yeakley	99	Donated	0.03 acres

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

26840(04) Parcel No. 5.1 E-1011-101
STP-114B(256)AG

THAT, Highland Hills, LLC, in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public utility easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See Attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public drainage easement indicated below:

permanent drainage easement

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 8th day of February, 2011.

BY: Don Wells
Don Wells ~~as President~~ Managing Partner of Highland Hills, LLC

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 8th day of February, 2011, personally appeared Don Wells ~~As President~~ Managing Partner of Highland Hills, LLC, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that He executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Notary Public

My Commission Expires: 7/30/14

JASON M. COOK NOTARY PUBLIC 10008236 EXP. 9/30/14 STATE OF OKLAHOMA

Approved as to form and legality this 15th day of April, 2011.

City Attorney

Approved and accepted by the Council of the City of Norman, this _____ day of _____, 19____.

Mayor

ATTEST:

City Clerk

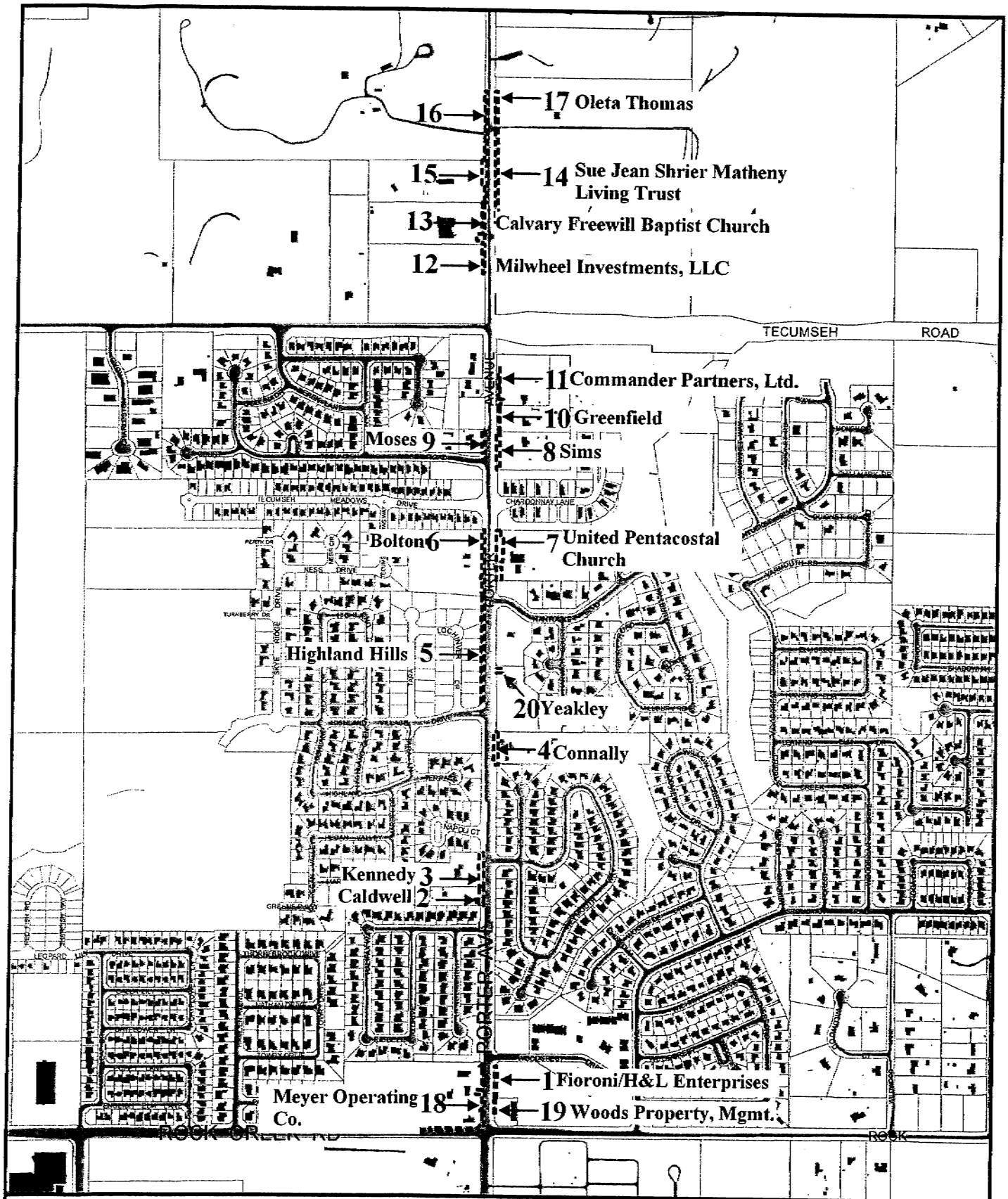
SEAL:

26840(04) Parcel No. 5.1
STP-114B(256)AG

Exhibit "A"

Being a part of the East 1/2, Section 18, Township 9 North, Range 2 West, Indian Meridian and a part of the Highland Village Addition Section 1 of record in Plat Book 19, Page 95, of the Plat Records of Cleveland County, Oklahoma and being more particularly described as follows:

All of Block A of said Highland Village Addition Section 1.



Porter Avenue Project Right of Way Aquisitions

Map Produced by the City of Norman Geographic Information System (405) 366-5318
The City of Norman assumes no responsibility for errors or omissions in the information presented.

April 11, 2011

0 210 420 Feet

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 51

Text File Number: GID-1011-29

Introduced: 4/11/2011 by Mark Daniels, Utilities Engineer

Current Status: Consent Item

Version: 2

Matter Type: Communication or Report

Title

DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AT THE WASTEWATER TREATMENT PLANT AND AUTHORIZING THE SALE AND/OR DISPOSITION THEREOF.

ACTION NEEDED: Motion to declare the equipment to be surplus and/or obsolete; and, if so declared, authorize the disposition and/or sale thereof.

ACTION TAKEN: _____

Body

BACKGROUND: On March 25, 2011, the Norman Utilities Authority (NUA) approved Contract K-1011-148 with Garver, L.L.C., to proceed with the engineering report and surveying phases for the Phase 2 Wastewater Treatment Plant (WWTP) Expansion (WW0065). In order to construct new process units in the Phase 2 Expansion, several existing process units will be removed.

There is a potential to generate revenues from the sale of obsolete equipment such as the Rotating Biological Contactor (RBC) units, the media and turntable from the two Bio-towers, the galvanized steel grating from the RBC structure, and the aluminum stairwell for the Bio-towers. Potential buyers will remove and transport said equipment at their cost and potentially utilize the equipment at other facilities. Revenues generated from the sale, if any, will be deposited back into the Wastewater Fund.

Section 8-301 of the Code of Ordinances of the City of Norman provides that The City Council must declare surplus or obsolete any supplies, materials, or equipment where the valuation exceeds one thousand dollars ($1,000) prior to the selling of such supplies, materials, or equipment.

DISCUSSION: A list of surplus or obsolete equipment and materials is attached; additional associated items may also be disposed. Staff will prepare advertisements soliciting a bid or bids to remove the surplus equipment. Upon equipment removal, a separate contract will be developed for demolition of the concrete structures prior to letting a contract for the Phase 2 construction. If bids are not awarded for removal of surplus equipment and materials, the demolition contractor will remove and dispose of these surplus items.

RECOMMENDATION: It is recommended that the attached list of supplies, materials, or equipment be declared surplus or obsolete and approved for disposition or sale.

Surplus or Obsolete Equipment at WWTP
April 11, 2011

Estimated Quantities:

Rotating Biological Contactor (RBC) units	each	30
RBC drive units	each	20
RBC Fiberglass Covers	each	30
RBC Galvanized Steel Gating	lump sum	1
RBC Galvanized Steel Piping (3-inch)	lump sum	1
Bio-Tower media	lump sum	1
Bio-Tower Turntables (60-foot dia.)	each	2
Bio-Tower Aluminum Stairwell	lump sum	1

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 52

Text File Number: GID-1011-70

Introduced: 4/14/2011 by Susan Atkinson, Historic District Planner

Current Status: Consent Item

Version: 2

Matter Type: Grant

Title

CONSIDERATION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS (CLG) PROGRAM 2010 APPLICATION FOR FUNDING IN THE AMOUNT OF $12,200 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

ACTION NEEDED: Motion to approve or reject the proposed Certified Local Governments 2011 Application for Funding in the amount of $12,200; and, if approved, direct the submission thereof to the Oklahoma State Historic Preservation Office and authorize the Mayor to sign additional supporting documentation related to the CLG grant application for funding.

ACTION TAKEN: _____

Body

BACKGROUND: On April 14, 1998, Council approved Contract No. K-9798-108 with the State Historic Preservation Office (SHPO) making Norman a member city in the Certified Local Governments (CLG) Program. The Certified Local Governments Program is part of the U.S. Department of the Interior national program for development and support of local historic preservation programs.

DISCUSSION: Designation includes recognition of the historic preservation efforts of Norman on state and national levels and entitles the City to apply for a portion of the education/outreach funding set aside by the SHPO out of each year's budget. The funding may be used for public information and educational materials, historic research and public outreach programs.

While the exact amount of FY11 CLG funding available to the City of Norman has not yet been determined by the US Congress, SHPO has instructed CLG cities to anticipate amounts somewhere between our lowest and highest grants from recent years. In the case of Norman this is a range of $11,600-$15,000.

On April 4, 2011, the Historic District Commission voted to apply for funding for the projects described below. The CLG Program requires a 60/40 in-kind match formula. In order to receive $12,200 in CLG grant funds, the City must document a minimum of $8,100 in matching funds. Matching funds are primarily derived by in-kind contributions of staff time and by the annual $2,200 (account 010-4080-419.40-03) contribution from the City of Norman General Fund. Any project costs above those covered by the FY11 CLG grant will come from that account.

Proposed 2010-2011 CLG projects totaling $12,200 and budget include the following:

Historic Wood Window Repair Workshop.
Conduct a free two-day, hands-on wood window restoration workshop in Norman led by Robert Yapp, nationally known expert on historic building rehabilitation. The workshop would be open to 24 Norman residents with opportunities for additional observers.

This proposed event would be our fourth annual, free, CLG-sponsored hands-on rehabilitation workshop for Norman residents led by preservation expert Bob Yapp. To date, we have trained over 60 people in the repair and restoration of historic wood window and wood floors. The Historic District Commission believes there remains a great deal of interest throughout the community in getting hands-on training in various aspects of historic building maintenance and rehabilitation. The Project Cost is $6,200.

Complete Phases 2 and 3 of Historic Downtown Video.
Hire professional videographer to do the second and third of three phases (production and post-production) of a 5-7-minute video about historic Downtown Norman. Film would focus on Downtown's built environment using photographs, interviews with Downtown stakeholders, befores-and- afters of historic building rehabs, and footage of Downtown events such as 2nd Friday or holiday parades.

This work follows Phase I-Pre-Production, which was initiated using CLG FY10 funds. Phases 2 and 3 would include production and post-production work on a 5-7 minute video about historic Downtown Norman. This work would entail additional research, scripting, scheduling, shooting, editing, and final copying. The Downtown video could be used by the City of Norman on the City's website and Cable Channel 20, and by groups such as the Norman Downtowners, the Chamber of Commerce, Norman Convention and Visitors Bureau and others as a marketing tool to promote the city, downtown, and historic preservation in Norman. The Project Cost is $6,000. Letters of support for the video are attached from the Chamber of Commerce and the Norman Convention and Visitors Bureau.

CLG funds are expected to be available in October 2011.

RECOMMENDATION: Staff has reviewed the proposed CLG 2011-2012 Application for Funding and recommends authorizing the submission of the Certified Local Government Program application to the State Historic Preservation Office in the amount of $12,200. Upon notification of funding award, staff recommends authorization for the Mayor to execute any associated contract documents after review by the City Attorney.

DEADLINE: MAY 27, 2011 **by 5:00 PM (NO FAXES ACCEPTED)**

CERTIFIED LOCAL GOVERNMENTS FUND
APPLICATION AND INSTRUCTIONS
FISCAL YEAR 2011

The State Historic Preservation Office reserves a minimum of 10% of its annual Historic Preservation Fund (HPF) allocation from the U. S. Department of the Interior for Oklahoma's Certified Local Governments (CLG). The Certified Local Governments Fund (CLGF) is available to CLGs to assist in the development and implementation of their local preservation programs.

To receive assistance from the CLGF, this application must be completed and received in the State Historic Preservation Office, Oklahoma Historical Society, Oklahoma History Center, 2401 N. Laird Avenue, Oklahoma City, OK 73105 by the deadline indicated above. Questions about the application may be addressed to the SHPO's CLG Coordinator at 405/522-6387.

****

SECTION I -- IDENTIFICATION

CLG Applicant (city)		Norman	
Date CLG Status Granted		May 4, 1998	
Population Based on 2010 Census		112,674	
CLG Contact Person		Susan Owen Atkinson, AICP	
Title		Historic Preservation Officer	
Address		City of Norman, Planning Department PO Box 370, Norman, OK 73070	
Telephone	405-366-5392	FAX	405-366-5379
E-mail		susan.atkinson@normanok.gov	
U.S. Congressional District		4	
State House of Representatives District		44, 45, 46 & 53	
State Senate District		15, 16 & 17	
FEI #		73-6005350	
Local Preservation Commission Chairman		E. O'Neil Robinson	
Address		635 S Lahoma Norman, OK 73069	
Telephone	405-579-0655	FAX	405-366-5379
E-mail		nr@cardinalengineers.com	

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SECTION II -- PROJECT WORK TO BE ACCOMPLISHED

Please answer all questions for the categories under which work is planned with the FY 2004 CLG Fund and nonfederal matching share.

A. ARCHEOLOGICAL SURVEY

1. Is the CLG applying for funds to carry out an archeological survey?

   Yes _____ No __X__

2. What is the title of the proposed project?

3. What is the purpose of this archeological survey?

4. Describe the boundaries of the survey area (attach a map to illustrate this description).

5. How many acres are included within the boundaries of the survey area?

6. Will this archeological survey be conducted at the ___ intensive level or ___ reconnaissance level?

7. What is the estimated number of sites that will be documented in this archeological survey?

NOTE: For all archeological surveys the services of an archeologist who meets the professional qualification standards listed in 36 CFR Part 61 must be retained to complete the project work. The work must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation". A professional quality report must result from the survey effort, and recordation of all sites identified must be in accordance with the SHPO's guidelines.

B. ARCHITECTURAL/HISTORIC SURVEY

1. Is the CLG applying for funds to carry out an architectural/historic survey?
   Yes _____ No _X___
   (If yes, answer the remaining questions for Section II.B. below.)

2. What is the title of this architectural/historic survey project?

3. What is the purpose of this architectural/historic survey?

4. Describe the boundaries of the survey area (attach a map to illustrate the boundaries described).

5. How many acres are included within the boundaries of the survey area?

6. Will this architectural/historic survey be conducted at the __ intensive level or ___ reconnaissance level?

7. What is the estimated number of resources that will be documented in this architectural/historic survey? ____

8. Will the project be accomplished by a _____ consultant or ___ in-house staff?

NOTE: The services of either a historian, architectural historian, or architect who meets the professional qualifications standards listed in 36 CFR Part 61 must be retained as the project director (if such an in-house staff person assigned to the project does not meet these qualifications). All project work must be accomplished in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation". A professional quality report must result from this architectural/historic survey project. The report and documentation of resources must be in accordance with the SHPO's guidelines.

C. NATIONAL REGISTER NOMINATIONS

1. Is the CLG applying for funds to prepare National Register nomination(s)?

   Yes _____ No __X__

   (If yes, answer all of the remaining questions in Section II. C. below.)

2. a. How many individual property nominations will be prepared?

   b. List the properties by name and address:

3. a. How many district nominations will be prepared?

   b. List the districts by name and provide a rough boundary description for each:

4. a. How many National Register of Historic Places Multiple Property Documentation Forms will be prepared?

   b. List the multiple property forms by title and number of individual properties and/or districts to be prepared for each:

5. Will this project work be done by _a consultant or _____ in-house staff?

NOTE: Consultants or in-house staff responsible for this project work must meet the professional qualification standards listed in 36 CFR Part 61 for the appropriate discipline. All project work must be completed in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" and satisfy all of the SHPO's requirements.

D. PUBLICATIONS AND EDUCATIONAL PROGRAMS

1. Will publications or educational programs be developed?

   Yes **X** No _____

   (If yes, answer the remaining questions for Section II.D. below.)

2. List each planned publication (book, brochure, etc.). Provide for each publication (a.) the title, (b.) a brief summary of the subject matter, (c.) the number that will be printed, and (d.) the way it will be distributed [including whether it will be distributed free of charge or sold].

3. List audio/visual programs that will be produced. For each production provide (a.) the proposed title, (b.) a brief summary of the subject matter, (c.) the media (slide/tape, video, etc.) in which it will be produced, and (d.) a statement about how the production will be distributed or used [indicate whether or not it will be made available for sale].

   Complete Phases 2 and 3 of Historic Downtown Norman DVD

   Note: *Phase 1of the Downtown video project is being completed using funds from CLG FY10.*

   Continue working with a professional videographer to do the second and third of three phases (production and post-production) of a 5-7-minute video about historic Downtown Norman. The video would focus on Downtown's built environment using photographs, interviews with Downtown stakeholders, befores-and- afters of historic building rehabs, and footage of Downtown events throughout the year.

   We propose to burn 100 copies of the DVD. The DVDs will be available for free to Norman agencies that market the city such as the Norman Downtowners, The Norman Chamber of Commerce and the Norman Convention and Visitor's Bureau. The digital film will also be available for viewing on the City of Norman website, and will run on the City's Cable Channel 20. We will also grant permission to the agencies mentioned above to use the film on their websites.

4. List and describe any other educational programs which will be developed, including workshops, lectures, etc.

   Wood Window Restoration Workshop*. Conduct a two-day, hands-on wood window restoration workshop in Norman led by Robert Yapp, nationally known expert on building rehabilitation technology and process. The participatory workshop would be open to 24 participants with opportunities for additional observers as space allows.*

NOTE: For each brochure, pamphlet, etc., ten (10) copies must be provided to the SHPO. For slide/tape or video productions two (2) copies must be provided to the SHPO (one (1) of each will be forwarded to the National Park Service).

E. PRESERVATION PLANNING

1. Will preservation-planning activities be undertaken?

   Yes _____ No X

   (If yes, answer the remaining questions for Section II.E. below.)

2. List historic contexts that will be developed in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" and the SHPO's guidelines.

3. List other activities the CLG will undertake in the development, implementation or revision/update of the local historic preservation plan. Provide a brief summary of the purpose of each activity and the final product that will result.

4. Will the preservation planning activities be completed by ___ a consultant or in-house staff?

NOTE: The SHPO should be consulted to determine the appropriate professional qualification which may be required for preservation planning activities.

F. OTHER ACTIVITIES

For projects or activities which do not fit within any of the categories above, list the specific product to result and describe its purpose and provide any other information that may be necessary to justify the expenditure from the CLGF.

SECTION III -- PROJECT SCHEDULE - Revised

Provide a detailed project schedule. List each month and the activities to be accomplished during the month. Remember to include "review time" for both the SHPO as well as your office on all products. Include at least thirty days for the SHPO review. Your review time is at your discretion. The money must be expended by September 30, 2011; therefore that date is the latest ending date for your project. The project may end earlier but cannot extend beyond September 30, 2011. The monthly progress reports due to the SHPO the tenth of each month should correspond to this schedule, so be as realistic as possible.

(Report due 10th of each month.)

Month	**Activities:**
October 2011	Begin planning and registration for November window workshop; work begins on Phase 2 Production of Downtown video
November 2011	Hold Window Restoration Workshop; work on Downtown video continues
December 2011	Work continues on Downtown video
January 2012	Work conclude on Production Phase of Downtown video
February 2012	Begin Phase 3 Post-Production of Downtown video
March 2012	Work continues on Phase 3 Post-Production of Downtown video
April 2012	Work continues on Phase 3 Post-Production of Downtown video
May 2012	Work continues on Phase 3 Post-Production of Downtown video
June 2012	Work concludes on final edits of Downtown video
July 2012	No work planned
August 2012	No work planned
September 30, 2012	CLG Annual Report due.
October 10, 2012	Final reports due.

SECTION IV -- PROJECT BUDGET AND NONFEDERAL MATCH

Total CLG Funds Requested	$12,200	60% max
Total Nonfederal Match	$ 8,133	40% min
Total Project Cost	$20,334	100%

REMINDER: A 60/40 match is required. This means the Federal Share will be 60% of the total and the local match will be 40% of the total project costs.

Three budget forms must be complete: A budget summary, an itemized budget and a matching disclosure form. All three forms must be completed with this application.

Budget Summary

Historic Preservation Sub-Grantee Budget Form				
	Category	Federal CLG Funding	Non-Federal Match	Total
A.	Personnel	0	5,934	5,934
B.	Fringe	0	0	0
C.	Supplies/Books	0	0	0
D.	Equipment	0	0	0
E.	Travel	0	0	0
F.	Contract	0	0	0
G.	Consultant/Yapp	12,200	2,200	14,400
H.	Other*	0	0	0
I.	Total Direct	0	0	0
J.	Indirect**	0	0	0
K.	**Total**	**$12,200**	**$ 8,134**	**$20,334**

* PLEASE SPECIFY OTHER CATEGORY BELOW
Prepare nomination form for Downtown Norman to NRHP

** Indirect costs may be claimed <u>only</u> if the CLG has an approved indirect cost rate established by its cognizant federal agency, and a copy of the document approving that rate must be attached to this application.

ITEMIZED BUDGET: Revised

Provide a detailed cost breakdown for each category in the budget summary. All personnel involved must be listed with hours and hourly rate of pay. This is a federal requirement and we must be reported to NPS. For consultant costs that will be determined after a bid process, the hours and hourly rate may be submitted later.

Historic Preservation Sub-Grantee Budget Form				
Category		Federal CLG Funding	Non-Federal Match	Total
A.	Personnel	$0	$ 5,934 Susan Atkinson Historic Pres Officer 2.15 hr/wk at 36.21/hr Jolana McCart Admin Tech 1 hr/wk at 36.04/hr	$ 5,934
B.	Fringe	0	0	0
C.	Supplies	0		
D.	Equipment	0	0	0
E.	Travel	0	0	0
F.	Consultant	12,200	0	12,200
I.	Other*		2,200	2,200
J.	Total	$12,200	$ 8,134	$20,334

MATCHING SHARE DISCLOSURE FORM: Revised

The CLG matching share must be at least 40% of the total project costs. Provide a complete disclosure of the local matching share on the form provided below. Only one section may need to be completed, or if there are several donors, complete a section for each agency, organization, or individual providing the match. "Donor" means the agency, organization, or individual providing the matching share. "Source" means from where the match came: for example, "Sub-grantee General Funds", "the Donor" (if services of a review commission member, etc.) "Kind" means is the matching share cash, donated services, eligible indirect costs, etc. "Amount" means the dollar value of the contribution. If donated services or materials are contributed, provide the basis on which the value was established. "Guidelines for Sub-grantees" provides assistance in determining such valuations. Indirect costs may be claimed only if the sub-grantee has an approved indirect cost rate established by its cognizant federal agency, and a copy of the document approving that rate must be attached to this application. Funds or other contributions claimed as matching share for this project may not be claimed as matching share for any other federal grant programs.

If personnel costs are included as in-kind matching share include hours and hourly rate of pay for each person.

A. Donor: City
Source: CDBG Personnel
Kind: Donated Services
Amount: $ 5,934

B. Donor: City
Source: General Fund
Kind: cash
Amount: $ 2,200

SECTION V -- PUBLIC PARTICIPATION

Each Certified Local Government's Certification Agreement includes a provision that the local government will "Ensure, to the maximum extent possible, public participation in the local historic preservation program." Explain how the CLG involved the public in the development of this application.

All activities for the CLG Program are included in miscellaneous discussion at the open meeting of the Historic District Commission, which meets on the first Monday of each month. Agendas of the meetings are posted at least 48 hours in advance of the meetings.

Additionally, the City of Norman Council Meeting in which this application was approved included discussion of the proposed items and advance notice of the meeting was posted at least 48 hours in advance of the meeting.

Once approved for funding, the City will host additional public hearings, as needed, for next year's application in conjunction with other Historic District Commission activities.

SECTION VI -- CERTIFICATIONS AND ASSURANCES

To the best of my knowledge and belief, data included in this application is true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the requested assistance is provided.

_____
Authorized CLG Representative

Cindy Rosenthal
_____
Name

Mayor
_____
Title

_____
Date

Attest: _____
Brenda Hall, City Clerk

_____
Notary Public

Signed before me this _____ day of _____, 2011.

My Commission expires on _____.

I hereby certify that the local historic preservation commission established by city ordinance has participated in the development of this application and considers the activities described herein to be important to the continued development of our local preservation program.

Norman Historic District Commission

E. O'Neil Robinson
Name

Chairman
Title

April 18, 2011
Date

Notary Public

Signed before me this ____ day of _____, 2011.

My Commission expires on _____.

NOTE: Complete all of the Assurance Forms included in the appendix and attach them to this application.

Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (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), which prohibits discrimination on the basis of handicaps; (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 Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of

project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official	Title
Applicant Organization	Date Submitted

U.S. Department of the Interior

Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - **The prospective primary 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," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.** See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters- Primary Covered Transactions

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CHECK____IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

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CHECK____IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

(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.

This form was electronically produced by Elite Federal Forms, Inc.

DI-2010
June 1995
(This form replaces DI-1953, DI-1954, DI-1955, DI-1956 and DI-1963)

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK___IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--
(1) The dangers of drug abuse in the workplace;
(2) The grantee's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

_____

_____

_____

Check___if there are workplaces on files that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK___IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK____IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS $100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK___IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF $150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING $100,000, UNDER THE LOAN.

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 an officer or employee of an agency, a Member of Congress, and 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, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal 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) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify 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 a 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 a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

_____
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

_____
TYPED NAME AND TITLE

_____
DATE

DI-2010
June 1995
(This form replaces DI-1953, DI-1954, DI-1955, DI-1956 and DI-1963)

State of Oklahoma
Department of Central Services
Central Purchasing Division

Certification for Competitive Bid and/or Contract
(Non-Collusion Certification)

A certification shall be included with any competitive bid and/or contract submitted to the State for goods or services.

Solicitation or Purchase Order #: _____

Supplier Legal Name: _____

SECTION I [74 O.S. § 85.22]:

A. For purposes of competitive bid,

1. I am the duly authorized agent of the above named bidder submitting the competitive bid herewith, for the purpose of certifying the facts pertaining to the existence of collusion among bidders and between bidders and state officials or employees, as well as facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the letting of any contract pursuant to said bid;
2. I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and have been personally and directly involved in the proceedings leading to the submission of such bid; and
3. Neither the bidder nor anyone subject to the bidder's direction or control has been a party:
   a. to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding,
   b. to any collusion with any state official or employee as to quantity, quality or price in the prospective contract, or as to any other terms of such prospective contract, nor
   c. in any discussions between bidders and any state official concerning exchange of money or other thing of value for special consideration in the letting of a contract.

B. I certify, if awarded the contract, whether competitively bid or not, neither the contractor nor anyone subject to the contractor's direction or control has paid, given or donated or agreed to pay, give or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this contract herein.

SECTION II [74 O.S. § 85.42]:

For the purpose of a contract for services, the supplier also certifies that no person who has been involved in any manner in the development of this contract while employed by the State of Oklahoma shall be employed by the supplier to fulfill any of the services provided for under said contract.

The undersigned, duly authorized agent for the above named supplier, by signing below acknowledges this certification statement is executed for the purposes of:

☐ the competitive bid attached herewith and contract, if awarded to said supplier;

OR

☐ the contract attached herewith, which was not competitively bid and awarded by the agency pursuant to applicable Oklahoma statutes.

Supplier Authorized Signature	Certified This Date
Printed Name	Title
Phone Number	Email
Fax Number	

NORMAN CONVENTION AND VISITORS BUREAU

NORMAN

VisitNorman.com

April 12, 2011

Susan Owen Atkinson, AICP
Community Planner/Historic Preservation Officer
City of Norman
201 West Gray, Building A
Norman, Oklahoma 73069

Dear Mrs. Atkinson:

On behalf of the Norman Convention and Visitors Bureau, and as a representative of travel and tourism to Norman, OK, I support the City's initiative to create a video of Norman's beautiful and historic downtown. Media depicting areas of our city that have historical significance only enhance the appeal of our city to businesses, visitors and the community alike. We hope that with this video, organizations such as the Chamber of Commerce, the City of Norman, the Economic Development Coalition, the Arts Council and the Convention and Visitors Bureau can help promote the historic appeal of Downtown Norman.

Sincerely,

Stephen Koranda, Executive Director
Norman Convention and Visitors Bureau

223 East Main Street, Norman, Ok 73069 | Toll Free 800.767.7260 | Ph 405.366.8095 | Fax 405.366.8096 | www.visitnorman.com

NORMAN CHAMBER OF COMMERCE

The Norman Chamber of Commerce cultivates, promotes and supports economic opportunities and community enrichment by providing leadership and services to its members and the community.

4-8-2011

The Chamber of Commerce is very supportive of using the City of Norman's CLG Grant to fund a short video about historic Downtown Norman. We believe that such a video would reach a wide audience and would be very useful in helping us attract new businesses and new patrons to Downtown Norman.

Sincerely,

John Woods

John Woods
President/CEO
Norman Chamber of Commerce

115 E. Gray St. ☐ P.O. Box 982 ☐ Norman, OK 73070 ☐ (405) 321-7260
FAX (405) 360-4679 ☐ www.normanchamber.com ☐ e-mail: normanchamber@normanchamber.com

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 53

Text File Number: LL-1011-15

Introduced: 4/12/2011 by Wayne Stenis, Planner II

Current Status: Consent Item

Version: 1

Matter Type: Limited License

Title

LIMITED LICENSE NO. LL-1011-15: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD APRIL 29 THROUGH MAY 1, 2011.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1011-15 to place four (4) signs within the public rights-of way pursuant to a request from Friends of the Norman Library; and if approved, authorize the issuance thereof.

ACTION TAKEN: _____

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 Friends of the Norman Library, a 501(c)(3) organization, will conduct a Better Books Sale from April 29 to May 1, 2011 at the Norman Public Library. The proceeds from the sale support the public library services. They have requested permission to place four small signs in the vicinity of the event (see location map) to inform the public of this event. The signs are 2 x 4 in size, and are yellow coroplast on wire stantions. They will be in place for the three days of the event and will be removed right after the event.

They have been advised that banners should not be located to obstruct any sight triangle, and the proposed locations do not create any obstruction. A copy of the letter of request, application, and sign locations are attached for reference.

RECOMMENDATION: Staff has prepared the license in accordance with their request, and presents it to the Council for their consideration. Conditions may be attached, if the Council desires. Staff supports granting this Limited License, for the specified time period.

Friends of the Norman Library
P.O. Box 6308
Norman, OK 73070

28 March 2011

Brenda Hall
City Clerk
City of Norman
Norman, Oklahoma

Dear Ms. Hall:

The Friends of the Norman Library, a 501(c)(3) organization whose sole purpose is the support of the Norman Public Library, will conduct a Better Books Sale April 29 to May 1, 2011 at the library. The purpose of this event is to offer used books for purchase by the public. All proceeds are used for the benefit of the Norman Public Library. We request a Limited License to place four yard sign type signs at various locations around the library from April 29 to May 1, 2011. The placement of the signs is delineated on the attached map obtained from the City Planning Department. Sizes of the signs are also specified on the map.

Thank you for your assistance in this matter. If there are any questions you may contact me at 360-4346. Any correspondence should be sent to my personal mailing address: P.O. Box 720335, Norman, Ok. 73070.

Sincerely yours,

Simon H. Rudnick
2011 Friends of the Norman Library Book Sale Co-chair

APPLICATION FOR LIMITED LICENSE FOR FESTIVAL OR PUBLIC EVENT BANNER/SIGN

Date MARCH 28, 2011

Name of Applicant FRIENDS OF THE NORMAN LIBRARY

Address P.O. BOX 6308 NORMAN, OK. 73070-6308 Telephone Number (405) 360-4346

Number of ~~Banners~~ SIGNS 4

Location of Banners/Signs (If list is lengthy you may attach separate sheet or map)

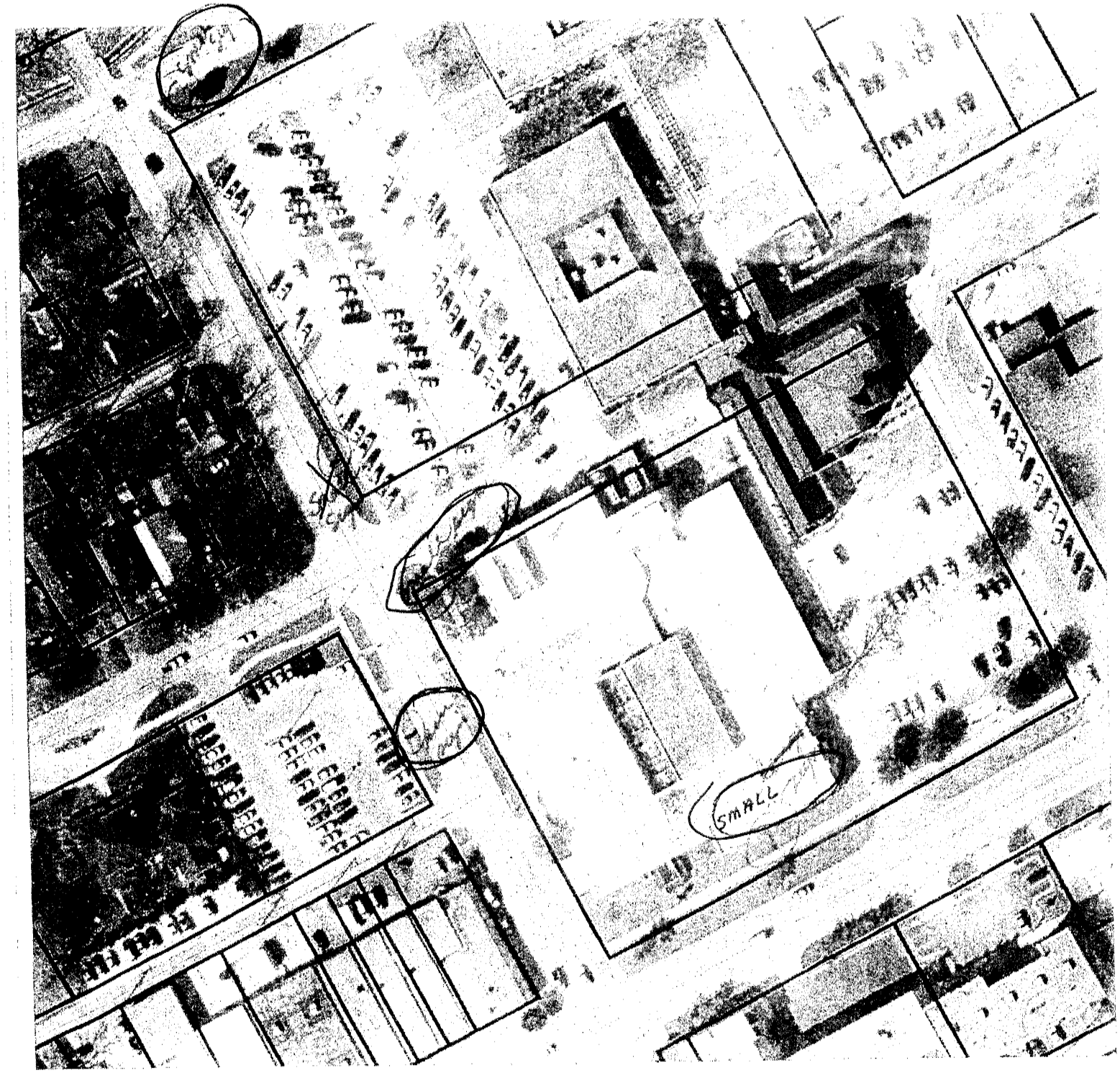
SEE ATTACHED CHART.

~~Banner~~/Sign Size 2' X 4'

Type of Banner/Sign YELLOW COROPLAST ON WIRE STANTIONS

Wording of ~~Banner~~/Sign BOOK SALE TODAY

Duration of Use APRIL 29 - MAY 1, 2011



Pioneer Library

[illegible] N.W. [illegible]

Norman bnd
Cline
Parcel

[illegible]

September [illegible]

Map produced by the City of [illegible] Geographic Information Sys[illegible] [illegible]

The City of Norman [illegible] responsibility [illegible]

LIMITED LICENSE NO. 1011-15

LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD APRIL 29 THROUGH MAY 1, 2011.

An Application has been filed by the Friends of the Norman Library for a Limited License to four (4) signs 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 three day period from April 29 through May 1, 2011.

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 in Open Meeting this 26th day of April, 2011.

CITY OF NORMAN

_____

Mayor

ATTEST:

_____

City Clerk

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 54

Text File Number: K-1011-60 Final

Introduced: 4/11/2011 by Brenda Hall, City Clerk
Current Status: Consent Item
Version: 1
Matter Type: Contract

Title

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-60 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC., FOR THE FLEET/LINE MAINTENANCE ROOF REPLACEMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $358,852 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

Body

BACKGROUND: City Council, in its meeting of October 12, 2010, approved Contract No. K-1011-60 with Standard Roofing Company, Inc., in the amount of $358,852 for the Fleet/Line Maintenance Roof Replacement Project. The scope of work for the roof included removal of the existing 28,974 square foot roof down to the deck and replacing it with a cold process applied built-up asphalt roof.

DISCUSSION: The roof was completed at the end of March 2011, final inspection was been made on April 5, 2011, and all work meets all bid specifications. Upon formal acceptance of the project, the contractor will provide a two-year maintenance warranty on the installation and the manufacturer will provide a 20-year warranty on materials. The manufacturer will perform all maintenance and repair required during the warranty period as well as respond to any leakage within 48 hours. Inspections of the roof will be conducted by the manufacturer the second, fifth, tenth, and fifteenth year of the warranty and an executive summary of those findings will be provided to the City.

Funds were budgeted in the FYE 2011 Capital Budget, Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01).

STAFF RECOMMENDATION: Staff recommends that the Fleet/Line Maintenance Roof Replacement Project be accepted and payment in the amount of $358,852 be authorized.

INVOICE

STANDARD ROOFING CO., INC.

Remit: P.O. Box 60150, Okla. City, Ok. 73146-0150
Delivery: 19 N.W. 16th., Okc, Ok. 73103 Office (405) 236-8401
Fax (405) 236-0620

SOLD TO:
City of Norman
Attn: Accounts Payable
201-C West Gray Street
Norman, Ok. 73068

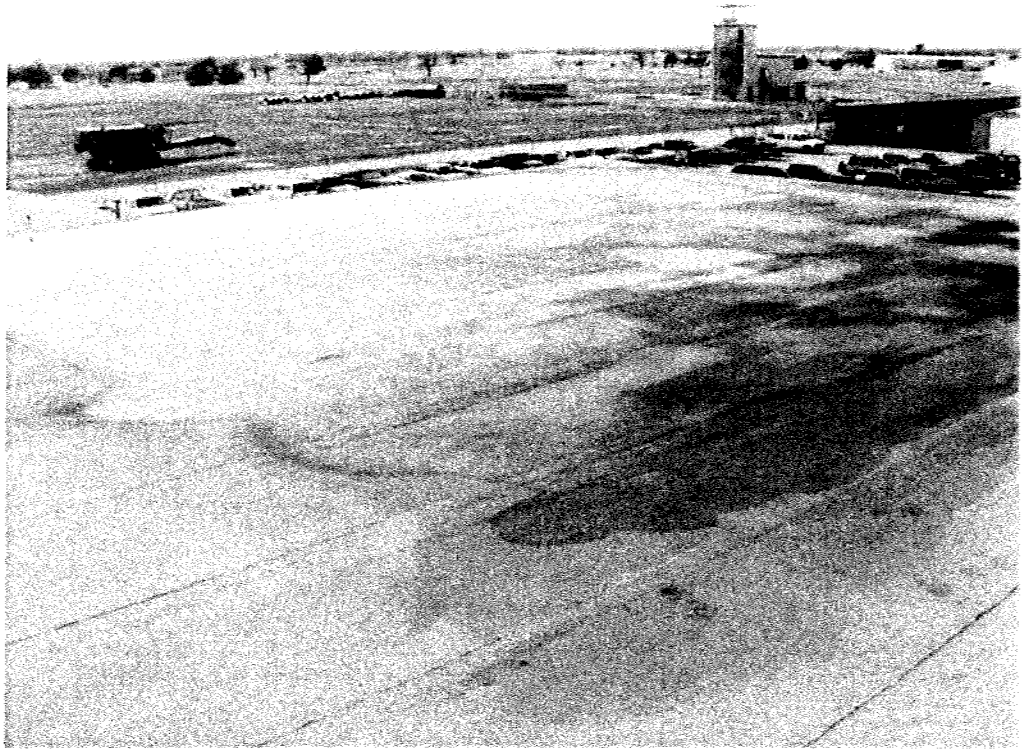
JOB LOCATION:
1311 Da Vinci Street
Norman, Ok.

INVOICE NUMBER:	11287 DW
INVOICE DATE:	03/28/11
OUR ORDER NO.	10536
CUSTOMER NO.	1171
CUSTOMER FAX	

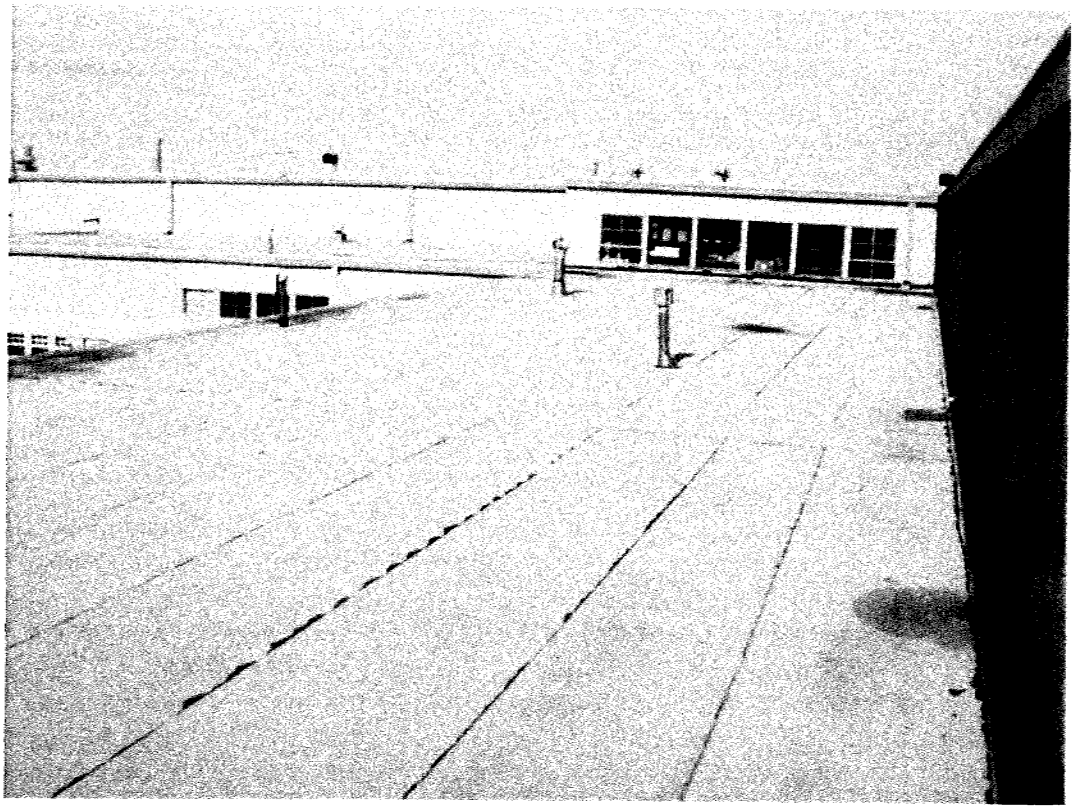
TERMS: **Net 30 Days**

QUANITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Contract No. K-1011-60 Fleet/Line Maintenance Roof Replacement Project		358,852.00
	AMOUNT DUE THIS INVOICE		**$358,852.00**

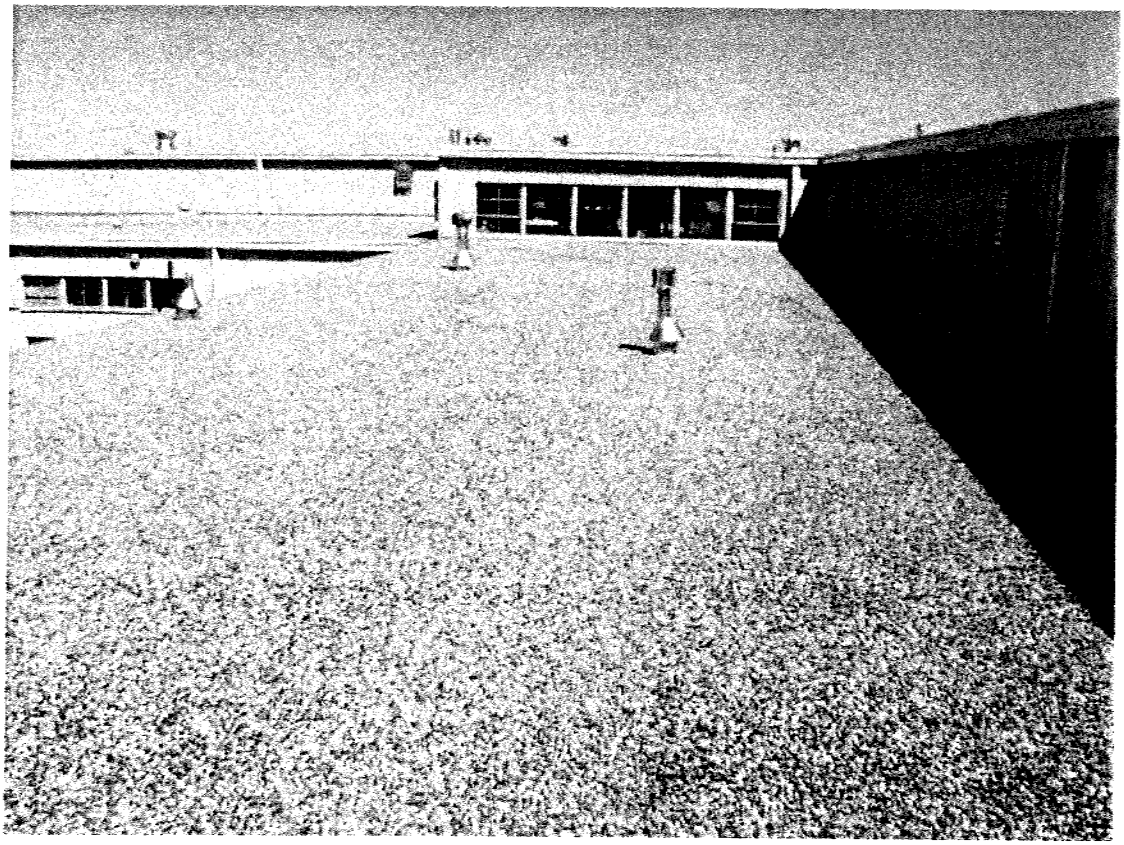
THANK YOU FOR YOUR BUSINESS

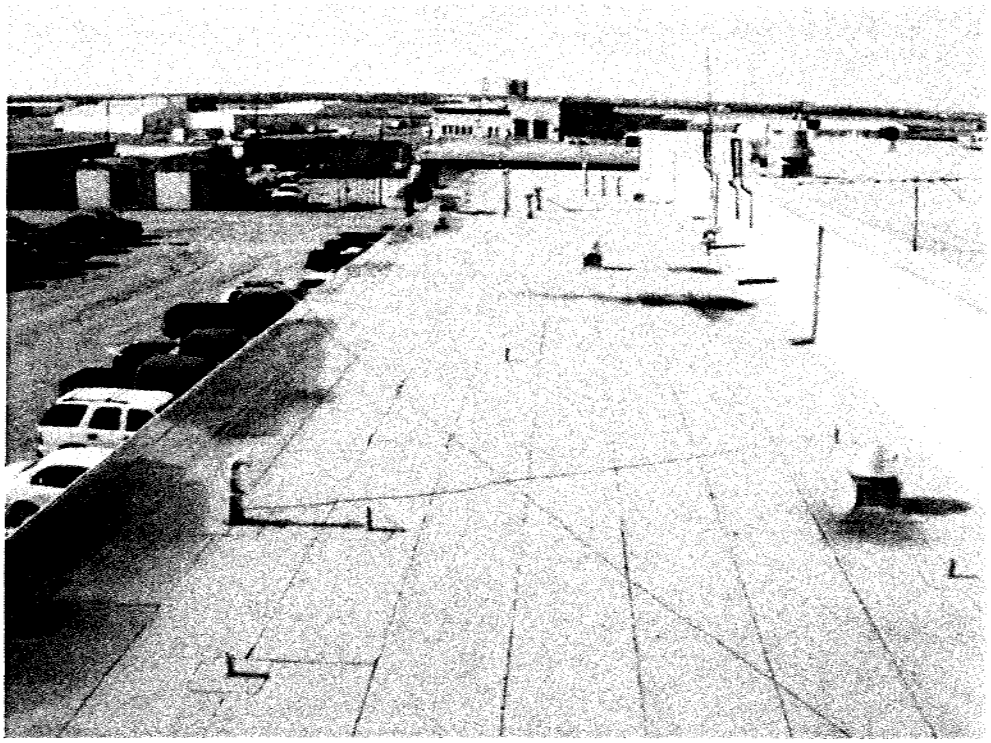


Fleet/Line Maint. Before
April 2011

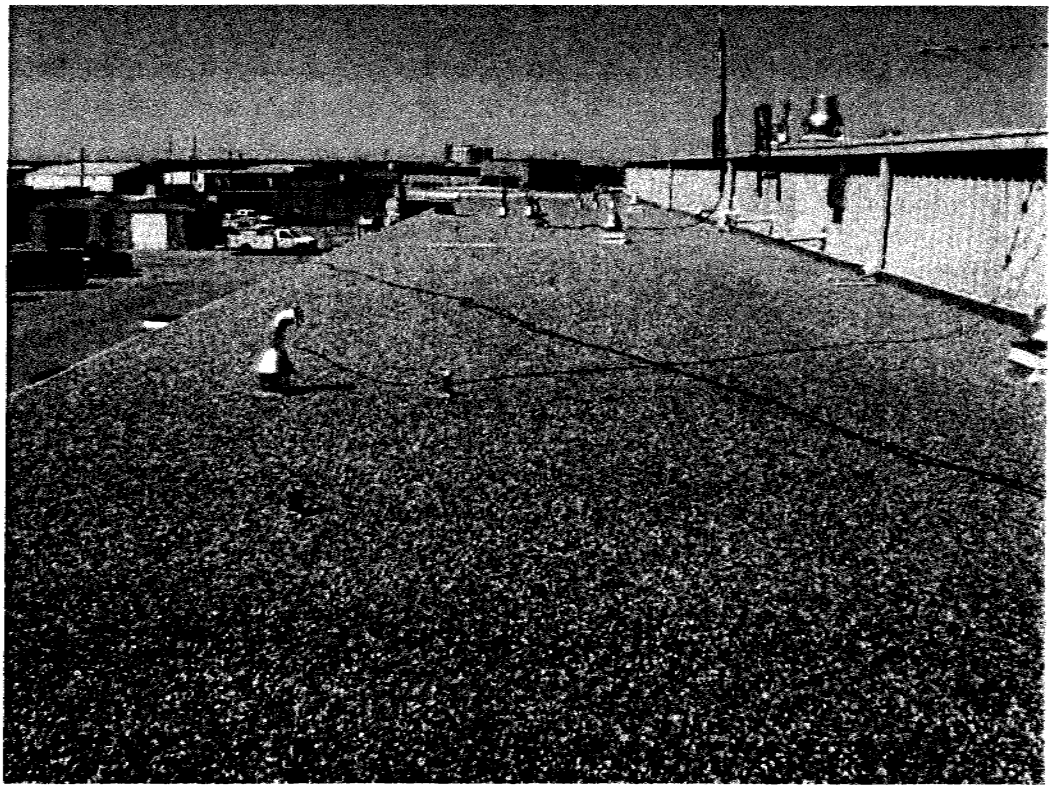


Fleet/Line Maint. Before and After
April 2011





Fleet/Line Maint. Before and After
April 2011



P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY CLERK OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 192592
DATE: 10/05/10

VENDOR #
10349

STANDARD ROOFING CO INC
19 NW 16TH STREET
OKLAHOMA CITY, OK 73103

SHIP TO:
City of Norman
CITY CLERK OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
10/12/10	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
SEE BELOW			

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	CONTRACT NO. K-1011-60 FLEET MAINTENANCE/LINE MAINTENANCE ROOFING PROJECTS CONTINGENT UPON CITY COUNCIL APPROVEL ON 10/12/10	241947.0400	241947.04
2	1.00	EA	CONTRACT NO. K-1011-60 FOR FLEET MAINTENENACE/LINE MAINTENANCE ROOFING PROJECTS	58452.4800	58452.48
3	1.00	EA	CONTRACT NO. K-1011-60 FOR FLEET MAINTENANCE/LINE MAINTENANCE ROOFING PROJECTS	58452.4800	58452.48
				SUB-TOTAL	358852.00
				TOTAL	358852.00

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 55

Text File Number: K-1011-76 Final

Introduced: 4/12/2011 by Brenda Hall, City Clerk
Current Status: Consent Item
Version: 1
Matter Type: Contract

Title

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-76 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC., FOR FIRE STATION NO. TWO, POLICE AUXILIARY FACILITY AND ANIMAL CONTROL ROOF REPLACEMENT PROJECTS.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $314,086 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

Body

BACKGROUND: City Council, in its meeting of October 12, 2010, approved Contract No. K-1011-76 with Standard Roofing Company, Inc., in the amount of $314,086 for Fire Station No. Two, Police Auxiliary Facility and Animal Control Roof Replacement Projects

The scope of work for each of the roofs was as follows:

Fire Station No. Two - The project scope included removal of the existing 6,159 square foot membrane hot asphalt roof down to the metal deck and replacing it with a cold process built up roof. The roof was approximately 11 years old and its overall condition was poor due to the amount of blisters in the membrane and loss of granules. The visible defects included open lap seams, blisters, deteriorated mastic and holes in the membrane. Leakage was also occurring throughout the facility.

Police Auxiliary Facility - The project scope included removal of the existing 6,000 square foot membrane hot asphalt roof down to the metal deck and replacing it with a cold process built up roof. The current roof was over 10 years old and the overall condition was poor due to blisters and ridging in the roofing membrane. The facility was purchased in 2000 and minor repairs were made in 2003. The visible defects included blistering, ridging, open lap seams, and missing granules. Currently there are no mechanical fasteners in the underside of the steel deck which allowed for ridging to occur. Leakage was occurring throughout the facility.

Animal Control Facility/Kennel and Kennel Office - The original assessment of the Animal Control Facility included four roofs; Roof A-Kennel, Roof B-Kennel Offices, Roof C-Adoption Center Offices, and Roof D-Adoption Center. The project scope for this contract included Roofs A and B - Roof A is 800 square feet and Roof B is 1,568 square feet. The

project consists of the removal of the existing hot asphalt roofs down to the concrete decks and replacing them with cold process built up roofs. The roofs were approximately 11 years old and their overall condition was poor due to the age of the asphalt and the deterioration. The visible defects included brittle and cracked asphalt at the perimeter edge for Roof A and brittle and cracked membrane at the perimeter edge for Roof B. Roof B also had cracked lead flashing on the vent stacks. Leakage was occurring on Roof B.

DISCUSSION: The roofs were completed at the end of March 2011, final inspections were been made on April 5, 2011, and all work meets all bid specifications. Upon formal acceptance of the project, the contractor will provide a two-year maintenance warranty on the installation and the manufacturer will provide a 20-year warranty on materials. The manufacturer will perform all maintenance and repair required during the warranty period as well as respond to any leakage within 48 hours. Inspections of the roof will be conducted by the manufacturer the second, fifth, tenth, and fifteenth year of the warranty and an executive summary of those findings will be provided to the City.

Funds were budgeted in the FYE 2011 Capital Budget, Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01).

STAFF RECOMMENDATION: Staff recommends that the Fire Station No. Two, Police Auxiliary Facility and Animal Control Roof Replacement Projects be accepted and payment in the amount of $314,086 be authorized.

INVOICE

STANDARD ROOFING CO., INC.

Remit: P.O. Box 60150, Okla. City, Ok. 73146-0150
Delivery: 19 N.W. 16th., Okc, Ok. 73103 Office (405) 236-8401
Fax (405) 236-0620

SOLD TO:
City of Norman
Attn: Accounts Payable
201-C West Gray Street
Norman, Ok. 73068

JOB LOCATION:
2211 W. Boyd St.
Norman, Ok.

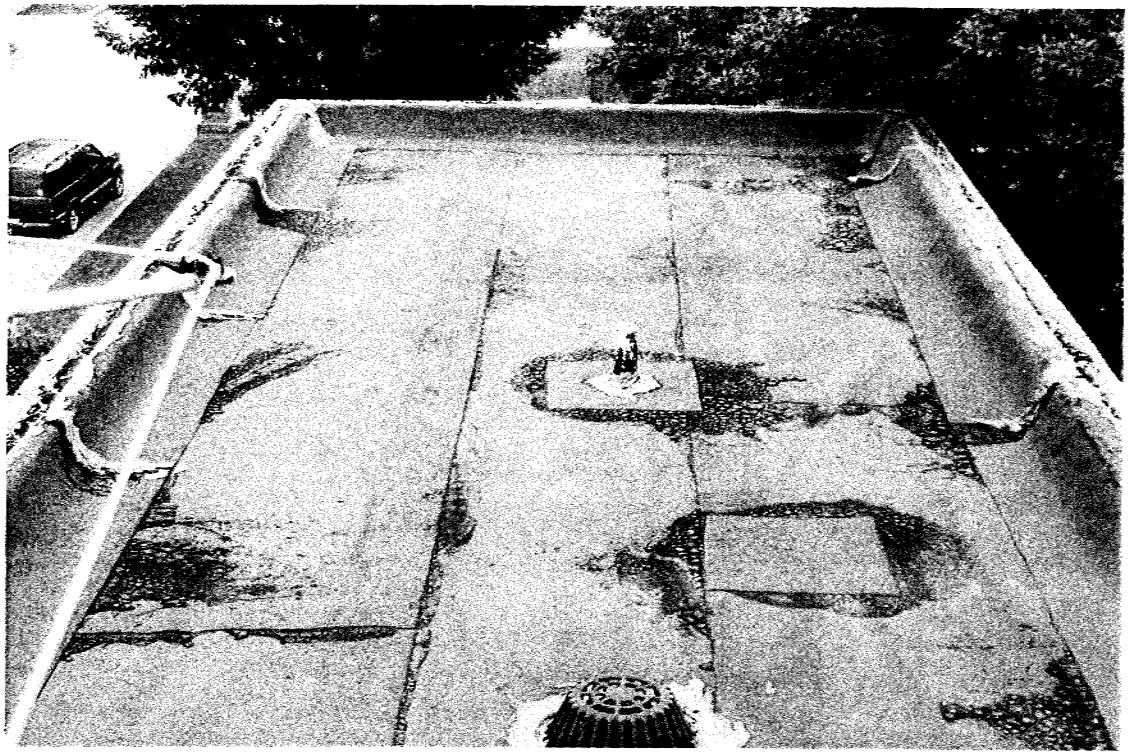
INVOICE NUMBER:	11293 DW
INVOICE DATE:	04/01/11
OUR ORDER NO.	10629
CUSTOMER NO.	1171
CUSTOMER FAX	

TERMS: **Net 30 Days**

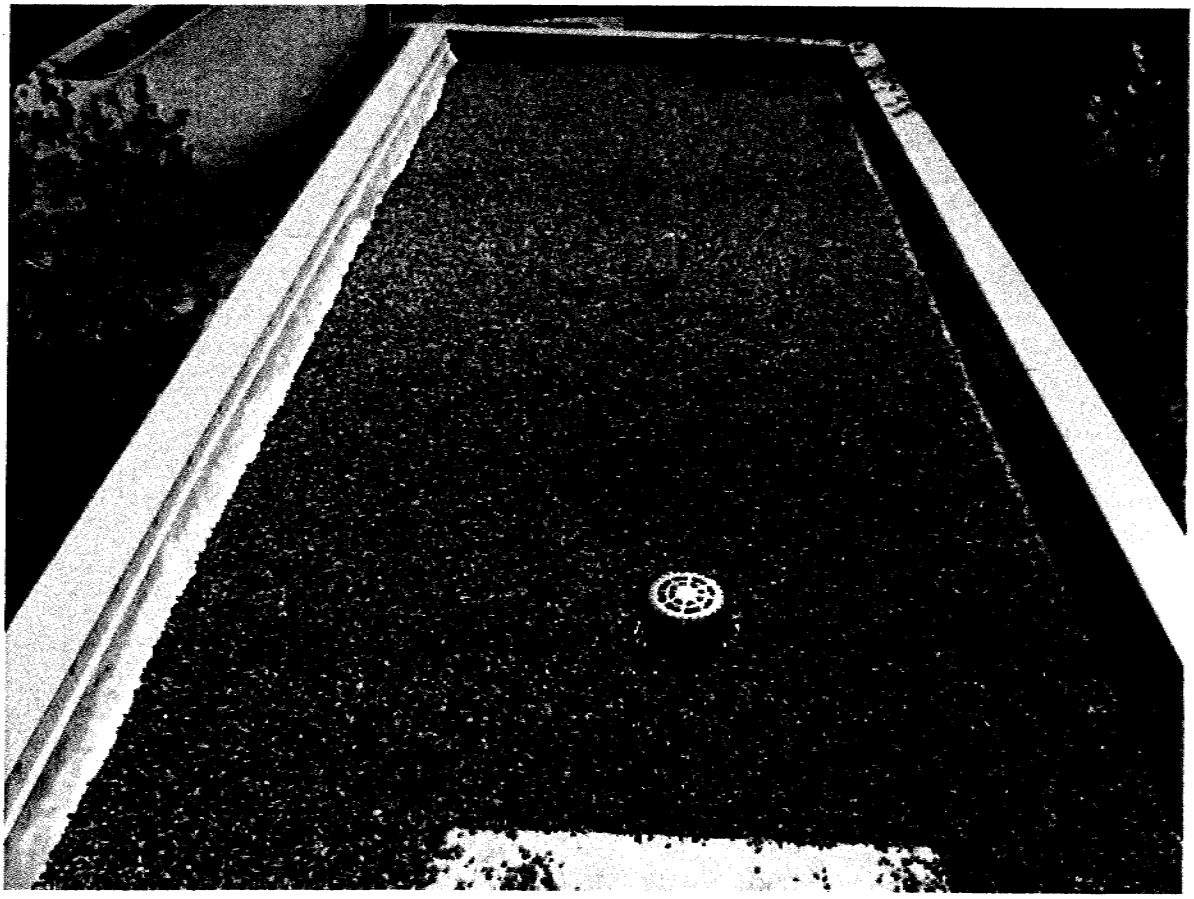
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Contract No. K-1011-76 Removal and disposal of current Fire Station #2 roof to the deck with installation of new roof according to specifications.		143,466.00
	AMOUNT DUE THIS INVOICE		**$143,466.00**

THANK YOU FOR YOUR BUSINESS

Fire Station 2 Before and After
April 2011



Fire Station 2 Before and After
April 2011



INVOICE

STANDARD ROOFING CO., INC.

Remit: P.O. Box 60150, Okla. City, Ok. 73146-0150
Delivery: 19 N.W. 16th., Okc, Ok. 73103 Office (405) 236-8401
Fax (405) 236-0620

SOLD TO:
City of Norman
Attn: Accounts Payable
201-C West Gray Street
Norman, Ok. 73068

JOB LOCATION:
Fire Station #2
4323 Country Club Terrace
Norman, Ok.

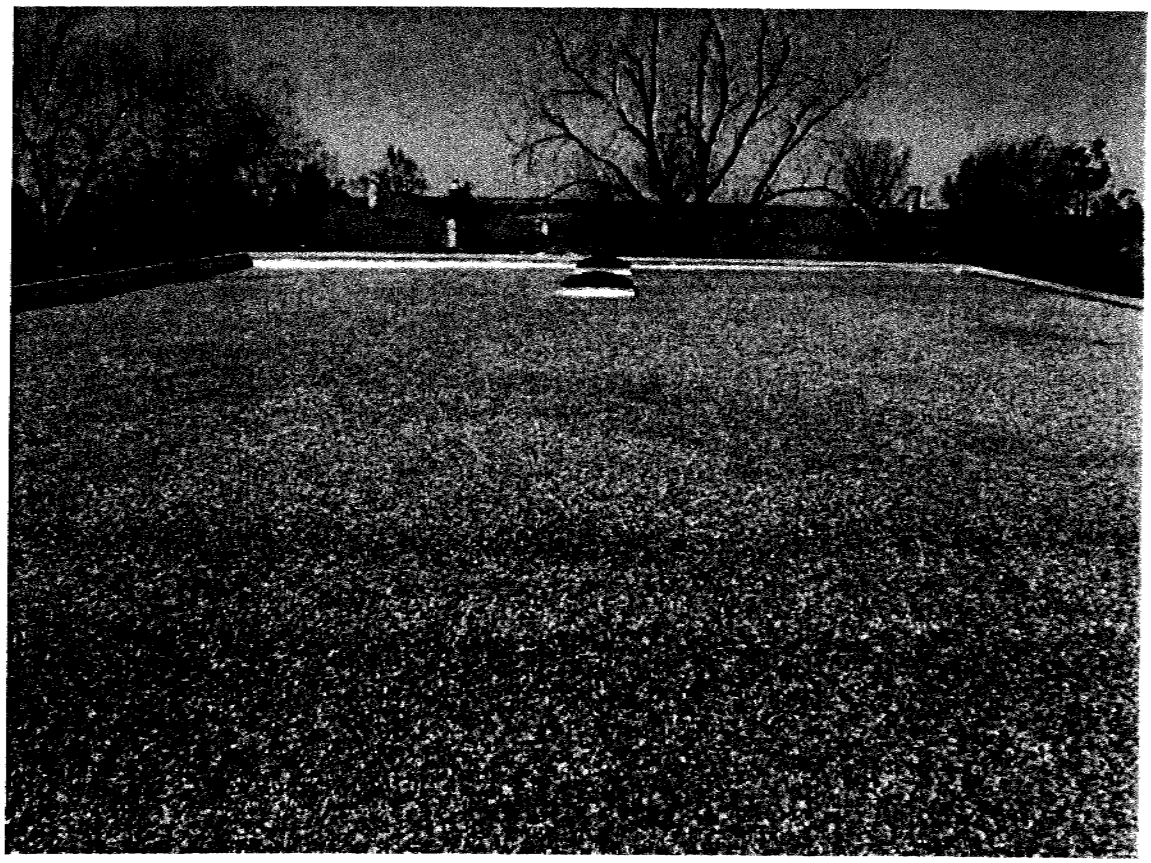
INVOICE NUMBER:	11302 DW
INVOICE DATE:	04/06/11
OUR ORDER NO.	11021
CUSTOMER NO.	1171
CUSTOMER FAX	

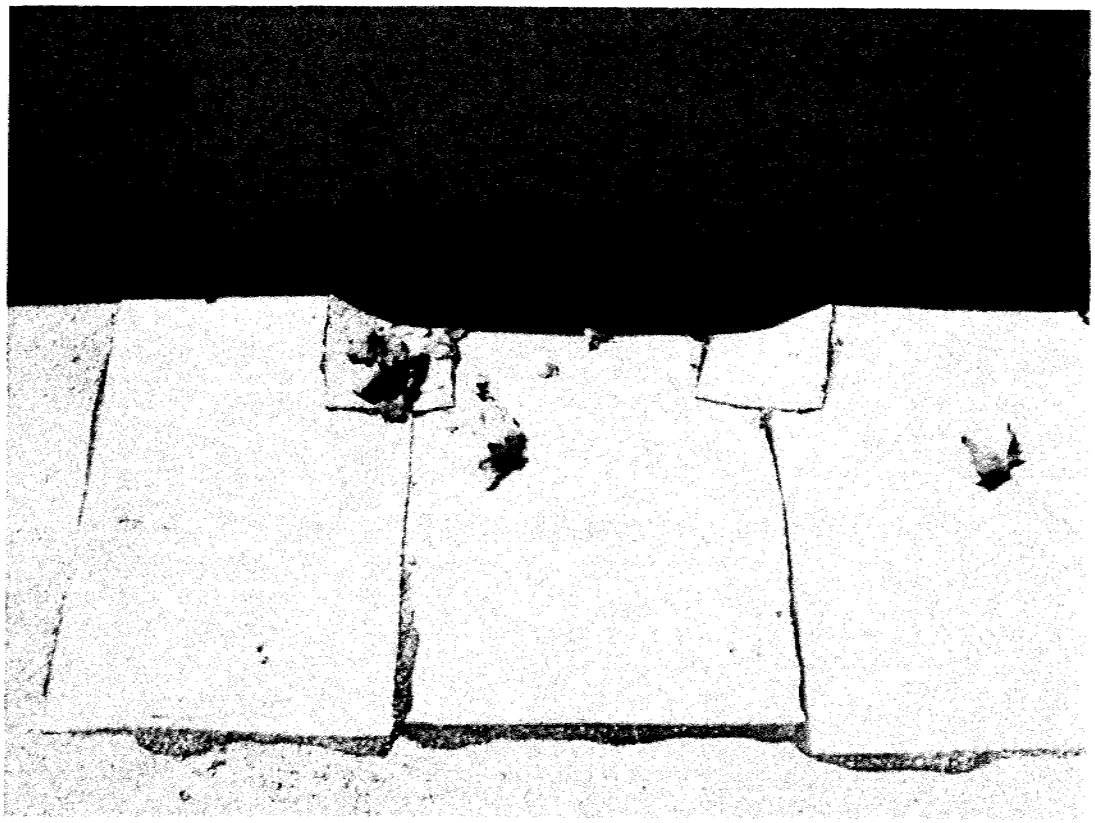
TERMS: **Net 30 Days**

QUANITY	DESCRIPTION	UNIT PRICE	AMOUNT
	As per contract dated 11/23/10 Contract No. K-1011-76 Removal and disposal of Police Auxiliary Facility roof to the deck with installation of new roof according to specifications. 4323 Country Club Terrace, Norman, Ok.		95,512.00
	AMOUNT DUE THIS INVOICE		**$95,512.00**

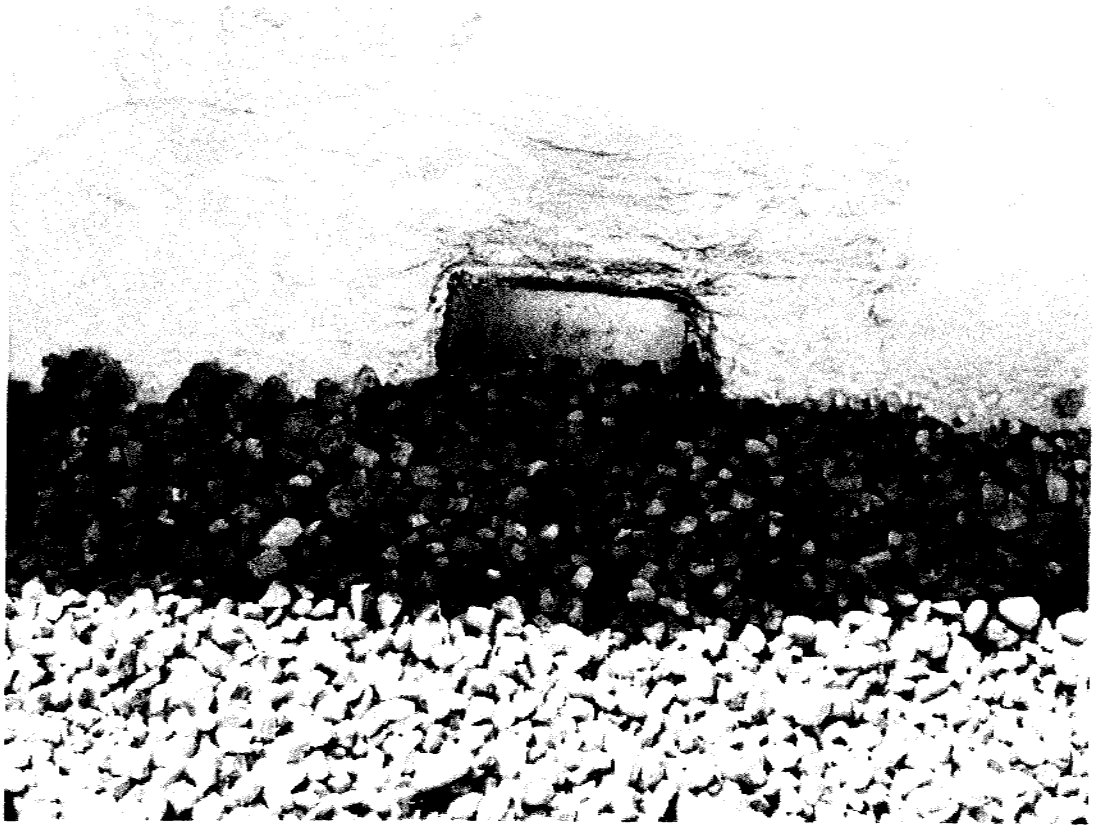
THANK YOU FOR YOUR BUSINESS

Police Auxiliary Before and After
April 2011





Police Auxiliary Gutter/Drain Before and After
April 2011



INVOICE

STANDARD ROOFING CO., INC.

Remit: P.O. Box 60150, Okla. City, Ok. 73146-0150
Delivery: 19 N.W. 16th., Okc, Ok. 73103 Office (405) 236-8401
Fax (405) 236-0620

SOLD TO:
City of Norman
Attn: Accounts Payable
201-C West Gray Street
Norman, Ok. 73068

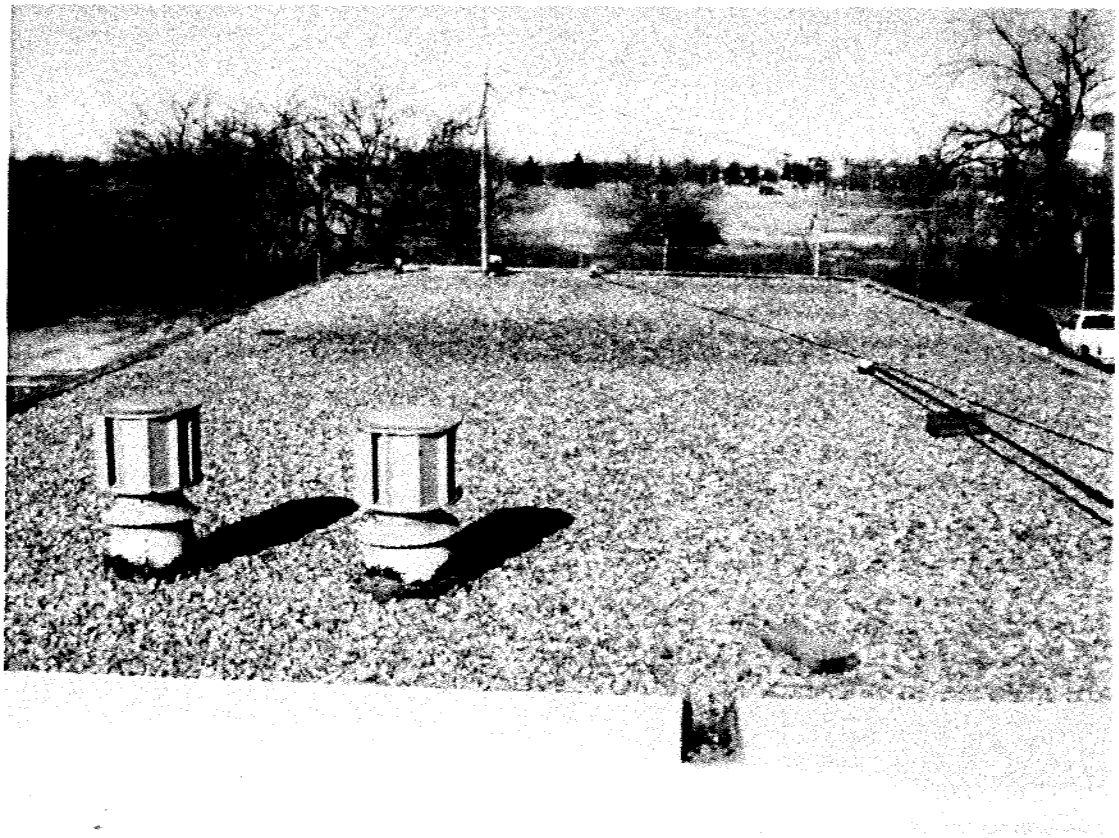
JOB LOCATION:
Animal Control Kennel
3428 S. Jenkins
Norman, Ok.

INVOICE NUMBER:	11286 DW
INVOICE DATE:	03/28/11
OUR ORDER NO.	11020
CUSTOMER NO.	1171
CUSTOMER FAX	

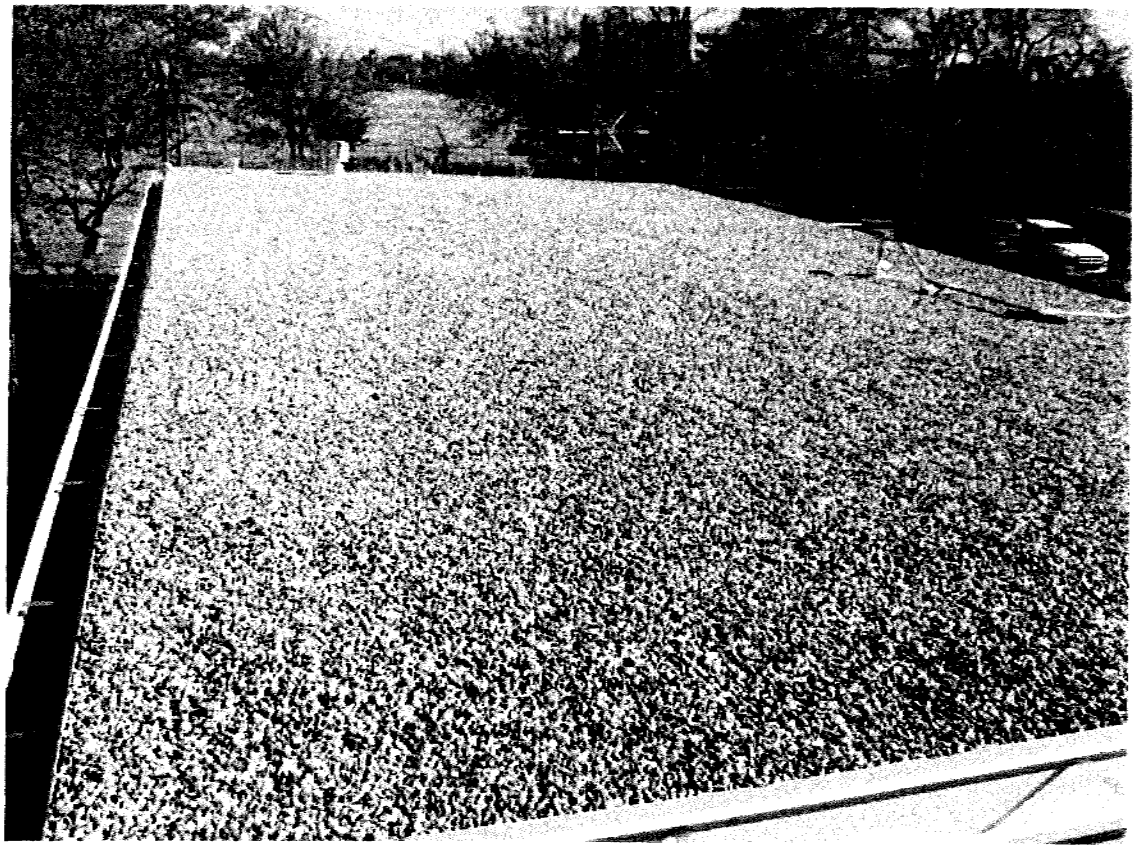
TERMS: **Net 30 Days**

QUANITY	DESCRIPTION	UNIT PRICE	AMOUNT
	As per contract dated 10/18/20 Contract No. K-1011-76 Removal and disposal of current Animal Control Kennel and Kennel Office roof to the deck with installation of new roof. 3428 S. Jenkins Norman, Okla.		75,108.00
	AMOUNT DUE THIS INVOICE		**$75,108.00**

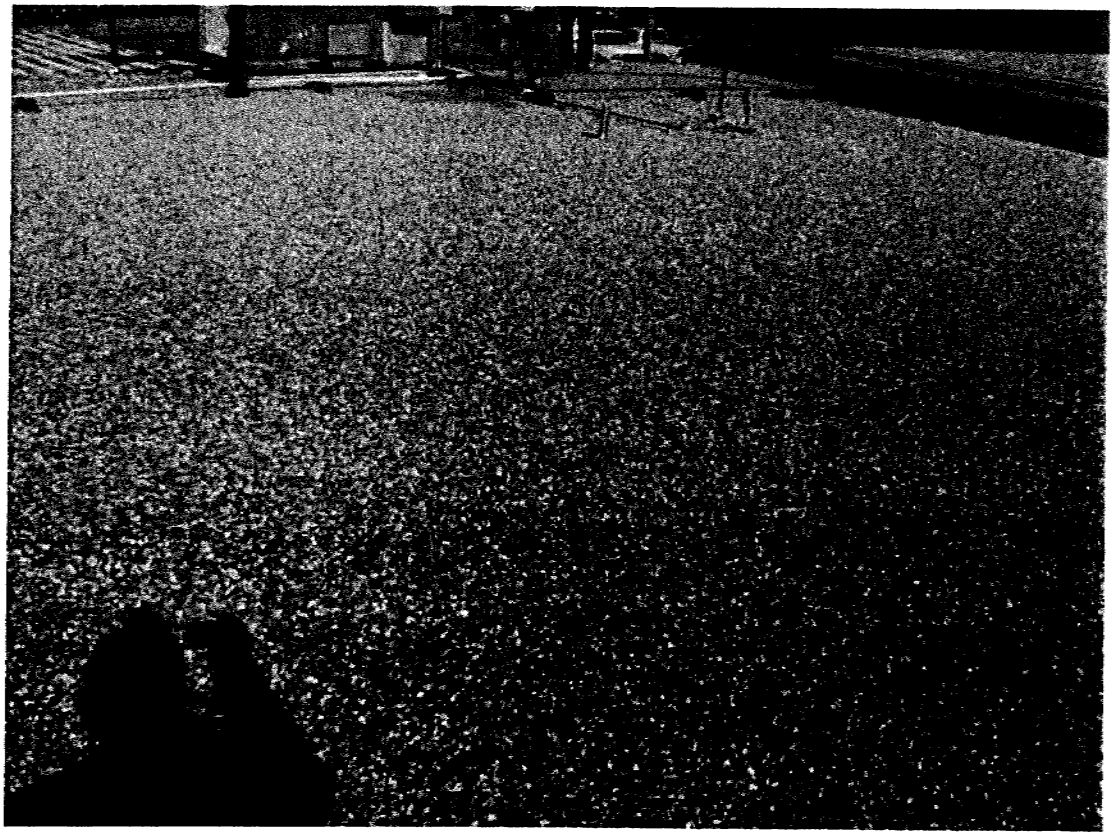
THANK YOU FOR YOUR BUSINESS



Animal Control Roof A Before and After
April 2011



Animal Control Roof B Before and After
April 2011



P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

P.O. #: 194340
DATE: 11/10/10

VENDOR #
10349

STANDARD ROOFING CO INC
19 NW 16TH STREET
OKLAHOMA CITY, OK 73103

SHIP TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/23/10	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
05095404196101	SRUNYON	178977	11/09/10

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	BID NO. 1011-39 FOR THE FIRE STATION NO. TWO AND ANIMAL CONTROL FACILITY ROOF REPLACEMENT PROJECTS CONTINGENT UPON CITY COUNCIL APPROVAL ON 11/23/10	314086.0000	314086.00
				SUB-TOTAL	314086.00
				TOTAL	314086.00

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 56

Text File Number: K-1011-166

Introduced: 4/19/2011 by Brenda Hall, City Clerk

Current Status: Consent Item

Version: 1

Matter Type: Contract

Title

CONTRACT NO. K-1011-166: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND LASHAR HOME COMFORT SYSTEMS, L.L.C., IN THE AMOUNT OF $45,597 FOR THE WASTEWATER TREATMENT PLANT HEATING UNITS REPLACEMENT PROJECT AND BUDGET TRANSFER.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1011-166 with Lashar Home Comfort Systems, L.L.C., in the amount of $45,597; and, if approved, authorize the execution thereof and transfer $5,597 from Project No. WW0046, Headworks Screw Conveyer, Construction (032-9911-432.61-01) to Project No. WW0061, Wastewater Treatment Centrifuge Room Heaters, Construction (032-9677-432.61-01).

ACTION TAKEN: _____

Body

BACKGROUND: The scope of this contract includes replacement of three (3) heater units and control systems for the Wastewater Treatment Plant Facility. The current heating units have exceeded their useful life and are no longer functioning.

DISCUSSION: Staff met with three heat and air contractors, all of whom were given complete access to the facility, accompanied by the Facility Maintenance staff. All three contractors submitted quotes and the lowest and best quotation was received from Lashar Home Comfort Systems in the amount of $45,597.

The contractor will be performing the work as a turnkey project, and thus will not require a Performance Bond. Similarly, Lashar Home Comfort Systems, LLC, will not employ sub-contractors for the work, thereby making a Statutory Bond also unnecessary; however, the contract requires the contractor to submit an affidavit that all sub-contractors and/or vendors have been paid for any services or products rendered for this project prior to payment. Lasher will also provide a one-year parts and labor warranty upon acceptance by the City.

The original scope of work when budgeted was to replace two of the three building's heating units; however, the third unit has since then failed and must also be replaced. Funding in the amount of $40,000 for the project is available in Project No. WW0061, Wastewater Treatment Centrifuge Room Heaters, Construction (032-9677-432.61-01), and the additional $5,597 needed to complete the project must be transferred from Project No. WW0046, Headworks Screw Conveyor, Construction (032-9911-432.61-01) to the project budget in order to complete the project.

RECOMMENDATION: Staff recommends Contract No. K-1011-166 be awarded to Lashar Home Comfort Systems, L.L.C., in the amount of $45,597, as the lowest and best quote meeting specifications. Staff further recommends funds in the amount of $5,597 be transferred from Project No. WW0046, Headworks Screw Conveyer, Construction (032-9911-432.61-01) to Project No. WW0061, Wastewater Treatment Centrifuge Room Heaters, Construction (032-9677-432.61-01) to complete the project.

Quote Summary
Wastewater Treatment Plant Heating Units Replacement Project
April 26, 2011

The following is a tabulation of bids received by the City of Norman for the Wastewater Treatment Plant Heater Units Replacement Project.

Bidder	Bid
Lashar Home Conform Systems **Norman, OK**	**$45,597**
Authur's Air Conditioning and Heating Norman, OK	$46,942
Waggoner's Heating/Air Conditioning, Inc. Norman, OK	$61,667

RECOMMENDATION: Staff recommends Lasher Home Comfort Systems be awarded the project for the Wastewater Treatment Plant Heating Units Replacement Project. Funds are available in Project No. WW0061, Wastewater Treatment Centrifuge Room Heaters, Construction (050-9677-432.61-01) for the replacement of the heaters.

Forwarded by:

Matthew Smith
Facility Maintenance Superintendent

LASHAR
HOME COMFORT SYSTEMS

Proposal To:
City of Norman
(Waste Water Treatment Plant)
3500 S. Jenkins
Norman, OK
Attn: Jerry Wilson

3535 N. Flood, Norman, OK 73072 Phone-579-3113 Fax-579-3115

We propose to install the following. Submittal data sheets are available upon request:

Quantity	Rupp Model No.	Description
2	R2-E. 734-G15	Electric Heated Make Up Air Units with 15" Blowers and a 5 stage total With 1 modulating, 73 KW 460-3
1	R1-E. 204-G10	Electric Heated Make Up Air Unit with 10" Blower and a 1 stage modulating, 20 KW 460-3
2	26.813" x 53.625" x 31.313"	Sloped Filtered Intakes for Size #2 Modular Heaters
3	-50 to +90 degree	Space Temp Controls, Remote Panel
2	22.75" x 24"	Motorized Back Draft Dampers for Size #2 Heaters
1	21.813" x 44.375" x 23.375"	Sloped Filtered Intake for Size #1 Modular Heater
1	16" x 18"	Motorized Back Draft Dampers for Size #1 Heaters

>Includes all labor, permits and materials necessary to complete task.

The total for this job is $45,597.00

Proposal will remain valid through: 3/31/11 Verified w/ Jim Lashar 4/19/11 quote still valid. BH

Acceptance of Proposal: The above investment amount and terms and conditions are satisfactory and accepted.

By: _____
Representative – City of Norman

Date: _____

Tonny Bryant: Tonny Bryant
Lashar Home Comfort Systems, LLC

Date: 3/1/11

3535 N. Flood, Norman, OK 73072 Phone-579-3113 Fax-579-3115

Jerry,

Please find the proposal for the replacement of the three make-up air heaters we spoke about recently on the treatment plant main building. Please note, the manufacturer no longer manufactures the exact specifications as the existing units. The existing electrical system (wiring and panel) is not sufficient for the larger heaters. The entire electrical system would have to be reworked making an attempt to install a larger system cost prohibitive. Per our discussion, we suggest slightly downsizing the heaters with the following specifications:

73 KW heaters in the 2 larger units in place of 84.7 KW units, and a
20 KW unit in place of a 28.2 KW unit.

Other items to note in the proposal:

Warranty is one (1) year parts and labor

The proposal includes the following:

- Removal/Demolition of existing 3 make-up air electric heaters
- Installation of new 3 Rupp, 460 V, 3 phase make-up air heaters
- Installation of new 73 KW heaters on 2 larger units & 20 KW heater on the smaller unit
- Adaptation of 3 curbs
- Crane rental for installing on roof & removal of old units
- Provide accessibility for servicing
- Sloped filtered intakes
- -50 – 90 degree space temp controls, remote panel
- Mount motor and controls on opposite side of heaters
- Motorized back draft dampers
- Extra set of N.O. contacts on supply starter
- Electrical needed to complete task (wiring will have to be adapted for new machines)
- Safety rails to be installed per City of Norman code
- All miscellaneous materials for proper installation
- All work performed in a professional and neat manner by licensed technicians
- Removal of all old equipment and materials from the premises
- All work done in accordance with existing code

Please feel free to contact me with any concerns or questions you have regarding the proposal. Thank you again for the opportunity to bid the project!

Respectfully,

Tonny Bryant

Tonny Bryant
Lashar Home Comfort Systems, LLC

3535 N. Flood, Norman, OK 73072 Phone-579-3113 Fax-579-3115

CONTRACT

THIS CONTRACT made and entered into this ____ day of _____, 2011, by and between Lasher Home Comfort Systems as Party of the First Part, hereinafter designated as the CONTRACTOR, and the Norman Utilities Authority, Party of the Second Part.

WITNESSETH

WHEREAS, the Norman Utilities Authority has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all said bidding documents, and has obtained from three reputable contractors quotations for all labor and materials for the following project.

WASTEWATER TREATMENT PLANT HEATING UNITS REPLACEMENT.

As outlined and set out in the bidding document and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR has submitted to the NUA in the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and,

WHEREAS, the NUA, in the manner provided by law, has 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: **FORTY-FIVE THOUSAND FIVE HUNDRED NINETY SEVEN** DOLLARS and NO CENTS $45,597.00; NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents: The Contractor's Bid or Proposal, the Construction Specifications, are made a part of this CONTRACT as fully as if the same were set out at length.

2) The CONTRACTOR shall submit invoice and affidavit upon completion and final inspection and approval of the project to the NUA. On completion of the work, but prior to the acceptance thereof by the NUA, it shall be the duty of the project manager, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the NUA.

3) It is further agreed that the CONTRACTOR will commence said work within 30 calendar days following receipt of said NOTICE-TO- PROCEED, and prosecute the same vigorously and continuously, and complete the same 30 calendar days following said NOTICE-TO-PROCEED.

4) That the NUA shall pay the CONTRACTOR for the work performed as follows:

   A. Contractor shall submit invoice and affidavit upon completion of work. Said affidavit shall include assurance that all sub-contractors and vendors, as applicable, have been paid for any services or products rendered for this project. Invoice shall be paid when work has been approved by Matthew T. Smith, Facilities Maintenance Superintendent/ Project Manager, after approval of such action by the NUA.

   B. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

   C. The contractor agrees that in the event the Contract is breached, through failure of Contractor to complete the project within time allowed, liquidated damages shall be assessed in the amount of $100.00 per calendar day. Liquidated damages shall continue until the project is accepted by the project manager as complete. In case of failure to complete the project within time stated, the Contractor authorizes the Owner to withhold from amount retained in the contract, the amount of liquidated damage and pay same to Owner.

And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

That the NUA reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price. That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the NUA, the Contractor shall be compensated therefore at the unit price and as agreed to by both parties in the execution of the Change Order.

5) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work materials shall be subject to rejection by the NUA through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the NUA.

6) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the NUA, the CONTRACTOR shall be compensated therefore at the unit price and as agreed to by both parties in the execution of the Change Order.

7) That the CONTACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all materials shall be subject to rejection by the NUA through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the NUA.

8) The CONTRACTOR shall furnish a copy of his/her general liability insurance, worker's compensation insurance, and provide a parts and labor warranty good for one (1) year upon acceptance of project by NUA.

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the NUA to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the NUA or in any way to restrict the freedom of the NUA to exercise full discretion in its dealing with the CONTRACTOR.

9) <u>The sworn, notarized statement below be signed and notarized before this contract will become effective.</u>

STATE OF _____)
COUNTY OF _____)

_____, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the NUA. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the NUA any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

_____

Submitted and sworn to before me this _____ day of _____, 2011.

_____
Notary Public

My Commission expires:

_____

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto and seals respectively the 14th day of April, 2011.

(Corporate Seal) (where applicable)

Tim Lashua
Principal

ATTEST:

Signed: _____
Authorized Representative

_____
Corporate Secretary (where applicable)

Owner / President
Title

K. FRAZIER NOTARY PUBLIC # 03010507 EXP. 08/04/11 STATE OF OKLAHOMA

Address: 3535 N. Flood Ave Norman, OK 73069

Telephone: 405.579.3113

CITY OF NORMAN

Approved as to form and legality this 20 day of April, 2011.

_____
City Attorney

Approved by the NUA this _____ day of _____, 2011.

ATTEST:

_____
Secretary

_____
Chairman

CONTRACT AFFIDAVIT

STATE OF OKLAHOMA
COUNTY OF CLEVELAND

Tim Lashar, of lawful age, being first duly sworn, on oath says that (s) he is the Agent authorized by the Firm of Lashar Home Contour Systems, LLC to submit the above Contract to the City of Norman, Oklahoma.

Affidavit further states that such firm has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the Norman Utilities Auth., any money or other thing of value, either directly or indirectly, in the procuring of the Contract.

CONTRACTOR

Subscribed and sworn to before me this 14th day of April, 2011.

Notary Public

My Commission Expires: 8-4-2011, 2010

K. FRAZIER NOTARY # 03010507 EXP. 08/04/11 PUBLIC STATE OF OKLAHOMA

Contract No. K-1011-166
Page 6 of 6

ACORD® CERTIFICATE OF LIABILITY INSURANCE

OP ID GB
LASHA-1

DATE (MM/DD/YYYY)
11/12/10

PRODUCER

Steve Owens Insurance Group
3700 W. Robinson, Ste 230
Norman OK 73072
Phone: 405-321-0244 Fax: 405-366-8816

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Lashar Home Comfort SystemsLLC
Kevin Reynolds - Mechanical
Joey L Smith - Electrical Cont
P O Box 722037
Norman OK 73070

INSURERS AFFORDING COVERAGE — NAIC #

INSURER A: The Hartford Fire Insurance
INSURER B: North Star Insurance Co.
INSURER C:
INSURER D:
INSURER E:

COVERAGES

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

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
		GENERAL LIABILITY					
B	X	COMMERCIAL GENERAL LIABILITY	CM31477	07/03/10	07/03/11	EACH OCCURRENCE	$ 1,000,000
		CLAIMS MADE X OCCUR				DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
						MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER POLICY / PRO-JECT / LOC				PRODUCTS - COMP/OP AGG	$ 2,000,000
		AUTOMOBILE LIABILITY					
		ANY AUTO				COMBINED SINGLE LIMIT (Ea accident)	$
		ALL OWNED AUTOS					
		SCHEDULED AUTOS				BODILY INJURY (Per person)	$
		HIRED AUTOS					
		NON-OWNED AUTOS				BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY — EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY				EACH OCCURRENCE	$
		OCCUR / CLAIMS MADE				AGGREGATE	$
							$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS / OTHER	
A		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N	38WECZR0360	07/05/10	07/05/11	E.L. EACH ACCIDENT	$ 100000
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$ 100000
						E.L. DISEASE - POLICY LIMIT	$ 500000
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Heating/Combined Htg/Air Cond Syst/to incl LPG work & Electrical Contractor

CERTIFICATE HOLDER

CONSTIN

Construction Industrial Board
Bond & Insurance Department
Fax #271-5254
2401 NW 23rd St., Ste 5
Oklahoma City OK 73107

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Steve Owens Insurance Group

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60 (Policy Provisions: WC 00 00 00 A)
03
ZR **INFORMATION PAGE**
WEC **WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY**

INSURER: HARTFORD INSURANCE COMPANY OF THE MIDWEST
HARTFORD PLAZA, HARTFORD, CONNECTICUT 06115

NCCI Company Number: 20605
Company Code: G

THE HARTFORD

*2100038ZR03600101 01677

		Suffix LARS	RENEWAL
POLICY NUMBER:	38 WEC ZR0360		00
Previous Policy Number:	NEW		

HOUSING CODE: SC

1. **Named Insured and Mailing Address:** LASHAR HOME COMFORT SYSTEMS LLC
(No., Street, Town, State, Zip Code)

3535 N FLOOD AVENUE
NORMAN, OK 73072

FEIN Number: 260417415
State Identification Number(s):
UIN:

The Named Insured is: LIMITED LIABILITY COMPANY
Business of Named Insured: HEATING/COMBINED HEATING & AIR
Other workplaces not shown above: 3535 N FLOOD AVENUE
NORMAN OK 73072

2. **Policy Period:** **From** 07/05/10 **To** 07/05/11
12:01 a.m., Standard time at the insured's mailing address.

Producer's Name: STEVE OWENS INSURANCE GROUP

3700 WEST ROBINSON SUITE 230
NORMAN, OK 73072
Producer's Code: 381887
Issuing Office: THE HARTFORD
3600 WISEMAN BLVD.
SAN ANTONIO TX 78251
(800) 447-7649

Total Estimated Annual Premium: $23,991
Deposit Premium:
Policy Minimum Premium: $750 OK

Audit Period: ANNUAL **Installment Term:**
The policy is not binding unless countersigned by our authorized representative.

Countersigned by _____
Authorized Representative Date

Form WC 00 00 01 A (1) Printed in U.S.A.
Process Date: 07/29/10
UW COPY

INFORMATION PAGE (Continued)

Policy Number: 38 WEC ZR0360

3. A. **Workers Compensation Insurance:** Part one of the policy applies to the Workers Compensation Law of the states listed here: OK

B. **Employers Liability Insurance:** Part Two of the policy applies to work in each state listed in Item 3.A. The limits of our liability under Part Two are:

Bodily injury by Accident	$100,000	**each accident**
Bodily injury by Disease	$500,000	**policy limit**
Bodily injury by Disease	$100,000	**each employee**

C. **Other States Insurance:** Part Three of the policy applies to the states, if any , listed here:

ALL STATES EXCEPT ND, OH, WA, WY, AND
STATES DESIGNATED IN ITEM 3.A. OF THE INFORMATION PAGE.

D. **This policy includes these endorsements and schedule:**

WC 00 04 06 WC 00 04 21C WC 00 04 22A WC 99 03 00B WC 00 04 14
WC 00 04 19 WC 35 06 01E WC 35 06 03 WC 35 06 04 WC 99 03 59B

4. **The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required below is subject to verification and change by audit.**

Classifications Code Number and Description	Premium Basis Total Estimated Annual Remuneration	Rates Per $100 of Remuneration	Estimated Annual Premium
5537 HEATING, VENTILATION, AIR-CONDITIONING AND REFRIGERATION SYSTEMS - INSTALLATION, SERVICE AND REPAIR & DRIVERS	270,000	9.75	26,325
TOTAL PREMIUM SUBJECT TO EXPERIENCE MODIFICATION			26,325
OK - INTRA EXPERIENCE MODIFICATION 350605347			.930
PREMIUM ADJUSTED BY APPLICATION OF EXPERIENCE MODIFICATION			24,482
TOTAL ESTIMATED ANNUAL STANDARD PREMIUM			24,482
PREMIUM DISCOUNT 2.8 PERCENT			-685
EXPENSE CONSTANT (0900)			140
TERRORISM (9740)	270,000	.010	27
CATASTROPHE (9741)	270,000	.010	27
TOTAL ESTIMATED ANNUAL PREMIUM			23,991

Total Estimated Annual Premium: $23,991
Deposit Premium:
Policy Minimum Premium: $750 OK

Interstate/Intrastate Identification Number: / 350605347

Labor Contractors Policy Number:

NAICS: 238220
SIC: 1711
UIN:
NO. OF EMP: 000005

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 57

Text File Number: GID-1011-30

Introduced: 4/15/2011 by Jeff Bryant, City Attorney

Current Status: Consent Item

Version: 1

Matter Type: Settlement

Title

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE SETTLEMENTS OF THE CITY OF NORMAN VS. JOHN TERRY AND FRATERNAL ORDER OF POLICE (FOP) LODGE NO. 122, SUPREME COURT CASE NO. SD-107788 AND CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-1051; NGUYEN VS. JOHN TERRY AND CITY OF NORMAN, FEDERAL COURT CASE NO. CIV-10-196-R; AND JOHN TERRY VS. CITY OF NORMAN, ET. AL., FEDERAL COURT CASE NO. CIV-10-01042-D.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlements.

ACTION TAKEN: _____

Body

Background: Each of the cases set forth below arise out of former Norman Police Officer John Terry's response to a "be on the lookout" (BOLO) call which ultimately resulted in Terry using deadly force on an unarmed naked suspect:

City of Norman v. John Terry and FOP Lodge 122, Case No. SD-107788 was filed on May 27, 2009 in Cleveland County District Court by the City. This case challenges an arbitrator's decision reinstating Terry's employment with the City as a police officer. The trial court granted summary judgment in favor of Terry. The trial court's decision was appealed to the Oklahoma Court of Civil Appeals. On March 31, 2011, the Court of Civil Appeals affirmed the trial court's decision. The City has asked the Oklahoma Supreme Court to consider the case by filing a petition for certiorari. The proposed settlement requires that this petition be dismissed.

Nguyen v. John Terry and City of Norman, Case No. CIV-10-0196 R was filed on February 25, 2010 in the United States District Court for the Western District of Oklahoma by the suspect that Terry Shot, Sang Van Nguyen. In his Amended Complaint, Nguyen alleges excessive force and failure to provide timely medical first aid care under federal law against Terry and negligence in shooting and failing to provide medical care under state law against the City. Nguyen prays that the Court enter judgment against Terry on the negligence claims if he was not acting in the course and scope of his employment.

Terry v. City of Norman, Case No. CJ-2010-1051-L was filed in Cleveland County District Court on May 28, 2010 by Terry. This case alleges a breach of contract claim against the City. A motion to dismiss was filed by the City. The hearing on the City's motion to dismiss was continued to permit the parties to explore settlement.

Terry v. City of Norman, Phil Cotten, Glenn Dobry, Kent Ritchie, and Steve Lewis, Case No. CIV-10-1042 D was filed on September 23, 2010 in the United States District Court for the Western District of Oklahoma by Terry. This case alleges federal claims for procedural and substantive due process against the City, Chief Cotten, Captain Dobry, Major Ritchie, and City Manager Lewis.

A judicial settlement conference was held before United States Magistrate Judge Doyle W. Argo on April 7, 2011. The proposed settlement reached as a result of the settlement conference includes, *inter alia*, Terry's resignation, a monetary payment to Terry in the amount of $173,704, and a $40,000 monetary payment to Nguyen, part of which to be paid by the City and the remainder to be paid by Terry. The monetary payment to Terry is slightly less than the City's cost for back pay Terry would be entitled to if the arbitration decision is not reversed. The proposed settlement also includes payment of Nguyen's medical bills. City staff has negotiated separately with Norman Regional Hospital regarding these bills. Because this matter involves pending litigation, the merits of this settlement offer were discussed during an executive session on April 12, 2011.

Recommendation: It is believed the proposed settlement is fair, reasonable and in the best interest of the City. It is recommended that the settlement of this matter be approved by City Council, that the City Manager be authorized to finalize the settlement, and that this office be directed to reduce the settlement amount to judgment in accordance with 51 O.S. §159 and 62 O.S. §362. The settlement amount will then be placed on the property tax rolls for collection over the next three years. This procedure will minimize the impact of the settlement on the general fund. If you have questions or need additional information, please let me know.

1 The City's contribution to the Nguyen settlement will require at least $15,000. Terry's contribution to the Nguyen settlement is a minimum of $15,000 and the remainder is still being negotiated.

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 58

Text File Number: R-1011-110

Introduced: 3/29/2011 by Jeff Bryant, City Attorney

Current Status: Consent Item

Version: 1

Matter Type: Resolution

Title

RESOLUTION NO. R-1011-110: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $457,692 FROM THE GENERAL FUND BALANCE FOR PAYMENT OF ON-THE-JOB INJURY (OJI) MEDICAL BILLS; AND ORDERS/SETTLEMENTS IN THE WORKERS' COMPENSATION ACCOUNT AND OTHER RELATED WORKERS' COMPENSATION FEE ACCOUNTS.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-110.

ACTION TAKEN: _____

Body

BACKGROUND: The City of Norman is self-insured for its Workers' Compensation and liability claim costs and pays such costs from the General Fund within its own cost center. This cost center receives its revenues through "charges" to the other City cost centers within the General Fund and the City Funds (i.e., utility enterprise funds, etc.) to offset the payments made to settle medical costs for on-the-job injuries, Workers' Compensation awards and settlements. As noted below, the costs for these expenses have been increasing and have exceeded budget allocations.

It is necessary to seek a supplemental appropriation this Fiscal Year to cover actual and anticipated Workers' Compensation costs. As of February 28, 2011, Workers' Compensation accounts for OJI medical, weekly payments, awards and settlements had an available balance of $163,905. This balance will be depleted before the end of the Fiscal Year. The Council was updated in Executive Session on April 12th on pending Workers' Compensation cases that were anticipated to require additional expenditures before the end of the fiscal year.

Workers' Compensation Court Award Orders are due and payable within twenty (20) days of the date the Order is filed. In addition, Workers' Compensation claim settlements are funded in the same Fiscal Year in which the settlement is approved.

DISCUSSION: The OJI account balances and Workers' Compensation account balances are set yearly by City Council. Those funds are then dispersed to the individual accounts in the Workers' Compensation cost center based on past year's expenditures. The revised budget for all Workers' Compensation expenditures during this Fiscal Year was $1,169,546. The total amount of funds expended and encumbered through Period 8 is $1,004,291. Three areas are in need of supplemental appropriation to complete the Fiscal Year. Those areas are addressed below.

OJI Medical Bills & Weekly Payments: The revised budget for FYE11 for OJI medical bills and weekly payments was $750,611. The total expended and encumbered through Period 8 is $656,024. It is anticipated that the remaining budget will be depleted by March 31st. Overall, OJI medical and weekly payment expenses are higher as of the end of Period 8 when compared to the prior year by approximately $192,107. Most of the increase is within the weekly payments account and is primarily due to four employees who were on temporary totally disability ("TTD") for an extended period of time. In addition, more employees were TTD than in the past years. Medical costs have also risen 18% over the previous year. It is anticipated that an additional $287,000 is needed to complete the current fiscal year. This supplemental appropriation would make the total for FYE11 $1,037,611 for these categories.

WCC Orders/Settlement Payments: The revised budget for FYE11 for Workers' Compensation orders and settlements was $365,000. To date, expenditures and encumbrances through Period 8 total $305,949. An appropriation is needed to satisfy pending litigation for the remaining fiscal year. It is anticipated that Court awards and settlements for the remainder of the Fiscal Year will be approximately $374,140. Additional detail regarding pending workers' compensation litigation will be available to Council in executive session.

Administrative Expenses: In addition to the Orders and Settlements account there are other expenses associated with every case that creates an additional cost to the City. These expenses include Workers' Compensation Administrative Tax (2% of award), Special Occupational and Health Tax (.75% of award), Workers' Compensation filing fees ($75), Cleveland County District Court filing fees ($119.30), and mileage reimbursement. An additional $30,210 is needed to complete the current fiscal year. Budgeted and actual expenses for the Workers' Compensation costs center during FYE 2011 are depicted in Attachment A.

Analysis of Increased Expenses: The initial budget allocation this fiscal year of $1,168,900 for workers' compensation expenses was $216,449 below last year's actual total expenses of $1,385,349 (see Attachment B). Although the budget reflected an anticipated decrease in these costs, the increase in Workers' Compensation expenses can be attributed to several factors. There has been a 9.8% increase in OJIs since FYE 2006. This is due in part to an aging workforce who has contributed to the severity of the injuries and length of employee recovery time. In addition, increased recovery time results in increased temporary total disability ("TTD") payments which are paid during the time an employee is recovering from an on-the-job injury. The state legislature raised both temporary total disability rates and permanent partial disability ("PPD") rates on October 1, 2008 by 15.5%.

The increase in OJIs also caused an increase in the number of court awards which have risen 22%. Some observers feel the current composition of the Court has attributed to higher court awards with employees receiving more for an OJI now than they would have five years ago. Moreover, medical treatment costs are reviewed annually by the Court with Workers' Compensation medical rates being increased yearly. This growth has also been

reflected in the City's rising medical costs. Discussion with other Oklahoma municipalities, including the City of Edmond, indicates that a rise in OJI/Workers' Compensation expenses has occurred for employers. This increase in OJI/Workers' Compensation expenses are also denoted in Attachment B.

In a recent effort to address increases in workers compensation medical costs, on March 22nd, 2011, Council approved a contract with Norman Regional Hospital to receive a 10% discount on OJI medical costs. Staff is also in negotiations with another vendor to receive discounted prices on OJI medical costs provided by others outside of Norman Regional Hospital.

STAFF RECOMMENDATION: It is recommended that the City Council approve the appropriation of $457,692 from the General Fund Balance to complete payments of medical bills and weekly payments for OJI injuries and payment of settlements/awards for Workers' Compensation Claims as follows:

Appropriation of $457,692 from the General Fund Balance (010-0000-253.20-00)
Transfer $287,000 to OJI Medical (010-3002-415.40-18)
Transfer $20,692 to Administrative Expenses (010-3002-415.47-03)
Transfer $150,000 to WC Orders/Settlements (010-3002-415.21-31)

ATTACHMENT A
BUDGETED AND ACTUAL EXPENSES
WORKERS' COMPENSATION COSTS CENTER

Item	Revised Budget	FYE 06-10 Exp Avg	Exp Thru 2/28	Add'l Needed	Projected
Settlements/Orders	$365,000	$377,250	$305,949	$150,000	$515,000
Weekly Payments	303,875	219,490	250,083	71,125	375,000
Medical & Prescriptions	446,736	452,938	405,941	215,875	662,611
Admin Expenses	53,935	57,265	42,318	20,692	74,627
Total	$1,169,546	$1,106,943	$1,004,291	$457,692	$1,627,238

ATTACHMENT B
INCREASE IN OJI/WORKERS' COMPENSATION EXPENSES

Fiscal Year Ending	Initial Budget Allocation	Actual Expenses
2005	$604,893	$696,876
2006	$604,893	$750,016
2007	$604,893	$972,554
2008	$765,393	$1,122,120
2009	$1,214,500	$1,304,676
2010	$1,184,500	$1,385,349
2011	$1,168,900	$1,627,238*

FYE 2011 Expenses estimated based on actual costs to date and pending claims.

WORKERS' COMPENSATION TRACKING
FINAL BY DIVISION - BALANCED

ACCT. #10-3002-415.

NAME	DEPT / DIVISION	AMOUNT	DIVISION	DEPT
EMPLOYEE 1	CITY CLERK/CUSTODIAL	$ 195.95	195.95	195.95
EMPLOYEE 2	FINANCE/UTILITIES SERVICES	$ 624.04	624.04	624.04
EMPLOYEE 3	FIRE/ADMINISTRATION	$ 4,418.36	4,418.36	4,418.36
EMPLOYEE 4	FIRE/FIRE PREVENTION	$ 1.69	1.69	1.69
EMPLOYEE 5	FIRE/SUPPRESSION	$ 408.10		
EMPLOYEE 6	FIRE/SUPPRESSION	$ 585.32		
EMPLOYEE 7	FIRE/SUPPRESSION	$ 493.62		
EMPLOYEE 8	FIRE/SUPPRESSION	$ 214.34		
EMPLOYEE 9	FIRE/SUPPRESSION	$ 87.57		
EMPLOYEE 10	FIRE/SUPPRESSION	$ 2,568.94		
EMPLOYEE 11	FIRE/SUPPRESSION	$ 38,683.34		
EMPLOYEE 12	FIRE/SUPPRESSION	$ 21,719.03		
EMPLOYEE 13	FIRE/SUPPRESSION	$ 792.50		
EMPLOYEE 14	FIRE/SUPPRESSION	$ 425.14		
EMPLOYEE 15	FIRE/SUPPRESSION	$ 173.38		
EMPLOYEE 16	FIRE/SUPPRESSION	$ 5,059.40		
EMPLOYEE 17	FIRE/SUPPRESSION	$ 6.14		
EMPLOYEE 18	FIRE/SUPPRESSION	$ 25.50		
EMPLOYEE 19	FIRE/SUPPRESSION	$ 234.47		
EMPLOYEE 20	FIRE/SUPPRESSION	$ 849.18		
EMPLOYEE 21	FIRE/SUPPRESSION	$ 658.85		
EMPLOYEE 22	FIRE/SUPPRESSION	$ 36,154.08		
EMPLOYEE 23	FIRE/SUPPRESSION	$ 5,007.91		
EMPLOYEE 24	FIRE/SUPPRESSION	$ 14.11		
EMPLOYEE 25	FIRE/SUPPRESSION	$ 2,617.02		
EMPLOYEE 26	FIRE/SUPPRESSION	$ 1,035.94		
EMPLOYEE 27	FIRE/SUPPRESSION	$ 16,657.85		
EMPLOYEE 28	FIRE/SUPPRESSION	$ 169,282.22		
EMPLOYEE 29	FIRE/SUPPRESSION	$ 615.40		
EMPLOYEE 30	FIRE/SUPPRESSION	$ 14,962.07		
EMPLOYEE 31	FIRE/SUPPRESSION	$ 22,305.44		
EMPLOYEE 32	FIRE/SUPPRESSION	$ 47,746.25		
EMPLOYEE 33	FIRE/SUPPRESSION	$ 442.87		
EMPLOYEE 34	FIRE/SUPPRESSION	$ 721.81		
EMPLOYEE 35	FIRE/SUPPRESSION	$ 511.07		
EMPLOYEE 36	FIRE/SUPPRESSION	$ 570.59	391,629.44	391,629.44
EMPLOYEE 37	FIRE/SUPPRESSION PST	$ 11.73		
EMPLOYEE 38	FIRE/SUPPRESSION PST	$ 672.21		
EMPLOYEE 39	FIRE/SUPPRESSION PST	$ 293.66	977.61	977.61
EMPLOYEE 40	P&R/GOLF MAINTENANCE	$ 1,022.47		
EMPLOYEE 41	P&R/GOLF MAINTENANCE	$ 346.83	1,369.30	1,369.30
EMPLOYEE 42	P&R/PARK MAINTENANCE	$ 165.98		
EMPLOYEE 43	P&R/PARK MAINTENANCE	$ 4.90		
EMPLOYEE 44	P&R/PARK MAINTENANCE	$ 220.24		
EMPLOYEE 45	P&R/PARK MAINTENANCE	$ 993.48		
EMPLOYEE 46	P&R/PARK MAINTENANCE	$ 324.65		

EMPLOYEE 47	P&R/PARK MAINTENANCE	$	225.32		
EMPLOYEE 48	P&R/PARK MAINTENANCE	$	1,397.29		
EMPLOYEE 49	P&R/PARK MAINTENANCE	$	190.59		
EMPLOYEE 50	P&R/PARK MAINTENANCE	$	57,742.04		
EMPLOYEE 51	P&R/PARK MAINTENANCE	$	5.57	61,270.05	61,270.05
EMPLOYEE 52	P&R/RECREATION PROGRAMS	$	270.76	270.76	270.76
EMPLOYEE 53	PLANNING/DEVELOPMENT SERVICES	$	426.36	426.36	426.36
EMPLOYEE 54	POLICE/ADMINISTRATION	$	1,069.41	1,069.41	1,069.41
EMPLOYEE 55	POLICE/ANIMAL CONTROL	$	2,805.70		
EMPLOYEE 56	POLICE/ANIMAL CONTROL	$	349.63		
EMPLOYEE 57	POLICE/ANIMAL CONTROL	$	363.21		
EMPLOYEE 58	POLICE/ANIMAL CONTROL	$	4,676.87		
EMPLOYEE 59	POLICE/ANIMAL CONTROL	$	358.19	8,553.61	8,553.61
EMPLOYEE 60	POLICE/COMMUNICATION	$	10.06	10.06	10.06
EMPLOYEE 61	POLICE/PATROL	$	59.50		
EMPLOYEE 62	POLICE/PATROL	$	234.05		
EMPLOYEE 63	POLICE/PATROL	$	226.64		
EMPLOYEE 64	POLICE/PATROL	$	184.62		
EMPLOYEE 65	POLICE/PATROL	$	7,267.44		
EMPLOYEE 66	POLICE/PATROL	$	17,024.71		
EMPLOYEE 67	POLICE/PATROL	$	206.80		
EMPLOYEE 68	POLICE/PATROL	$	873.56		
EMPLOYEE 69	POLICE/PATROL	$	319.00		
EMPLOYEE 70	POLICE/PATROL	$	1.69		
EMPLOYEE 71	POLICE/PATROL	$	(66.19)		
EMPLOYEE 72	POLICE/PATROL	$	4.89		
EMPLOYEE 73	POLICE/PATROL	$	1,144.61		
EMPLOYEE 74	POLICE/PATROL	$	43,648.84		
EMPLOYEE 75	POLICE/PATROL	$	100.71		
EMPLOYEE 76	POLICE/PATROL	$	143.09		
EMPLOYEE 77	POLICE/PATROL	$	1.69		
EMPLOYEE 78	POLICE/PATROL	$	720.52	72,096.19	72,096.19
EMPLOYEE 79	POLICE/PATROL PST	$	305.65		
EMPLOYEE 80	POLICE/PATROL PST	$	258.79		
EMPLOYEE 81	POLICE/PATROL PST	$	63.15		
EMPLOYEE 82	POLICE/PATROL PST	$	2,903.00		
EMPLOYEE 83	POLICE/PATROL PST	$	4,320.65	7,851.24	7,851.24
EMPLOYEE 84	POLICE/RECORDS	$	2,375.84		
EMPLOYEE 85	POLICE/RECORDS	$	124.13		
EMPLOYEE 86	POLICE/RECORDS	$	493.89	2,993.86	2,993.86
EMPLOYEE 87	POLICE/SPECIAL OPERATIONS	$	12,664.50		
EMPLOYEE 88	POLICE/SPECIAL OPERATIONS	$	1,311.27		
EMPLOYEE 89	POLICE/SPECIAL OPERATIONS	$	15.00	13,990.77	13,990.77
EMPLOYEE 90	PW/FLEET REPAIR	$	801.10		
EMPLOYEE 91	PW/FLEET REPAIR	$	8,714.55	9,515.65	9,515.65
EMPLOYEE 92	PW/STORMWATER	$	2.90		
EMPLOYEE 93	PW/STORMWATER	$	9,319.33		
EMPLOYEE 94	PW/STORMWATER	$	273.76		
EMPLOYEE 95	PW/STORMWATER	$	1,621.60		

EMPLOYEE 96	PW/STORMWATER	$	23.08	11,240.66	11,240.66
EMPLOYEE 97	PW/STREET MAINTENANCE	$	2,859.37		
EMPLOYEE 98	PW/STREET MAINTENANCE	$	17,653.64		
EMPLOYEE 99	PW/STREET MAINTENANCE	$	21.87		
EMPLOYEE 100	PW/STREET MAINTENANCE	$	285.88		
EMPLOYEE 101	PW/STREET MAINTENANCE	$	27,236.20		
EMPLOYEE 102	PW/STREET MAINTENANCE	$	155.40		
EMPLOYEE 103	PW/STREET MAINTENANCE	$	3,030.40		
EMPLOYEE 104	PW/STREET MAINTENANCE	$	385.99		
EMPLOYEE 105	PW/STREET MAINTENANCE	$	721.21		
EMPLOYEE 106	PW/STREET MAINTENANCE	$	15,039.19		
EMPLOYEE 107	PW/STREET MAINTENANCE	$	45,206.29		
EMPLOYEE 108	PW/STREET MAINTENANCE	$	-		
EMPLOYEE 109	PW/STREET MAINTENANCE	$	2,606.96	115,202.39	115,202.39
EMPLOYEE 110	PW/TRAFFIC	$	16,225.52		
EMPLOYEE 111	PW/TRAFFIC	$	8,306.17		
EMPLOYEE 112	PW/TRAFFIC	$	455.15	24,986.84	24,986.84
EMPLOYEE 113	UTILITES/SANITATION RESIDENTIAL	$	246.37	246.37	246.37
EMPLOYEE 114	UTILITIES/INSPECTOR	$	259.88	259.88	259.88
EMPLOYEE 115	UTILITIES/RECYCLING OPERATIONS	$	2,751.94	2,751.94	2,751.94
EMPLOYEE 116	UTILITIES/SANITATION COMMERCIAL	$	34,892.62		
EMPLOYEE 117	UTILITIES/SANITATION COMMERCIAL	$	3,653.62		
EMPLOYEE 118	UTILITIES/SANITATION COMMERCIAL	$	111.64	38,657.88	38,657.88
EMPLOYEE 119	UTILITIES/SEWER LINE MAINTENANCE	$	28,280.58		
EMPLOYEE 120	UTILITIES/SEWER LINE MAINTENANCE	$	47,929.90	76,210.48	76,210.48
EMPLOYEE 121	UTILITIES/UTILITY OPS	$	217.52		
EMPLOYEE 122	UTILITIES/UTILITY OPS	$	1,127.24	1,344.76	1,344.76
EMPLOYEE 123	UTILITIES/WASTE DISPOSAL	$	22,296.56	22,296.56	22,296.56
EMPLOYEE 124	UTILITIES/WATER LINE MAINTENANCE	$	493.87		
EMPLOYEE 125	UTILITIES/WATER LINE MAINTENANCE	$	13.20		
EMPLOYEE 126	UTILITIES/WATER LINE MAINTENANCE	$	1,477.43		
EMPLOYEE 127	UTILITIES/WATER LINE MAINTENANCE	$	600.27	2,584.77	2,584.77
EMPLOYEE 128	UTILITIES/WATER TREATMENT	$	31,142.77		
EMPLOYEE 129	UTILITIES/WATER TREATMENT	$	17,348.00	48,490.77	48,490.77
EMPLOYEE 130	UTILITIES/SANITATION YARD WASTE	$	23,680.12		
EMPLOYEE 131	UTILITIES/SANITATION YARD WASTE	$	55,974.87		
EMPLOYEE 132	UTILITIES/SANITATION YARD WASTE	$	847.83		
EMPLOYEE 133	UTILITIES/SANITATION YARD WASTE	$	831.92		
EMPLOYEE 134	UTILITIES/SANITATION YARD WASTE	$	1,418.88	82,753.62	82,753.62
		$	1,004,291.28	$ 1,004,291.28	$ 1,004,291.28

Resolution

R-1011-110

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $$457,692 FROM THE GENERAL FUND BALANCE FOR PAYMENT OF ON THE JOB INJURY (OJI) MEDICAL EXPENSES AND WORKERS' COMPENSATION ORDERS AND SETTLEMENTS.

§ 1. WHEREAS, The City of Norman is self-insured for its Workers' Compensation and liability claim costs and pays such costs from the General Fund Balance; and

§ 2. WHEREAS, Workers' Compensation medical expenses are required to be paid within the fiscal year in which they occur; and

§ 3. WHEREAS, Workers' Compensation Court Award Orders are due and payable within twenty days of the date the Order is filed; and

§ 4. WHEREAS, the City has seen an increase in on-the-job injuries, recovery time, medical costs, and temporary total disability and permanent partial disability rates; and

§ 5. WHEREAS, it is anticipated an additional $457,692 is needed for Workers' Compensation Orders and settlement and to pay medical expenses related to settlements for the remainder of FYE 2011; and

§ 6. WHEREAS, it is now necessary to appropriate funds as described below.

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

§ 7. That the following appropriations be made for the reasons as stated above:

Account Name	Losing Account	Gaining Account	Amount
Workers' Compensation/Medical	010-0000-253.20-00	010-3002-415.40-18	$287,000
Misc. Services/District Court Filing Fee	010-0000-253.20-00	010-3002-415.47-03	$ 20,692
Orders/Settlements	010-0000-253.20-00	01-3002-415.21-31	$150,000

PASSED AND ADOPTED this 26th day of April, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 59

Text File Number: PP-1011-15

Introduced: 2/8/2011 by Ken Danner, Development Manager

Current Status: Non-Consent Item

Version: 1

Matter Type: Preliminary Plat

Title

CONSIDERATION OF A PRELIMINARY PLAT FOR MOOSE LODGE CHAPTER 1799 AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Moose Lodge Chapter 1799 and waiver of alley requirements for the commercial property.

ACTION TAKEN: _____

Body

BACKGROUND: This item is a preliminary plat for Moose Lodge Chapter 1799 Addition and is generally located on the west side of Classen Boulevard and south of Imhoff Road. This property consists of approximately 2.74 acres on two (2) developable lots. City Council, at its meeting of January 8, 1985 adopted Ordinance No. O-2160 placing this property in C-2, General Commercial District.

Planning Commission, at its meeting of March 10, 2011, on a vote of 8-0, recommended to City Council that the preliminary plat for Moose Lodge Chapter 1799 Addition be approved with alley waiver.

DISCUSSION: The Moose Lodge 1799 project involves the development of a 5,000 square foot medical clinic on the west side of Classen Boulevard just south of the Imhoff Road intersection. Primary access to the medical clinic will be from a single driveway along Classen Boulevard. In addition, there will be a connection to the adjacent Moose Lodge site to the north. The 5,000 square foot clinic is expected to generate approximately 158 trips per day or 25 PM peak hour trips. As such, the trip generation potential for this development is below the threshold for when a traffic impact study is required. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities.

(Please refer to attached Traffic Impact Chart)

A traffic impact fee on a per trip basis was previously calculated for improvements to the Classen Boulevard and Imhoff Road intersection with the Crimson Park Apartments TIA. These fees of $146.52 per PM peak hour trip are applicable to the Moose Lodge 1799 project. The additional 25 PM peak hour trips to be generated by the 5,000 square foot clinic will result in $3,663 in traffic impact fees to be collected with the final plat for this development.

City staff has worked closely with the property owner/developer on this project for the past year. The development project has been coordinated with the City's upcoming Classen/Imhoff Intersection Improvement Project.

Public improvements for this property consist of the following:

Alley. The engineer for the developer has made a request to waive alley requirements. Planning Commission, at its meeting of March 10, 2011 recommended waiver of alley requirements.

Fire Hydrants. A fire hydrant will be installed in accordance with approved plans. Its location has been approved by the Fire Department.

Sanitary Sewers. Sanitary sewer mains are existing.

Sidewalks. Sidewalks will be constructed adjacent to Classen Boulevard as part of State Project No. 26474(04).

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facility will be utilized.

Streets. Classen Boulevard is existing and meets current standards. However, with State Project No. 26474(04) additional widening will be installed.

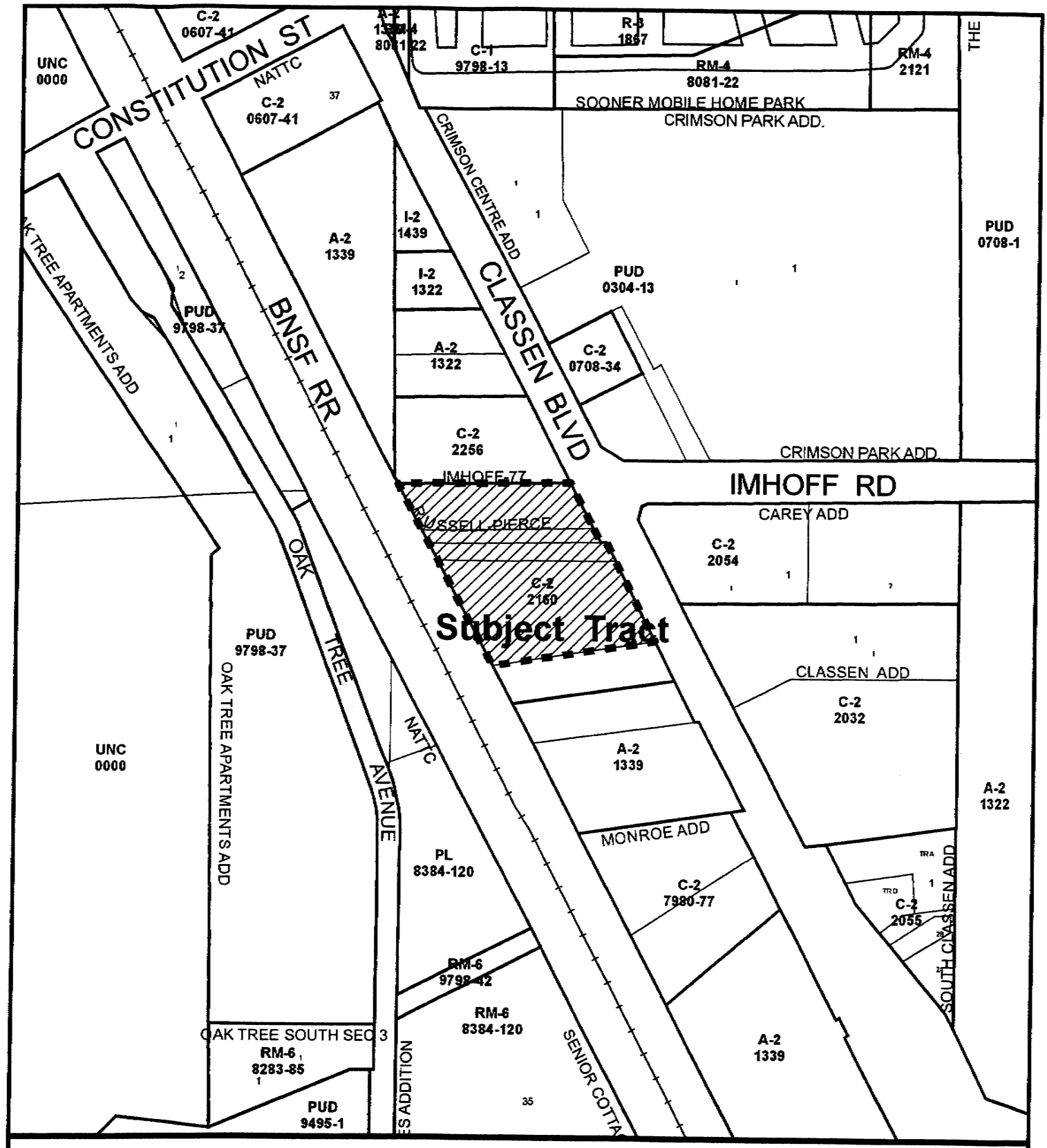
Water Mains. There is an existing 16-inch (16") water main. With the State Project, the existing water main would be located under the pavement. As a result, the owners have granted a utility easement so that a new water main will be located outside of the proposed pavement.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

RECOMMENDATION: It has been staff's position that driveways should be minimized in this area. The proposal is too close to the existing drive into the Moose Lodge and creates a new drive serving the medical office and providing cross access for the Moose Lodge. As a result, both properties will be served by this drive approach. Based on the above information, staff recommends approval of the request to waive alley requirements and approval of the preliminary plat for Moose Lodge Chapter 1799 Addition.

CC Agenda-4-26-11
PP-1011-15, Moose Lodge Chapter 1799 Addition
Traffic Impact Chart

STREET	NO. OF LANES	PROPOSED DEVELOP-MENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Classen Blvd.	5	158	24,112	24,270	36,000	66.98	67.42
Imhoff Road	4	16	2,824	2,840	34,200	8.26	8.30



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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W E
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January 11, 2011

0 150 300 Ft.

Subject Tract

Zoning

PRELIMINARY PLAT ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for MOOSE LODGE CHAPTER 1799

LOCATION: Generally located on the west side of Classen Boulevard and south of Imhoff Road.

INFORMATION:

1. Owner. Moose Lodge Chapter 1799
2. Developer. Hussein Torbati
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. April 10, 1969. Planning Commission, on a vote of 6-0, recommended to City Council that this property be placed in C-2, and removed from A-2 zoning classification.
2. May 6, 1969. City Council adopted Ordinance No. 2160 placing this property in C-2 and removing it from A-2 zoning classification.
3. September 14, 1972. Planning Commission, on a vote of 8-0, approved the preliminary plat for Russell-Pierce Addition.
4. September 14, 1977. The preliminary plat for Russell-Pierce Addition became null and void.

IMPROVEMENT PROGRAM:

1. Alleys. The engineer for the developer has made a request to waive alley requirements.
2. Fire Hydrants. A fire hydrant will be installed in accordance with approved plans and City standards. Its location has been approved by the Fire Department.
3. Permanent Markers. Permanent markers will be installed prior to City acceptance of the street improvements.
4. Sanitary Sewers. Sanitary sewer is existing.

IMPROVEMENT PROGRAM, con't:

5. Sidewalks. There is a signalization, intersection improvement and widening project with the Oklahoma Department of Transportation and City of Norman for Classen Boulevard/Highway 77 and Imhoff Road. With that project, a five foot (5') width sidewalk will be constructed adjacent to this property.

6. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved final plans and City drainage standards. A small detention facility will be installed in connection with the facility.

7. Streets. Classen Boulevard is existing. However, with the State Project No. 26474(04) there is a proposal to widen Classen Boulevard.

8. Water Mains. An existing 16" water line will be under the proposed street widening. As a result, a new 16" water line will be installed within a ten foot (10') utility easement located outside of the current fifty foot (50') right-of-way.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. Street right-of-way will be dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plan, preliminary plat, and letter of request to waive alley requirements are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Currently the Moose Lodge is located within the platted area known as Russell-Pierce Addition. Lot 2, Block 1, does not propose any additional structures. Lot 1, Block 1, is proposed as a medical office. Adequate circulation has been provided for service and emergency vehicles. The property to the south has been developed without an alley and the development to the north of Russell-Pierce Addition is developed without an alley. As a result, any proposed alley would not connect and function as a public alley. Staff supports the request to waive the alley requirements and approval of the preliminary plat for Moose Lodge Chapter 1799.

ACTION NEEDED: Recommend approval or disapproval to waive alley requirements and approval or disapproval of the preliminary plat for Moose Lodge Chapter 1799.

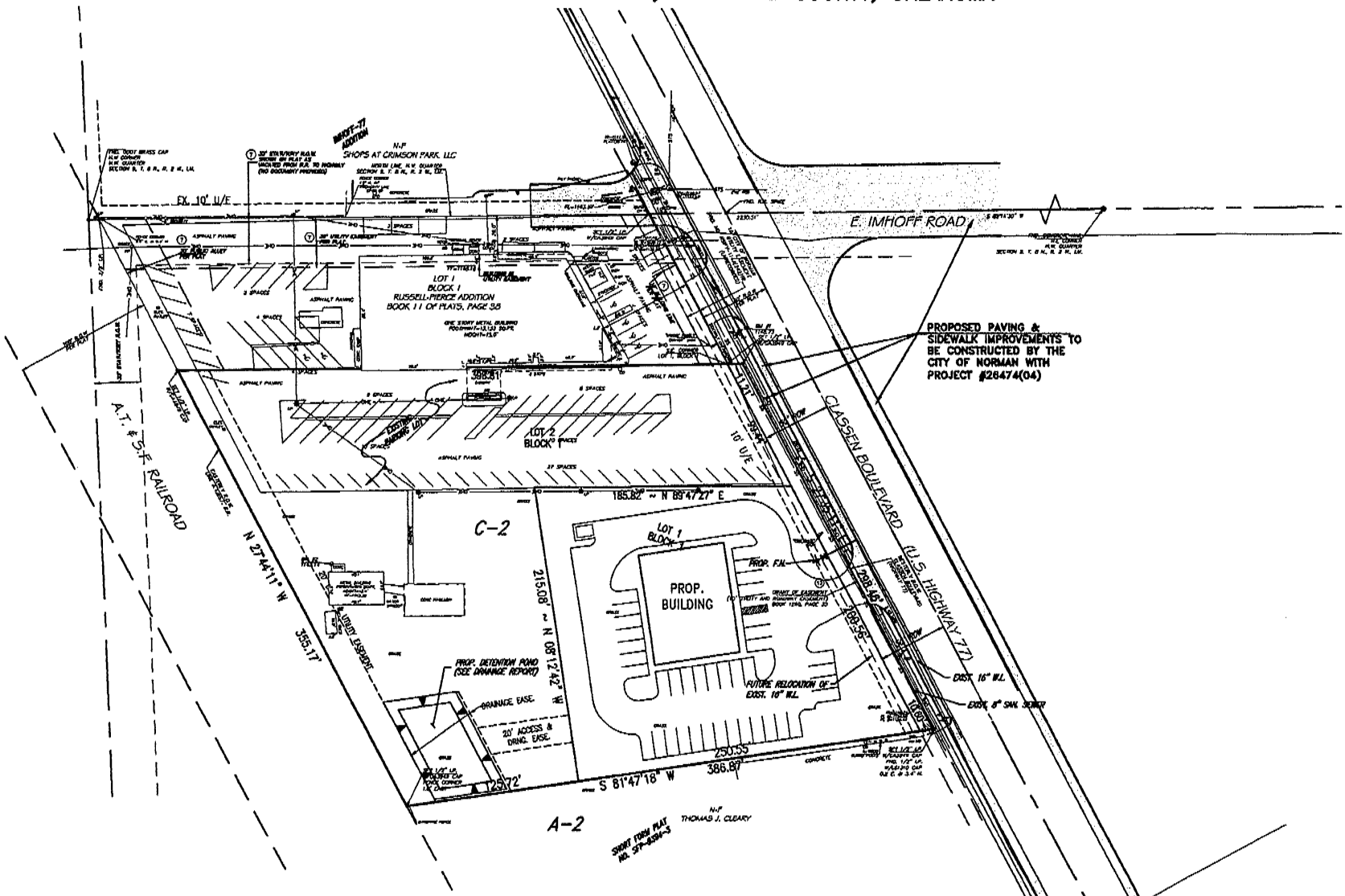
ACTION TAKEN: _____

PRELIMINARY SITE PLAN

MOOSE LODGE CHAPTER 1799

A PART OF THE N.W. 1/4, SECTION 9, T8N, R2W I.M.

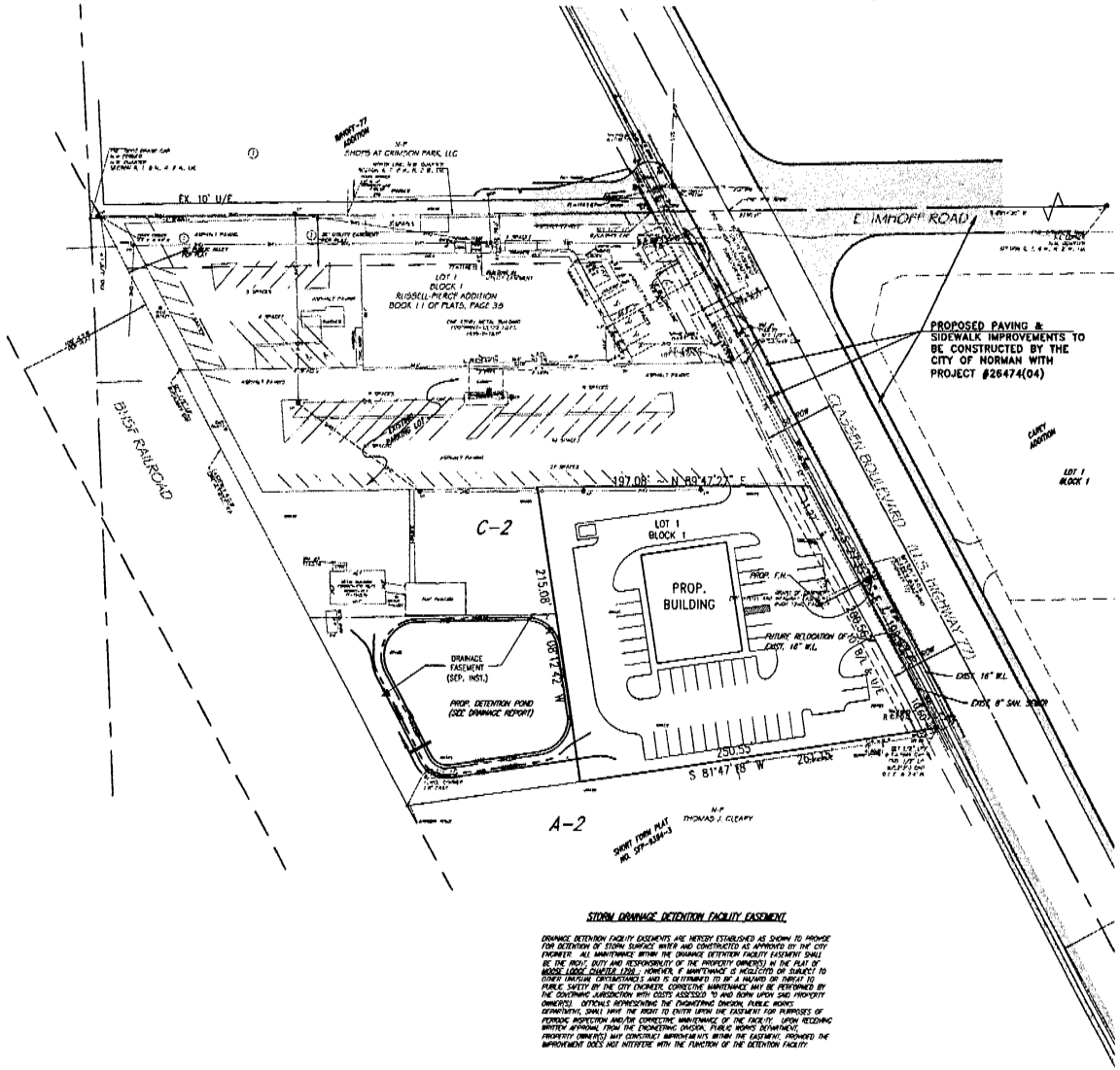
NORMAN, CLEVELAND COUNTY, OKLAHOMA

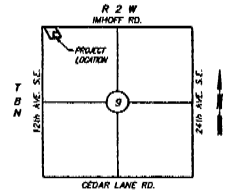


SITE PLAN

MOOSE LODGE CHAPTER 1799

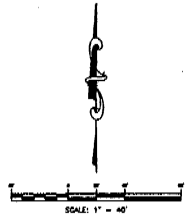
A PART OF THE N.W. 1/4, SECTION 9, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP
SCALE: 1" = 2000'

PARKING SPACES PROVIDED
40 SPACES
(2 ACCESSIBLE SPACES INCLUDED)



SCALE: 1" = 40'

OWNER'S ADDRESS

MOOSE LODGE CHAPTER 1799
2812 CLASSEN BLVD.
NORMAN, OK 73071
PH. (405) 321-1064

ENGINEER'S ADDRESS

SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OKLAHOMA 73106
PH. (405) 232-7715

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 SOLE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF MOOSE LODGE CHAPTER 1799. 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 CONTROLLING 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.

SITE PLAN	
MOOSE LODGE CHAPTER 1799	
CLASSEN BLVD. & IMHOFF RD. NORMAN, OKLAHOMA	
SMC Consulting Engineers, P.C. 815 West Main • Oklahoma City, OK 73106 PH. 405-232-7715 Fax 405-232-7859 CERTIFICATE OF AUTHORIZATION NO CA 664 EXP 6/30/2011	SMC

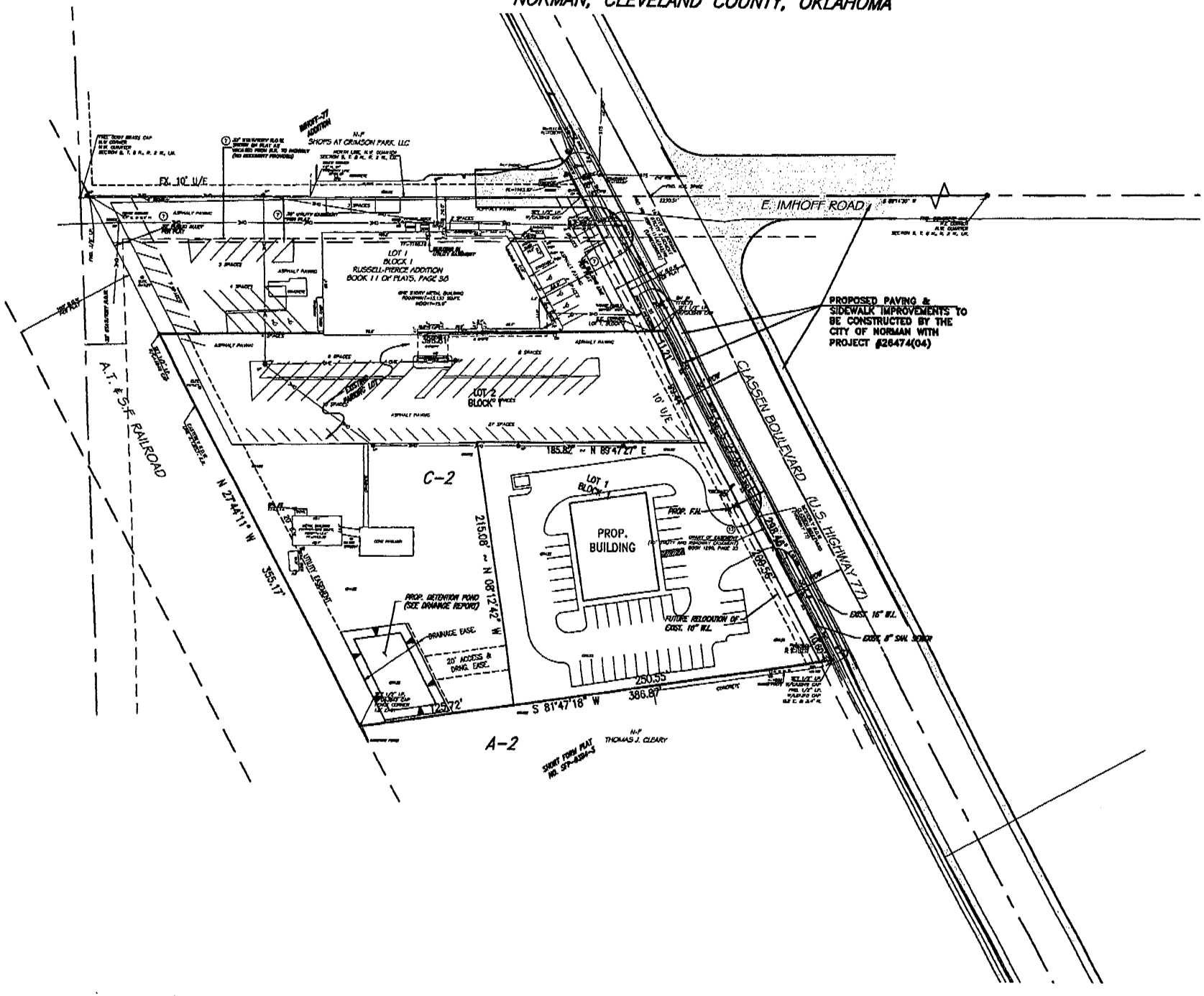
No.	Revision	By	Date
1	Revised per City of Norman comments	D.G.	4-12-11

DATE: 3-16-11	SCALE:	SHEET NO.
DRAWN BY: D.G.	1" = 40'	1
PROJECT NO.: 5202.00		
ENGINEER:		

PRELIMINARY SITE PLAN

MOOSE LODGE CHAPTER 1799

A PART OF THE N.W. 1/4, SECTION 9, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



SMC
Your Civil Engineering Solution

Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

February 22, 2011

Mr. Jim Gassaway, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

RE: Preliminary Plat
Moose Lodge Chapter 1799
SMC No. 5202.00

Dear Mr. Gassaway:

As agent for the applicant, we respectfully request a waiver of the alley requirements for the above referenced addition for all commercial, industrial, and office areas in accordance with Section 19-402 of the City of Norman. The plat has large tracts that can be designed adequately without the use of an alley. All utilities, sanitation access, emergency access, and fire protection will be provided and identified without the use of an alley. The platted alley located north of this property is not constructed and no alley exists south of this property. Staff concurs the alley requirement for this property is not necessary.

Please accept this request and grant the alley waiver.

Sincerely,

SMC Consulting Engineers, P.C.

Tom L. McCaleb, P.E.

cc: Moose Lodge
Hussein Torbati
SMC file

Applicant	Moose Lodge Chapter 1719
Location	2812 Classen Blvd
Case Number	PD11-02
Time	6:00—6:30 PM

Attendee	Stakeholder	Address	Phone
Tom McCaleb	Applicant's engineer	SMC Engineering 715 Main OKC	232-7715
Mr. & Mrs. Whitney Boutin, Jr.	neighbors	2862 Classen Blvd	579-9542
Susan Atkinson	City Staff		366-5392
Ken Danner	City staff		366-5458
Leah Messner	City staff		366-7748

Application Summary. Applicant is seeking a Preliminary Plat for a 3.75-acre parcel in SE Norman. The property is currently zoned A-2. The *Norman 2025 Land Use Plan* designation is Commercial. The current zoning is C-2.

Applicant's Opportunity. The applicants are seeking to subdivide a 3.75-acre parcel in order to allow them to sell a 1-acre parcel of the land. The new land use is proposed to be a medical office. This one-acre parcel will proceed to final platting. The remaining 2.75-acre parcel will remain vacant for now and will remain in the preliminary phase of platting. The current Moose Lodge would remain exactly where it is now.

Neighbors' Comments. The neighbors did not opposed the proposed project, they were just curious about what impact the future use might have on their property.

GREENBELT COMMISSION MEETING

GREENBELT ENHANCEMENT STATEMENT COMMENTS

JANUARY 24, 2011

PD 11-02

Applicant:	Moose Lodge Chapter 1799
Location:	This property is located on the west side of S. Classen Boulevard, just south of Imhoff road and south of the existing Moose Lodge.
Request:	Preliminary Plat of this 3.75 acre C-2 zoned property into two lots, with the southern most lot planned for a medical office.

Greenbelt Commission final comments regarding PD 11-02:

Item on consent docket; consent docket passed unanimously.

Moose Lodge Chapter 1719 SMC No. 5202.00

Pre-Development Case No. PD 11-02

NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 1/10/11

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Moose Lodge Chapter 1719 Date: January 10, 2011

Contact Person: Tom L. McCaleb, P.E., Agent Telephone/Fax/Email: 405-232-7715

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses.

   This is a 3.75 acre tract that is zoned C-2. The tract is bounded on the west by the railroad and bounded on the east by Classen Boulevard. The Moose Lodge is located on the north. The applicant will submit a preliminary plat that will have a one acre lot to be used for a medical use. The building will be single story and approximately 5,000 S.F.

2. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

   There is an area on the west side of the proposed lot that may be an open area. Currently used as a picnic area.

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

	For access only	Within open space
Sidewalks	No	
Other paved surface trail	No	
Unpaved Trail	Yes	
Direct Access from lots	No	

4. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

   Reeves Park is located 3/4 mile to the west. No connection is available except south on Classen and west on Imhoff Road.

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

   No new trail is planned.

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

   Not Applicable

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include:
storm water channels, detention ponds, floodplains, stream bank/ riparian corridors, utility easements, abandoned or active railroad corridors. How will your development incorporate those elements into greenbelts and trails?

   Access towards the railroad will not by encouraged.

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

   Not Applicable

9. Other comments:

   The size of this area is small and land locked. Trails are not feasible.

Signature of Applicant or Contact Person: _____
Tom L. McCaleb, P.E., Agent

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

Item No. 2, being:
CONSENT DOCKET
Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:
APPROVAL OF THE FEBRUARY 7, 2011 OPEN HOUSE MINUTES AND THE FEBRUARY 10, 2011 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1011-19 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SIGMA NU CORPORATION OF OKLAHOMA (SMC CONSULTING ENGINEERS, P.C.) FOR SIGMA NU ADDITION, GENERALLY LOCATED SOUTH OF EMERALD WAY BETWEEN CHAUTAUQUA AVENUE AND COLLEGE AVENUE.

Item No. 5, being:
PP-1011-15 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY MOOSE LODGE CHAPTER 1799 (SMC CONSULTING ENGINEERS, P.C.) FOR MOOSE LODGE ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF CLASSEN BOULEVARD SOUTH OF IMHOFF ROAD.

Item No. 6, being:
PP-1011-16 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY GREEN HILL BUILDERS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH MEADOWS ADDITION SECTION 3, GENERALLY LOCATED AT THE WEST END OF TECUMSEH MEADOWS DRIVE (SOUTH OF WEST TECUMSEH ROAD AND APPROXIMATELY ½ MILE WEST OF NORTH PORTER AVENUE).

*

Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. Mr. Knotts asked that Item No. 4 be removed from the Consent Docket. Chairman Gasaway asked whether anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Andy Sherrer moved to place approval of Item Nos. 3, 5 and 6 on the Consent Docket and approve by one unanimous vote. Zev Trachtenberg seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

* * *

Item No. 5, being:
PP-1011-15 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY MOOSE LODGE CHAPTER 1799 (SMC CONSULTING ENGINEERS, P.C.) FOR MOOSE LODGE ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF CLASSEN BOULEVARD SOUTH OF IMHOFF ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Preliminary Site Plan
5. Request for Alley Waiver
6. Pre-Development Meeting Summary
7. Greenbelt Commission Comments
8. Greenbelt Enhancement Statement

This item was approved on the Consent Docket by a vote of 8-0.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 60

Text File Number: PP-1011-16

Introduced: 2/8/2011 by Ken Danner, Development Manager

Current Status: Non-Consent Item

Version: 1

Matter Type: Preliminary Plat

Title

CONSIDERATION OF A PRELIMINARY PLAT FOR TECUMSEH MEADOWS ADDITION, SECTION 3.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Tecumseh Meadows Addition, Section 3.

ACTION TAKEN: _____

Body

BACKGROUND: This item is a preliminary plat for Tecumseh Meadows Addition, Section 3, and is generally located at the west end of Tecumseh Meadows Drive (one-quarter mile south of Tecumseh Road and one-half mile west of Porter Avenue). This property consists of 4.02 acres with seventeen (17) residential lots and one common area. The Norman Board of Parks Commissioners, at its meeting of May 6, 2004, recommended fee in lieu of park land dedication. A community park owned by the City is located to the south in Highland Village Addition.

City Council, at its meeting of June 22, 2004, adopted Ordinance No. O-0304-36 placing this property in R-1, single family residential and removing it from A-2, rural agricultural zoning classification. Planning Commission, at its meeting of March 10, 2011, recommended to City Council that the preliminary plat for Tecumseh Meadows Addition, Section 3, be approved.

DISCUSSION: The proposed addition will feature 17 single-family residential lots. This addition is expected to generate approximately 204 trips per day or 21 PM peak hour trips. As such, the trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

(Please refer to attached Traffic Impact Chart)

Public improvements for this property consist of the following:

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

Sanitary Sewers. Eight inch (8") sanitary sewer mains are proposed for this development.

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

Drainage. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Storm water will be conveyed to a proposed privately maintained detention facility.

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

Water Mains. An interior water main will be installed in accordance with approved plans and City and Department of Environment's Quality Standards.

Public Dedications: All rights-of-ways and easements will be dedicated to the City with the final plat.

STAFF RECOMMENDATION: This property is zoned for single family residential lots. Until a sanitary sewer interceptor line was installed, this portion of the property was unable to be served by a gravity sanitary sewer line. The existing street will end in a cul-de-sac as previously proposed.

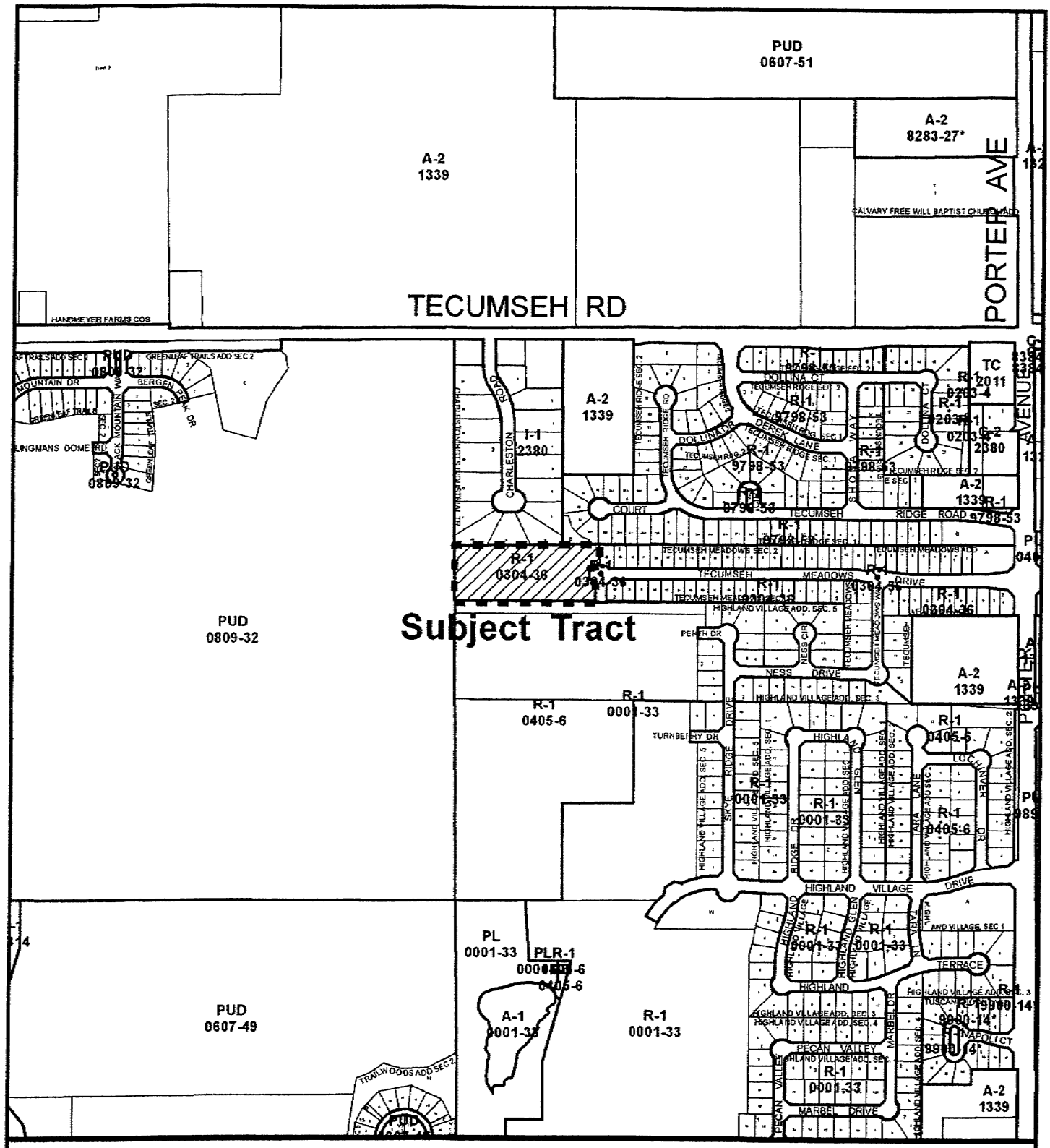
An existing temporary emergency access into Highland Village Addition will need to be improved as part of this development.

Based on the above information, Staff recommends approval of the preliminary plat for Tecumseh Meadows Addition, Section 3.

CC Agenda 4-26-11
PP-1011-16, Tecumseh Meadows Addition
Traffic Impact Chart

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Porter Avenue	4*	10,750	204	10,954	34,200	31.43	32.03
Tecumseh Ridge Rd	2	1,000	204	1,204	17,100	5.85	7.04

* Porter Avenue plans for gap widening between Rock Creek Road and Tecumseh Road are currently under design. Future conditions will provide a four-lane cross section.



Location Map

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

N
W E
S

January 11, 2011

0 300 600 Ft.

Subject Tract

Zoning

PRELIMINARY PLAT ITEM NO. 6

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for TECUMSEH MEADOWS ADDITION, SECTION 3

LOCATION: Generally located at the west end of Tecumseh Meadows Drive (south of Tecumseh Road and approximately one-half mile west of North Porter Avenue)

INFORMATION:

1. Owner. Greenhill Builders, L.L.C.
2. Developer. Greenhill Builders, L.L.C.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. May 6, 2004. The Norman Board of Parks Commissioners, on a vote of 6-0, recommended fee in lieu of park land dedication.
2. May 13, 2004. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in R-1 and removed from A-2 zoning classification.
3. May 13, 2004. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Tecumseh Meadows Addition be approved.
4. June 22, 2004. City Council adopted Ordinance No. O-0304-36 placing this property in R-1 and removing it from A-2 zoning classification.
5. June 22, 2004. City Council approved the preliminary plat for Tecumseh Meadows Addition.
6. June 22, 2009. Approvals of the preliminary plat became null and void.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

IMPROVEMENT PROGRAM, con't:

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

5. Storm Sewers. Drainage structures will be installed in accordance with approved plans and City drainage standards. Runoff will be conveyed to a privately maintained detention facility. A mandatory Property Owners Association will be required to maintain the detention pond.

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

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

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. Street rights-of-way will be dedicated to the City on the final plat.

3. Park Land Fee. A fee will be required in lieu of park land dedication.

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

STAFF COMMENTS AND RECOMMENDATION: The owner proposes to develop seventeen (17) single family residential lots and one (1) common area. There is an existing emergency access from Tecumseh Meadows to Highland Village. The developer will need to provide additional maintenance to the existing emergency access prior to the filing of the final plat. Staff recommends approval of the preliminary plat for Tecumseh Meadows Addition, Section 3.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Tecumseh Meadows Addition, Section 3, to the City Council.

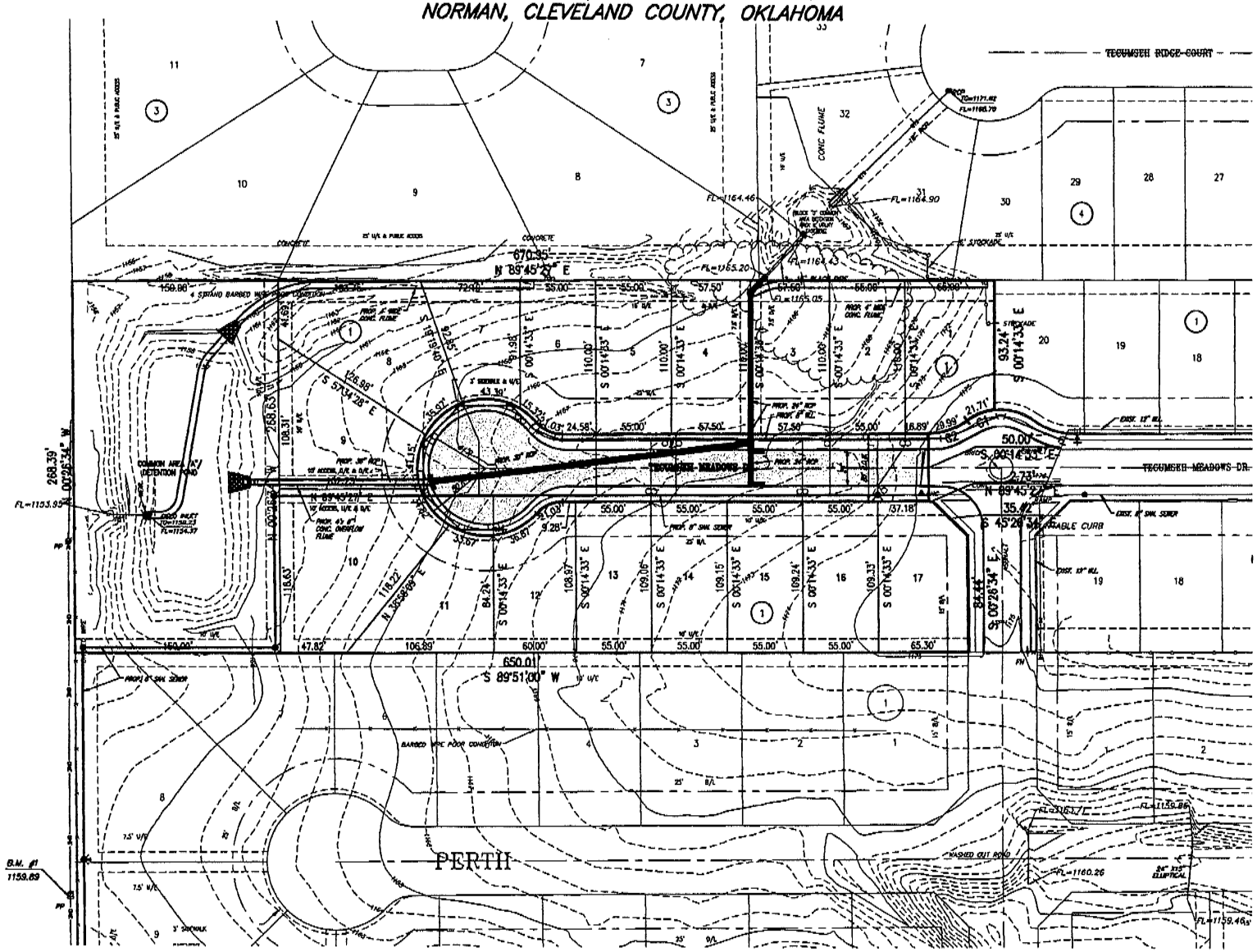
ACTION TAKEN: _____

PRELIMINARY PLAT

TECUMSEH MEADOWS ADDITION SECTION 3

A PART OF THE N.E. 1/4, SECTION 18, T9N, R2W I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: February 21, 2011

CONDUCTED BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Tecumseh Meadows Section 3 Preliminary Plat **PROJECT TYPE:** Residential

SURROUNDING ENVIRONMENT (Streets, Developments)
Low density residential developments surround the project location with some open space to the west. Porter Avenue is the main north/south roadway. The site is midway between Rock Creek Road and Tecumseh Road.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Porter Avenue: 2 lanes (existing) / 4 lanes (future). Speed Limit - 40 mph. No sight distance problems. No medians.
Tecumseh Ridge Road: 2 lanes. Speed Limit - 25 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐

Proposed number of access points along for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

	Total	In	Out
Weekday	204	102	102
A.M. Peak Hour	22	6	16
P.M. Peak Hour	21	13	8

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■

The trip generation potential for this development is well below the threshold for when a traffic impact study is required. No negative impacts are anticipated.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

TECUMSEH MEADOWS SECTION 3 ADDITION – PRELIMINARY PLAT

The proposed addition will feature 17 single-family residential lots. This addition is expected to generate approximately 204 trips per day or 21 PM peak hour trips. As such, the trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Porter Avenue	4*	10,750	204	10,954	34,200	31.43	32.03
Tecumseh Ridge Rd	2	1,000	204	1,204	17,100	5.85	7.04

* Porter Avenue plans for gap widening between Rock Creek Road and Tecumseh Road are currently under design. Future conditions will provide a four-lane cross section.

GREENBELT COMMISSION MEETING

GREENBELT ENHANCEMENT STATEMENT COMMENTS

JANUARY 24, 2011

PD11-01

Applicant:	Green Hill Builders, LLC
Location:	This property is located at the west end of the existing Tecumseh Meadows Drive, west of Porter Avenue about ¼ mile south of Tecumseh Road.
Request:	Preliminary plat for 17 single-family homes on 4.12 acres.

Greenbelt Commission final comments regarding PD11-01:

While the site design offers minimal provision of green open space, the system of sidewalks provides connectivity to the park to the south. The 10 ft. open corridor lot presents a promising opportunity to the greenway in Greenleaf Trails to the west and on to the park to the south.

Tecumseh Meadows Addition Section Three SMC No. 5148.00

Pre-Development Case No. PD11-01

NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 12/10/10

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Green Hill Builders, LLC Date: December 10, 2010

Contact Person: Tom L. McCaleb, P.E., Agent Telephone/Fax/Email: 405-232-7715

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses.

   This will be a single family addition that is now possible due to a sanitary sewer line that has been constructed. This is an extension to the similar housing development called Tecumseh Meadows Addition Section Two.

2. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

   This area has a detention pond that will be constructed on the west end of the property. The south area is part of the Highland Village Addition that will remain natural. The existing City of Norman Park is located south of this natural open space.

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

	For access only	Within open space
Sidewalks	Yes	
Other paved surface trail	No	
Unpaved Trail	Yes	
Direct Access from lots	No	

4. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

   The new city park in Highland Village Addition may be reached by natural trails some 1,400 LF to the south.

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

   No new trail is planned.

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

   Not Applicable

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include:
storm water channels, detention ponds, floodplains, stream bank/ riparian corridors, utility easements, abandoned or active railroad corridors. How will your development incorporate those elements into greenbelts and trails?

   The detention pond will be constructed and will allow pedestrian access.

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

   Not Applicable

9. Other comments:

   The size of this area is small and the final tract that was not part of the original design as residential due to lack of a sewer solution.

Signature of Applicant or Contact Person: _____
Tom L. McCaleb, P.E., Agent

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

City of Norman Predevelopment **January 27, 2011**

Applicant	Green Hill Builders
Location	West end of Tecumseh Meadows Road
Case Number	PD11-01
Time	5:30—6:00 PM

Attendee	Stakeholder	Address	Phone
Tom McCaleb	Applicant's engineer	SMC Engineers 815 W Main OKC	232-7715
Lisa Wagoner	Neighbor	336 Tecumseh Meadows Road	990-2289
Susan Atkinson	City Staff		366-5392
Ken Danner	City staff		366-5458
Leah Messner	City staff		366-7748

Application Summary. Applicant is seeking a Preliminary Plat for a 4.02-acre parcel in NW Norman. The property is currently zoned R-1. The *Norman 2025 Land Use Plan* designation is Low Density Residential.

Applicant's Opportunity. The applicant is seeking to create 17 single-family residential lots to extend the existing residential development pattern along Tecumseh Meadows Road.

Neighbor's Comments. The neighboring property owner in attendance was just curious about the proposal and how it would affect her property.

Item No. 2, being:
CONSENT DOCKET
Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:
APPROVAL OF THE FEBRUARY 7, 2011 OPEN HOUSE MINUTES AND THE FEBRUARY 10, 2011 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1011-19 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SIGMA NU CORPORATION OF OKLAHOMA (SMC CONSULTING ENGINEERS, P.C.) FOR SIGMA NU ADDITION, GENERALLY LOCATED SOUTH OF EMERALD WAY BETWEEN CHAUTAUQUA AVENUE AND COLLEGE AVENUE.

Item No. 5, being:
PP-1011-15 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY MOOSE LODGE CHAPTER 1799 (SMC CONSULTING ENGINEERS, P.C.) FOR MOOSE LODGE ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF CLASSEN BOULEVARD SOUTH OF IMHOFF ROAD.

Item No. 6, being:
PP-1011-16 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY GREEN HILL BUILDERS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH MEADOWS ADDITION SECTION 3, GENERALLY LOCATED AT THE WEST END OF TECUMSEH MEADOWS DRIVE (SOUTH OF WEST TECUMSEH ROAD AND APPROXIMATELY ½ MILE WEST OF NORTH PORTER AVENUE).

*

Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. Mr. Knotts asked that Item No. 4 be removed from the Consent Docket. Chairman Gasaway asked whether anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Andy Sherrer moved to place approval of Item Nos. 3, 5 and 6 on the Consent Docket and approve by one unanimous vote. Zev Trachtenberg seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

* * *

Item No. 6, being:

PP-1011-16 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY GREEN HILL BUILDERS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH MEADOWS ADDITION SECTION 3, GENERALLY LOCATED AT THE WEST END OF TECUMSEH MEADOWS DRIVE (SOUTH OF WEST TECUMSEH ROAD AND APPROXIMATELY ½ MILE WEST OF NORTH PORTER AVENUE).

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Pre-Development Summary
6. Greenbelt Commission Comments
7. Greenbelt Enhancement Statement

This item was approved on the Consent Docket by a vote of 8-0.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 61

Text File Number: R-1011-89

Introduced: 2/8/2011 by Doug Koscinski, Current Planning Manager

Current Status: Non-Consent Item

Version: 1

Matter Type: Land Use Plan Resolution

Title

RESOLUTION NO. R-1011-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-8**, SO AS TO PLACE A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9, NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA DESIGNATION AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1011-89, Land Use Plan Amendment No. LUP-1011-8; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Body

DISCUSSION: Bridgeview United Methodist Church purchased a 30-acre parcel on which they intend to build a new facility for their congregation. The 2025 Land Use and Transportation Plan designated this parcel as Future Urban Service Area, with Low Density Residential as the land use category. The Low Density Residential designation corresponds to an R-1 zoning category, and church use is enumerated as a Special Use under R-1. Several other subdivision proposals in the immediate area of this tract have been similarly approved based on the coordinated installation of required utilities, in particular the extension of a major sewer trunk line. Plans for that installation have been coordinated with the Utilities Department to ensure that the capacity in the line is not exceeded and that the alignment will adequately connect all nearby property owners.

RECOMMENDATION: Amendments to the service area boundaries of the 2025 Plan should only be approved when:

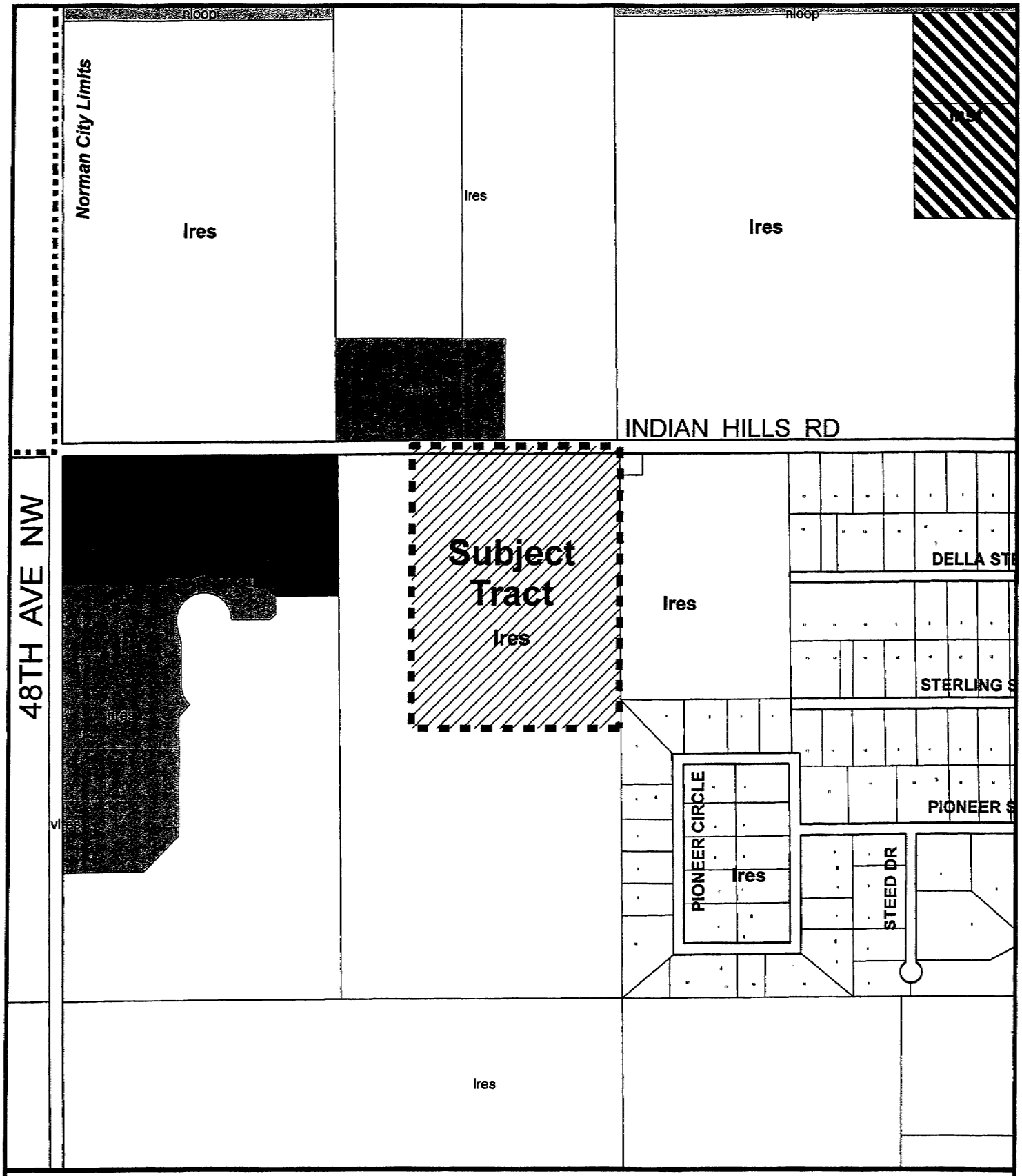
(1) The area proposed for change is contiguous to the Current Urban Service Area and constitutes a logical and cohesive service area expansion.

(2) The request for amendment demonstrates that the subject area has been provided, or will be at the time of development, with complete infrastructure systems. At a minimum, these systems will consist of:

a) Additional sanitary sewer collection and treatment capacity needed to serve the expanded area,

b) Water service with adequate pressure for fire fighting,
c) Adequate storm drainage to insure that the proposed development will not create downstream drainage problems, and
d) Access to at least one arterial street connecting the subject area to the Current Urban Service Area.

Like all of the previously approved nearby subdivision proposals, this request complies with the above criteria enumerated in the amendment procedures of the 2025 Plan. At the March 10, 2011 meeting of the Planning Commission no protests were submitted and no one spoke in opposition to this request. The Planning Commission, by unanimous vote, recommended that this request be approved. Staff recommends that this amendment be approved.



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.

February 28, 2011

0 300 600 Ft.

N W E S

Resolution

R-1011-89
LUP-1011-8

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-8**, SO AS TO PLACE A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9, NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA DESIGNATION AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of December 19, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan; and

§ 3. WHEREAS, Bridgeview United Methodist Church has requested that the following described property be moved from the Future Urban Service Area Designation and placed in the Current Urban Service Area Designation, to wit:

Part of E/2 of the NW/4 of Section 3, Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma more particularly described as follows:

BEGINNING at the NE/C of the NW/4 of said Section 3;
THENCE Westerly (South 89°58'03" West-Record) (South 89°43'17" West-Measured) along the North line of said NW/4 a distance of 980.00 feet;
THENCE Southerly (South 00°04'40" East-Record) (South 00°30'54" East-Measured) and parallel to the East line of said NW/4 a distance of 980.00 feet;
Thence Easterly (North 89°58'30" East-Record) (North 89°43'17" East-Measured) and parallel to the North line of said NW/4 a distance of 980.00 feet;
THENCE Northerly (North 00°04'40" West-Record) (North 00°30'54" West-Measured) and along the East line of said NW/4 a distance of 1,333.47 feet to the POINT OF BEGINNING;
Said described tract of land contains an area of 1,306,800 square feet or 30.00 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 is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested amendment.

PASSED and ADOPTED this _____ day of _____, 2011.

ATTEST:

_____
Mayor

_____
City Clerk

RESOLUTION NO. R-1011-89 ITEM NO. 8a

STAFF REPORT

ITEM: Bridgeview United Methodist Church requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1011-8) from Future Urban Service Area to Current Urban Service Area for the property generally located on the south side of Indian Hills Road approximately 980 feet east of 48th Avenue N.W.

SUMMARY OF REQUEST: The applicant, Bridgeview United Methodist Church, owns a 30 acre parcel on which they would like to build a new facility for their congregation. Per the 2025 Land Use and Transportation Plan the parcel is currently designated as Future Urban Service Area; for the development to be approved the Land Use designation must be changed to Current Urban Service Area. The Land Use designation for this tract is Low Density Residential which corresponds to an R-1 zoning category. Church use is enumerated as a Special Use under R-1 zoning.

STAFF ANALYSIS: There are several other subdivision proposals in the immediate area of this tract. This area is developing quickly and the developers are working together to coordinate installation of required utilities. The City is currently extending a major sewer trunk line towards this area, and the engineer for this applicant has worked with all surrounding land owners to coordinate the installation of sewer extensions. Plans for that installation have been coordinated with the Utilities Department to ensure that the capacity in the line is not exceeded and that the alignment will adequately connect all nearby property owners.

STAFF RECOMMENDATION: Due to the work of the City and private engineers coordinating the design and alignment of the sewer and water lines to adequately serve this area little to no adverse impacts should occur as the developments progress. The designs of several subdivisions for both residential and commercial use have been coordinated and the proposed uses are compatible within this area. Staff recommends approval of this plan amendment.

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

8a. RESOLUTION NO. R-1011-89
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-8) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

8b. ORDINANCE NO. O-1011-47
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO R-1, SINGLE-FAMILY DWELLING DISTRICT, WITH SPECIAL USE FOR A CHURCH, FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

8c. PP-1011-14
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that this area is currently being rapidly planned based on availability of new sewer and water lines. J&J Addition was the first, followed by Redlands, Whispering Trails and Foxworth Additions. The tract that surrounds the subject property will be before the Commission in the near future, as well as some across the street to the north. This area was anticipated for development and is designated for future residential use. Staff supports the Plan change. The applicant is asking for R-1 zoning which is fully consistent with the Plan, but requires Special Use for a Church. The applicant owns 30 acres. There really is nothing currently developed in the area, except an old radio/TV station immediately to the east of this property. There is a major pipeline that runs through the property and impacts this development. The applicant

has clustered most of the church buildings north of the pipeline, with recreation uses south of it. There were no filed protests on this application. Staff supports the Plan change, the rezoning, and the preliminary plat that accompanies it.

2. Mr. Lewis asked why the applicant wants to rezone when the existing zoning doesn't require a special use. Mr. Koscinski responded that there is a difference in setbacks and sign requirements between the two zones; R-1 allows the buildings to be closer to the road and allows signs to be closer to the road. A-2 has very large setback requirements, and most churches object to those in the long run. The dark blue on the plans indicates the first phase of this development, but if they don't develop the church, R-1 zoning is consistent with the 2025 Plan and the surrounding area. The towers on the adjacent property are pretty far from any property boundary. Any possibility of interference in the church's audio system from the radio/television towers is not an issue staff can address.

3. Mr. Trachtenberg asked whether the radio station is actually in operation. Mr. Koscinski said he believes it is, but is not sure.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – The applicants want to rezone the property for the reasons Mr. Koscinski suggested. The location of the pipeline on the property restricts the use of the lot; it is a Conoco high-pressure pipeline. They have met with Conoco and have their concurrence and have given them a specific easement for the pipeline. The angle of the pipeline is not conducive to rectangular buildings. The rezoning reduces the setback from Indian Hills Road and allows them to move the buildings closer to the road. This has been a cooperative effort between several land owners, including the church, in the planning and development of this area. This will be a phased development, shown with potentially four phases; it will depend on the growth of the church. The architect and church have met and have developed the current site plan.

2. Mr. Trachtenberg asked whether the recreation facilities will be for use by the community or only for the church. Mr. McCaleb indicated the plan is currently to restrict the use to the church.

3. Mr. Lewis asked if the reason for the rezoning is the setback. Mr. McCaleb responded that A-2 requires a larger setback from Indian Hills Road; R-1 requires a 25' setback, whereas A-2 requires a 50' setback.

4. Mr. Lewis asked if there is a timeframe for construction to begin. Mr. McCaleb said that when they first met they were planning to start construction in April. The biggest obstacle is waiting for installation of the sewer line; it is expected to be done by the end of April. The applicant is ready to proceed. Once the Council approves the preliminary plat, they are ready to process their final plat. There are some site issues that have been worked out. They have made several adjustments to their plans to fit the conditions of the site.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Curtis McCarty moved to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council. Chris Lewis seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council, passed by a vote of 9-0.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 62

Text File Number: O-1011-47

Introduced: 2/8/2011 by Doug Koscinski, Current Planning Manager

Current Status: Non-Consent Items

Version: 1

Matter Type: Zoning Ordinance

Title

ORDINANCE NO. O-1011-47: 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 A TRACT OF LAND LYING WITHIN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, AND TO GRANT SPECIAL USE FOR A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-47 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-47 upon Final Reading as a whole.

ACTION TAKEN: _____

Body

BACKGROUND: This is a companion zoning change to the requested 2025 Land Use Plan change from Future Urban Service Area to Current Urban Service Area. Bridgeview United Methodist Church has requested rezoning from A-2, Rural Agricultural District, to R-1, Single Family Dwelling District, with Special Use for a new church campus.

DISCUSSION: The proposed development consists of approximately 30 acres, and the church facilities will be built over an extended period of time in multiple phases. The first phase will consist of an initial church building of 16,000 square feet, with an estimated seating capacity of 400 persons, and a single parking lot of approximately 115 parking spaces. As many as six future phases will incorporate expansions and additional buildings, as well as increased parking areas. Private recreational uses are proposed south and east of the major pipeline which bisects the lot and impacts the overall design.

The topography in this entire area is relatively flat, and a coordinated approach to managing storm water is evidenced by a large drainage channel along the eastern edge of this site which will pick up flows from across Indian Hills Road, and convey them to a major detention facility south of this tract. The large broadcast facility next door will remain for the foreseeable future, but other nearby uses to the north, south and west of this parcel are expected to be residential. Churches proposed in an area of low intensity residential development, such as this area, are a compatible use, therefore, no adverse impacts on adjacent properties would be anticipated from this development.

RECOMMENDATION; At the March 10, 2011 meeting of the Planning Commission no protests were submitted and no one spoke in opposition to this request. The Planning Commission, by unanimous vote, recommended that this rezoning be approved. Staff recommends approval of this Special Use for a Church Campus.

O-1011-47

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 A TRACT OF LAND LYING WITHIN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, AND TO GRANT SPECIAL USE FOR A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

§ 1. WHEREAS, Bridgeview United Methodist Church, the owner of the hereinafter described property, has made application to have the same placed in the R-1, Single Family Dwelling District, and to have the same removed from the A-2, Rural Agricultural District; and

§ 2. WHEREAS, Bridgeview United Methodist Church has made application for Special Use for a Church in the R-1, Single Family Dwelling District; and

§ 3. 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 special use; and

§ 4. 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 and special use.

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

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the R-1, Single Family Dwelling District, and to have the same removed from the A-2, Rural Agricultural District, and to grant Special Use for a Church, to wit:

Part of the East Half of the Northwest Quarter (E/2 NW/4) of Section 3, Township 9 North, Range 3 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

BEGINNING at the NE/C of the NW/4 of said Section 3;

Thence Westerly (South 89°58'03"West-Record), (South 89°43'17"West-Measured) along the North line of said NW/4 a distance of 980.00 feet;
Thence Southerly (South 00°04'40" East-Record) (South 00°30'54" East-Measured) and parallel to the East line of said NW/4 a distance of 980.00 feet;
Thence Easterly (North 89°58'30" East-Record) (North 89°43'17" East-Measured) and parallel to the North line of said NW/4 a distance of 980.00 feet;
Thence Northerly (North 00°04'40" West-Record) (North 00°30'54" West-Measured) and along the East line of said NW/4 a distance of 1,333.47 feet to the POINT OF BEGINNING
Said described tract of land contains an area of 1,306,800 square feet or 30.00 acres, more or less

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

a. The site shall be developed in accordance with the Site Plan (Exhibit A), approved March 10, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

§ 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

_____, 2011.

_____
Mayor

NOT ADOPTED this _____day of

_____, 2011.

_____
Mayor

ATTEST:

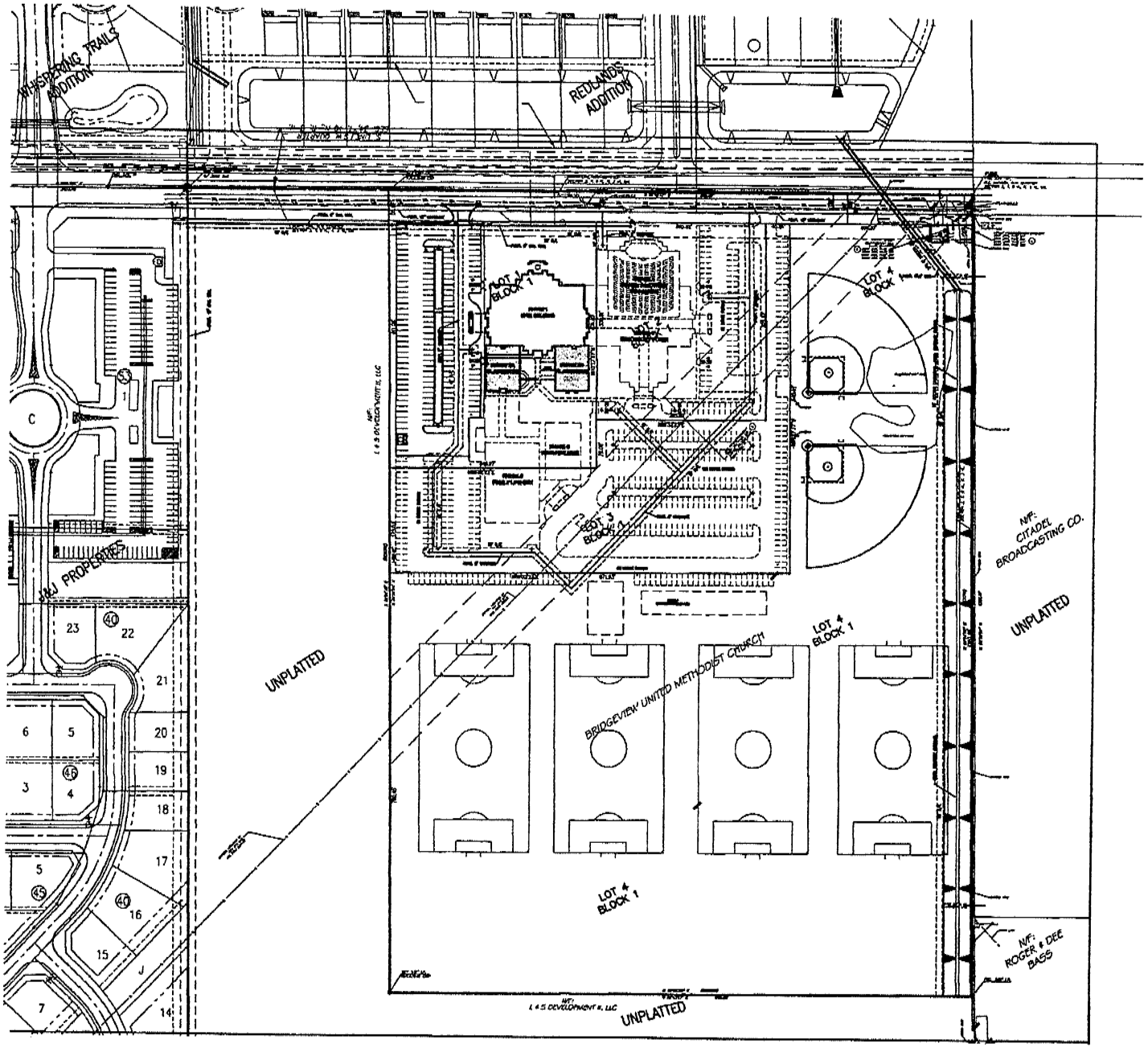
_____
City Clerk

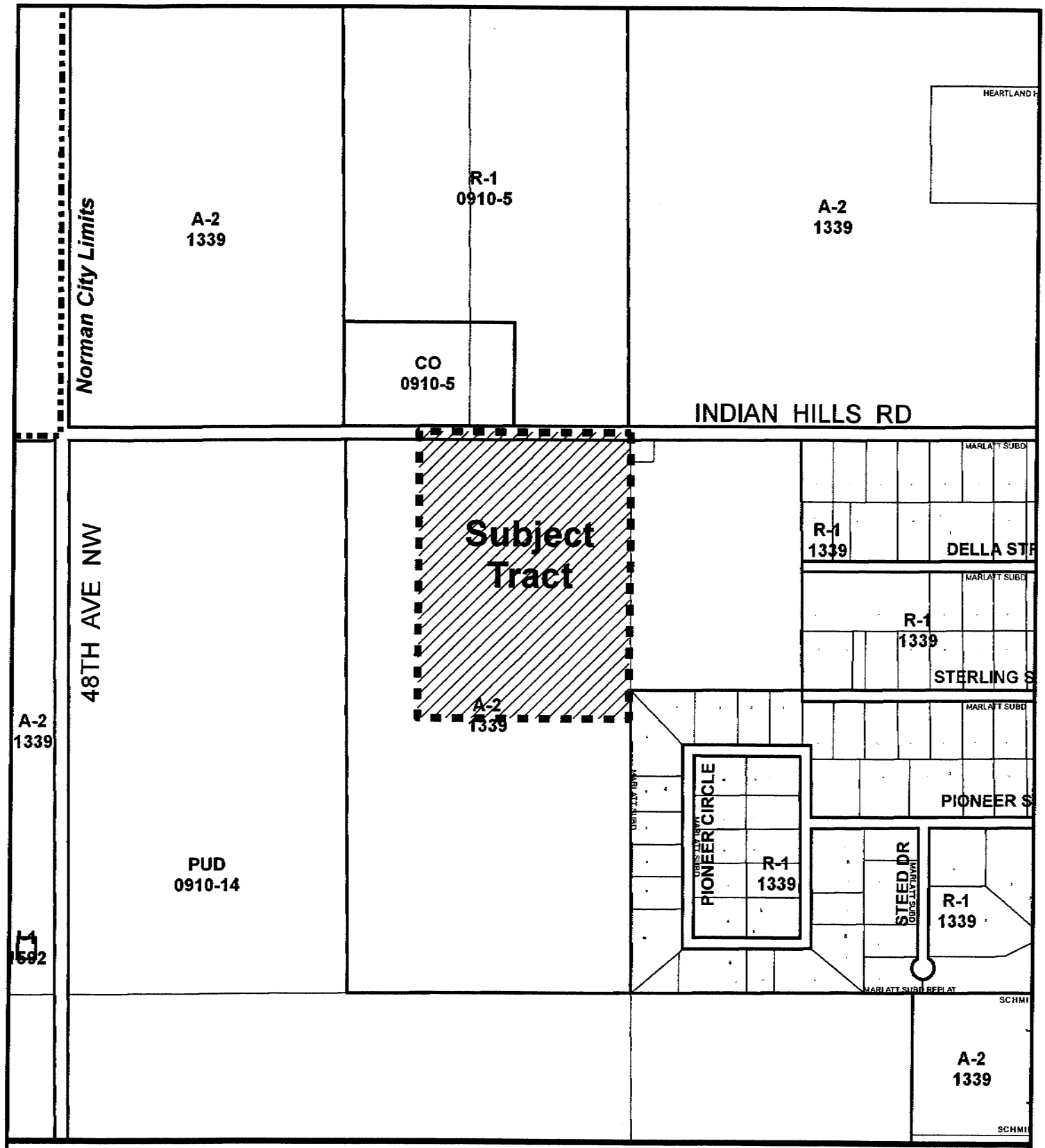
EXHIBIT A TO ORDINANCE O-1011-47

PRELIMINARY SITE PLAN

BRIDGEVIEW UNITED METHODIST CHURCH

A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





Location Map

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

N
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October 11, 2010

0 300 600 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1011-47 ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Bridgeview United Methodist Church
REQUESTED ACTION	Rezoning to R-1, Single Family Dwelling District, with Special Use for a Church
EXISTING ZONING	A-2, Rural Agricultural
SURROUNDING ZONING	North: CO and R-1 East: A-2 and R-1 South: A-2 West: A-2
LOCATION	South side of Indian Hills Road approx. 980 feet east of 48th Avenue N.W.
SIZE	30 acres more or less
PURPOSE	Church
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant/Proposed Residential East: Public Service/TV Tower South: Vacant/Proposed Residential West: Vacant/Proposed Residential
LAND USE PLAN DESIGNATION	Low Density Residential

SYNOPSIS This is a companion zoning change to the requested 2025 Land Use Plan change from Future Urban Service Area to Current Urban Service Area. The applicant owns a 30 acre parcel and they are requesting permission to develop the property for their future church site, Bridgeview United Methodist. The current zoning is A-2; the applicant has requested rezoning from A-2 to R-1 with Special Use for their church.

ANALYSIS

1. Phasing: The proposed development consists of approximately 30 acres; the current design shows minimal use of the site with Phase 1, Main Building, consisting of approximately 16,000 square feet, with an estimated seating capacity of 400 seats. A single parking lot of approximately 50,400 square feet and 115 parking spaces is shown as well for Phase 1. At full development of the site it depicts 6 phases for 6 to 7 buildings, 3 to 4 parking areas along with 4 basketball courts to the south and 2 baseball fields to the east. These are amenities for members of the church; the remainder of the site is open at this time.

2. Design: The site has a pipeline easement running through the middle of the lot with a 50 foot setback on either side of the pipeline which will create some design hurdles for the owners if the project continues to develop with the additional buildings as proposed. Storm water will be safely conveyed to the south of this parcel onto proposed residential subdivisions yet to be designed/approved.

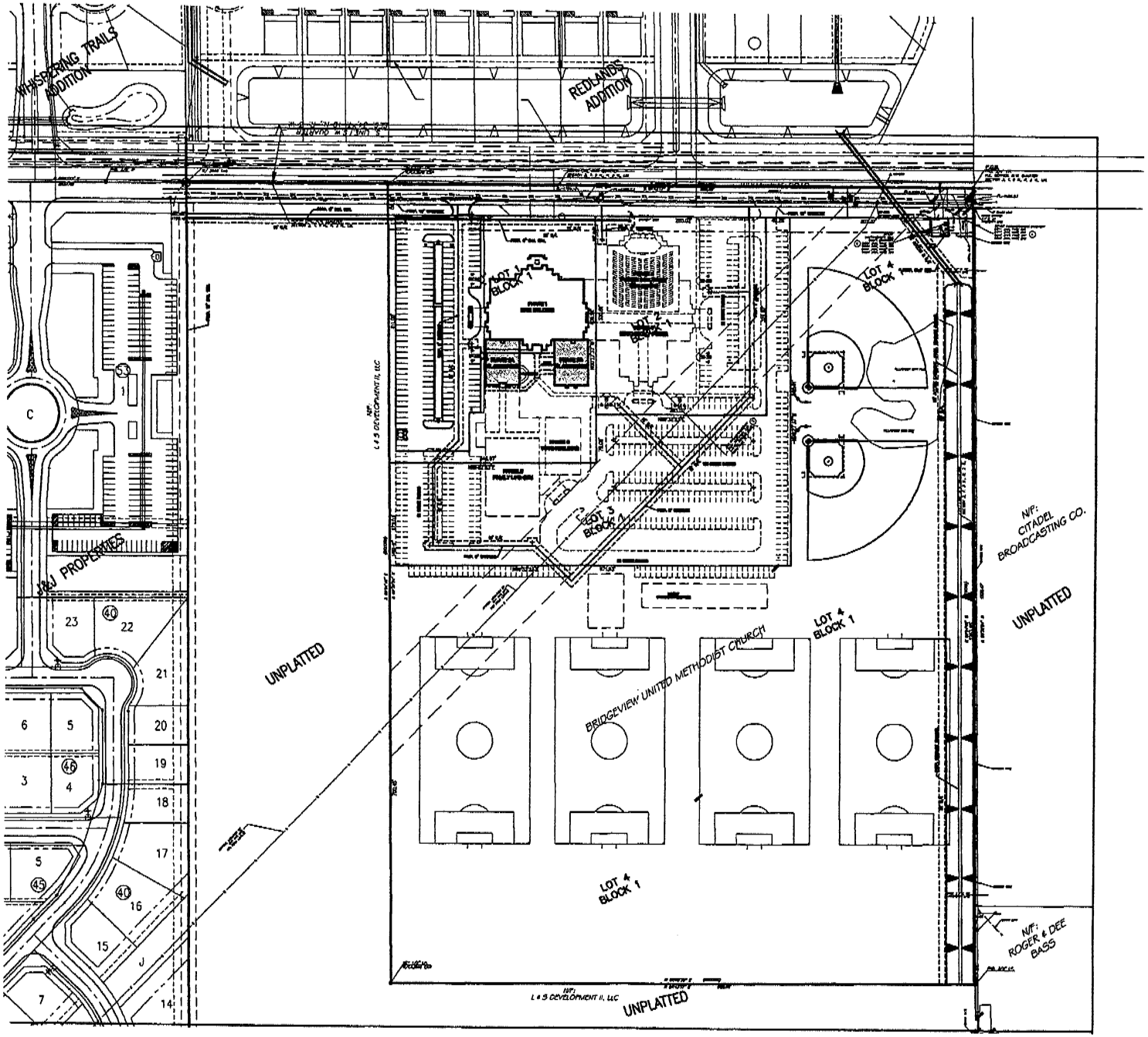
3. Impacts: The 2025 Land Use and Transportation Plan designation for the areas to the north, south and west of this parcel are residential. The parking area on the west side of the development (noted in Phase 1) will directly abut proposed single family homes. Special Uses, specifically including church use adjacent to residential use, must carefully control their lighting to minimize impacts on any neighboring residential properties. Churches proposed in an area of low intensity residential development, such as this area, are a compatible use so no adverse impacts on adjacent properties should be felt from this development.

RECOMMENDATION This is a large parcel with multiple buildings proposed under the Special Use request. Even with the phased development of those other buildings in the future the majority of this development is on the north side of the pipeline easement leaving the remainder of the site virtually undisturbed therefore reducing the impact on adjacent neighborhoods to the west and south. Staff recommends approval of this rezoning request from A-2 to R-1 with Special Use for a church.

PRELIMINARY SITE PLAN

BRIDGEVIEW UNITED METHODIST CHURCH

A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



Applicant	Bridgeview United Methodist Church
Location	South side of Indian Hills Road approx 1/2 mile west of 36th Avenue NW
Case Number	PD 10-21
Time	6:00—6:30 PM

Attendee	Stakeholder	Address	Phone
Allen Carson	Applicant + church pastor	900 24th Avenue NW	626-1005
Mary Sherman	Church member	3128 St. Clair	701-5311
Cathleen Jones	Church member	801 Hawkesbury Park	447-3606
Tom McCaleb	Applicant's engineer	SMC Engineering OKC	232-7715
Bill Kaighn	Applicant's architect	110 Mercedes Drive, Suite 200	321-1020
Randy Foster	Applicant's architect	110 Mercedes Drive, Suite 200	321-1020
Bobby Joe Sharp	Pipeline rep	Conoco Phillips 201 NW 63rd St, Suite 300 OKC	879-4840
Jane Hudson	City facilitator		366-5344
Ken Danner	City Advisor		366-5458
Blaine Nice	City Attorney's office		366-5427

Application Summary. Applicants are seeking to rezone this 40-acre parcel of land from the current A-2 to R-1 with a Special Use Permit for a church. The current *Norman 2025 Land Use Plan* designation is Future Low Density Residential.

Applicant's Opportunity. Applicants seek to build a new church facility, beginning with Phase I, which is a sanctuary and 111 parking spaces. The Phase I sanctuary building would be roughly 18,250 sf in size. Future phases might include more parking, a gym, athletic fields and a multipurpose room.

Schedule. Applicants are proceeding with the zoning process.

Neighbors' Comments. There were no neighbors in attendance.

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

8a. RESOLUTION NO. R-1011-89
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-8) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

8b. ORDINANCE NO. O-1011-47
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO R-1, SINGLE-FAMILY DWELLING DISTRICT, WITH SPECIAL USE FOR A CHURCH, FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

8c. PP-1011-14
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that this area is currently being rapidly planned based on availability of new sewer and water lines. J&J Addition was the first, followed by Redlands, Whispering Trails and Foxworth Additions. The tract that surrounds the subject property will be before the Commission in the near future, as well as some across the street to the north. This area was anticipated for development and is designated for future residential use. Staff supports the Plan change. The applicant is asking for R-1 zoning which is fully consistent with the Plan, but requires Special Use for a Church. The applicant owns 30 acres. There really is nothing currently developed in the area, except an old radio/TV station immediately to the east of this property. There is a major pipeline that runs through the property and impacts this development. The applicant

has clustered most of the church buildings north of the pipeline, with recreation uses south of it. There were no filed protests on this application. Staff supports the Plan change, the rezoning, and the preliminary plat that accompanies it.

2. Mr. Lewis asked why the applicant wants to rezone when the existing zoning doesn't require a special use. Mr. Koscinski responded that there is a difference in setbacks and sign requirements between the two zones; R-1 allows the buildings to be closer to the road and allows signs to be closer to the road. A-2 has very large setback requirements, and most churches object to those in the long run. The dark blue on the plans indicates the first phase of this development, but if they don't develop the church, R-1 zoning is consistent with the 2025 Plan and the surrounding area. The towers on the adjacent property are pretty far from any property boundary. Any possibility of interference in the church's audio system from the radio/television towers is not an issue staff can address.

3. Mr. Trachtenberg asked whether the radio station is actually in operation. Mr. Koscinski said he believes it is, but is not sure.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – The applicants want to rezone the property for the reasons Mr. Koscinski suggested. The location of the pipeline on the property restricts the use of the lot; it is a Conoco high-pressure pipeline. They have met with Conoco and have their concurrence and have given them a specific easement for the pipeline. The angle of the pipeline is not conducive to rectangular buildings. The rezoning reduces the setback from Indian Hills Road and allows them to move the buildings closer to the road. This has been a cooperative effort between several land owners, including the church, in the planning and development of this area. This will be a phased development, shown with potentially four phases; it will depend on the growth of the church. The architect and church have met and have developed the current site plan.

2. Mr. Trachtenberg asked whether the recreation facilities will be for use by the community or only for the church. Mr. McCaleb indicated the plan is currently to restrict the use to the church.

3. Mr. Lewis asked if the reason for the rezoning is the setback. Mr. McCaleb responded that A-2 requires a larger setback from Indian Hills Road; R-1 requires a 25' setback, whereas A-2 requires a 50' setback.

4. Mr. Lewis asked if there is a timeframe for construction to begin. Mr. McCaleb said that when they first met they were planning to start construction in April. The biggest obstacle is waiting for installation of the sewer line; it is expected to be done by the end of April. The applicant is ready to proceed. Once the Council approves the preliminary plat, they are ready to process their final plat. There are some site issues that have been worked out. They have made several adjustments to their plans to fit the conditions of the site.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Curtis McCarty moved to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council. Chris Lewis seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council, passed by a vote of 9-0.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 63

Text File Number: PP-1011-14

Introduced: 2/8/2011 by Ken Danner, Development Manager

Current Status: Non-Consent Item

Version: 1

Matter Type: Preliminary Plat

Title

CONSIDERATION OF A PRELIMINARY PLAT FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION.

ACTION NEEDED: Motion to approve or reject the preliminary plat for Bridgeview United Methodist Church Addition.

ACTION TAKEN: _____

Body

BACKGROUND: This item is a preliminary plat for Bridgeview United Methodist Church Addition and is located on the south side of Indian Hills Road approximately 480 feet east of 48th Avenue N.W. This property consists of approximately 30 acres and four (4) lots that will serve the church.

Planning Commission, at its meeting of March 10, 2011, recommended to City Council an amendment to the NORMAN 2025 Land Use and Transportation Plan from future Urban Service Area to Current Urban Service Area and that this property be placed in R-1, Single Family Dwelling District with Special Use for a Church and removed from A-2 zoning classification. Planning Commission, at its meeting of March 10, 2011, recommended to City Council approval of the preliminary plat for Bridgeview United Methodist Church Addition.

DISCUSSION: The proposed development, at build-out, will feature an 800-seat sanctuary, educational buildings, a gymnasium, and offices. At build-out, the site is expected to generate approximately 488 trips per average weekday or 25 PM peak hour trips. On a typical Sunday, when the adjacent street traffic volumes are much lower, the site is expected to generate 1,480 trips per day or 488 trips during the peak hour. A traffic impact study was recently prepared for J&J Properties which is in close proximity to the site in question. The J&J study analyzed development of much of the existing vacant land. However, the intended use of the site for Bridgeview United Methodist Church (Bridgeview UMC) was not known at the time the J&J study was completed. As such, a traffic impact analysis was required to determine the proportionate share of off-site improvements that were identified as part of the J&J study. Specifically, the intersections of 48th Avenue NW with Indian Hills Road, 36th Avenue NW with Indian Hills Road, 48th Avenue NW with Franklin Road, 36th Avenue NW with Franklin Road, and 48th Avenue NW with Tecumseh Road were identified as needing improvements in the previous traffic study. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

(Please refer to attached Traffic Impact Chart)

The previous traffic study showed that the Indian Hills Road and 48th Avenue NW, the Franklin Road and 48th Avenue NW, and the Franklin Road and 36th Avenue NW intersections will need to be widened and signalized in the future. The study also found that the Indian Hills Road and 36th Avenue NW and Tecumseh Road and 48th Avenue NW intersections will need to be signalized.

Improvement costs, excluding any costs of half-street widening to be paid by other developments, are expected to be $500,000 at the intersection of Indian Hills Road with 48th Avenue NW, $210,000 at the intersection of Indian Hills Road with 36th Avenue NW, $210,000 at the intersection of Franklin Road with 48th Avenue NW, $210,000 at the intersection of Franklin Road with 36th Avenue NW, and $135,000 at the intersection of Tecumseh Road with 48th Avenue NW. The Bridgeview UMC proportionate share of the intersection improvement costs are summarized in the following table:

(Please refer to attached Table-Share of Intersection Improvement Costs)

Total cost to be spent per intersection for Phase 1 is as follows: $764 for the intersection of Indian Hills Road with 48th Avenue NW, $275 for the intersection of Indian Hills Road with 36th Avenue NW, $169 for the intersection of Franklin Road with 48th Avenue NW, $157 for the intersection of Franklin Road with 36th Avenue NW, and $104 for the intersection of Tecumseh Road with 48th Avenue NW. The total to be paid for all five intersections by Phase 1 of the Bridgeview UMC development is $1,469. This equates to $146.90 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat for Phase 1.

Total cost to be spent per intersection for Phase 2 is as follows: $382 for the intersection of Indian Hills Road with 48th Avenue NW, $459 for the intersection of Indian Hills Road with 36th Avenue NW, $0 for the intersection of Franklin Road with 48th Avenue NW, $236 for the intersection of Franklin Road with 36th Avenue NW, and $0 for the intersection of Tecumseh Road with 48th Avenue NW. The total to be paid for all five intersections by Phase 2 of he Bridgeview UMC development is $1,077. This equates to $71.80 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat for Phase 2.

The development of the Bridgeview UMC site will help to define the ultimate cross-section for Indian Hills Road. The roadway is currently planned as a four-lane roadway. However, the increased number of driveways and intersections in proximity to the Bridgeview UMC site suggest that a five-lane cross-section may be required. Should this ultimately be the case, the Bridgeview UMC would have a share in this additional lane, as well.

Public improvements for this property consist of the following:

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

Sanitary Sewers. City Council approved the preliminary plat for J & J Addition, a Planned Unit Development at its meeting of March 23, 2010. Since that time, construction plans have been approved for a Northwest Sewer Group Interceptor, paid for by several owners/developers in the service area. The contractor has obtained a construction permit to install these interceptor lines. This owner may be required to obtain off-plat easements in order to connect to the proposed sanitary sewer main interceptor. A sanitary sewer main will be installed in accordance with approved plans and City and Department of Environment Quality standards to serve the church property.

Sidewalks. Sidewalks will be constructed adjacent to Indian Hills Road.

Drainage. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities located to the south of this property, will be constructed for the conveyance of storm water.

Streets. Indian Hills Road will be constructed as an arterial street in accordance with approved plans and City paving standards. A decision for deferral of street improvements will be made at the time of final platting.

Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards to serve proposed fire hydrants. There is an existing 24" water main adjacent to 36th Avenue NW. An off plat 12" water main will be installed for ½ mile adjacent to Indian Hills Road to serve this property. Also, the proposed 12" line will be installed across the frontage of the church property adjacent to Indian Hills Road...

Public Dedications. Required right-of-way and easements will be dedicated with the final plat.

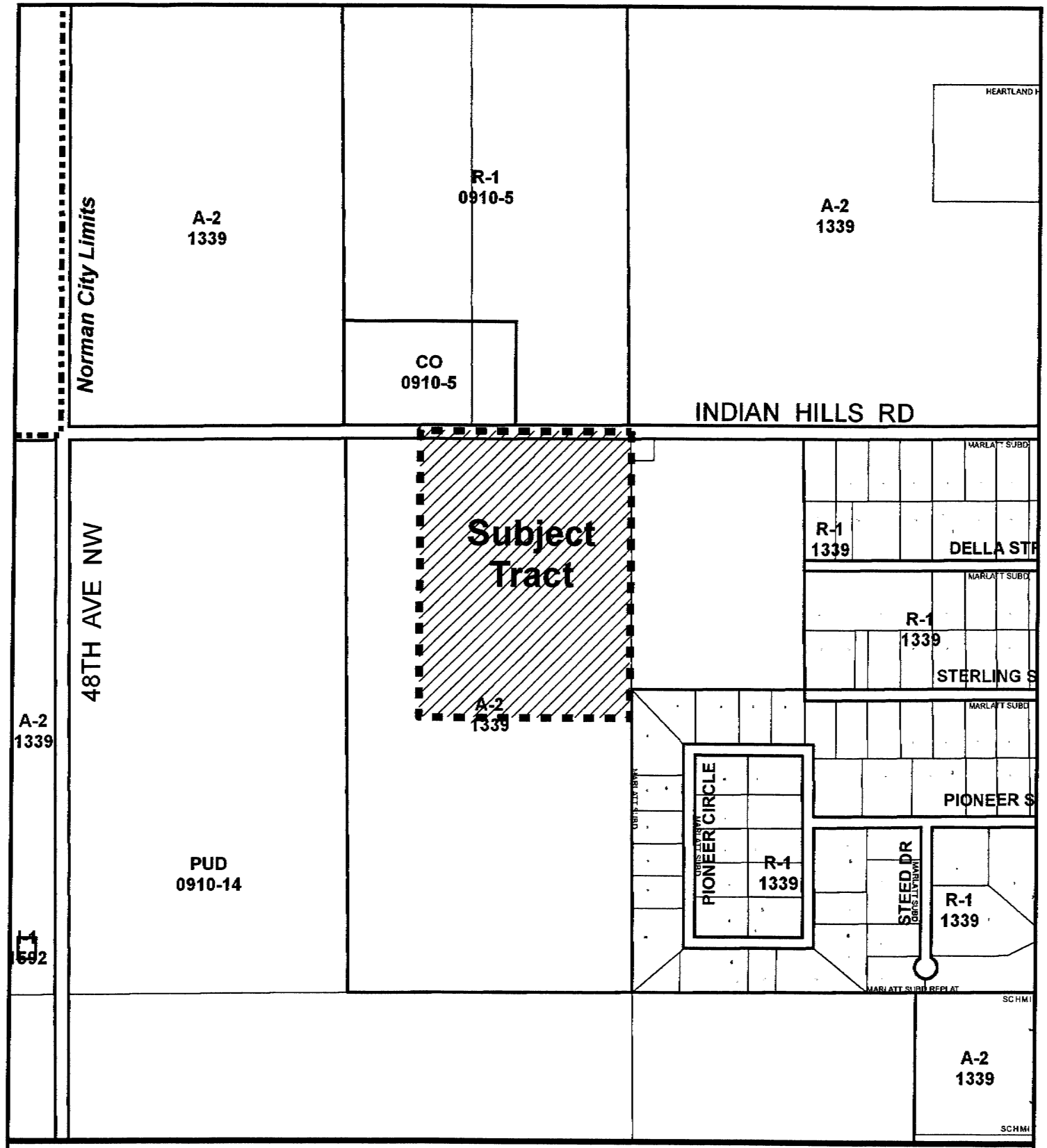
RECOMMENDATION: Based upon the above information, staff recommends approval of the preliminary plat for Bridgeview United Methodist Church Addition subject to City Council's approval of Resolution No. R-1011-89 and Ordinance No. O-1011-47.

CC Agenda 4-26-11
PP -1011-14, Bridgeview United Methodist Church Addition
Traffic Impact Chart

STREET	NO. OF LANES	EXISTING TRAFFIC * (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Indian Hills Road	4	18,584	488	19,072	34,200	54.34	55.77

CC Agenda 4-26-11
PP-1011-14, Bridgeview United Methodist Church Addition
Share of Intersection Improvement Costs

Intersection	Total PM Entering Traffic	Improvement Cost	Bridgeview UMC Traffic Volume		Cost Share (%)	
			Phase 1	Phase 2	Phase 1	Phase 2
Indian Hills at 48th Avenue	3,927	$500,000	6	3	0.153	0.076
Indian Hills at 36th Avenue	4,577	$210,000	6	10	0.131	0.218
Franklin at 48th Avenue	2,488	$210,000	2	0	0.080	0.000
Franklin at 36th Avenue	2,669	$210,000	2	3	0.075	0.112
Tecumseh at 48th Avenue	2,601	$135,000	2	0	0.077	0.000



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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October 11, 2010

0 300 600 Ft.

Subject Tract

Zoning

PRELIMINARY PLAT ITEM NO. 8c

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION

LOCATION: Generally located on the south side of Indian Hills Road approximately 980 feet east of 48th Avenue N.W.

INFORMATION:

1. Owner. Bridgeview United Methodist Church
2. Developer. Bridgeview United Methodist Church
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 9, 1961. Planning Commission recommended approval of the request to place this property in A-2 zoning classification.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
3. March 10, 2011. The owner has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Future Urban Service Area to Current Urban Service Area.
4. March 10, 2011. The owner has made a request to place this property in R-1, Single Family Dwelling District with Special Use for a Church.

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. A sanitary sewer main will be extended to serve this property and will be installed in accordance with approved plans and City and Department of Environmental Quality standards.
4. Sidewalks. Sidewalks will be required adjacent to West Indian Hills Road.

IMPROVEMENT PROGRAM, con't:

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A privately maintained detention facility located south of this property will be utilized.

6. Streets. West Indian Hills Road will be constructed as an arterial street to City paving standards and specifications. City staff may recommend deferral of paving improvements with the submittal of final plats.

7. Water Mains. A twelve inch (12") water main will be extended from 36th Avenue N.W. across the frontage of this property. Interior water lines will be installed to serve the proposed fire hydrants.

PUBLIC DEDICATIONS:

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

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

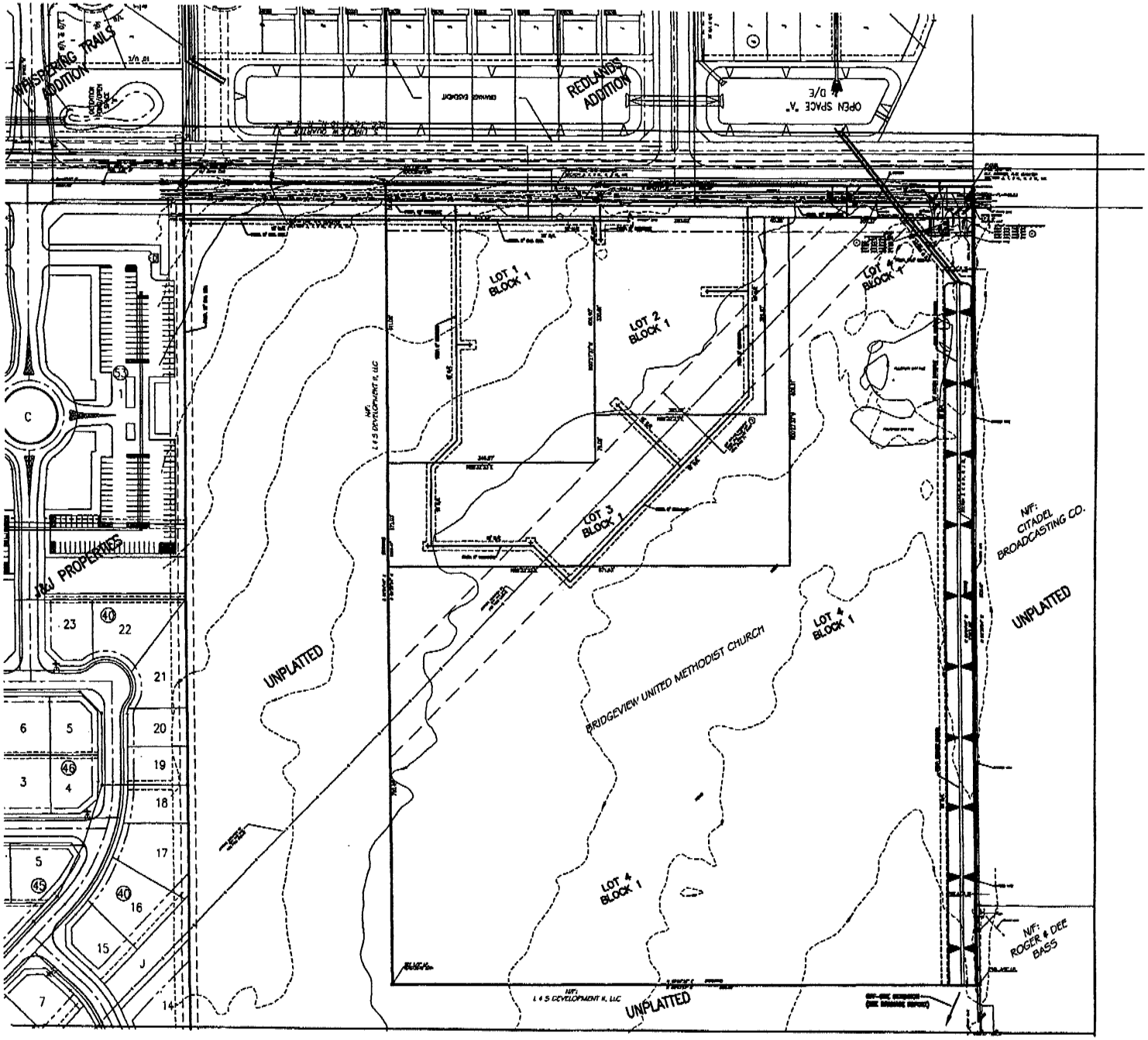
SUPPLEMENTAL MATERIAL: Copies of a location map, site plan, and preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The owners have submitted a preliminary plat in order to build a proposed church facility. Staff recommends approval of the preliminary plat for Bridgeview United Methodist Church Addition subject to approval of the Land Use change and rezoning.

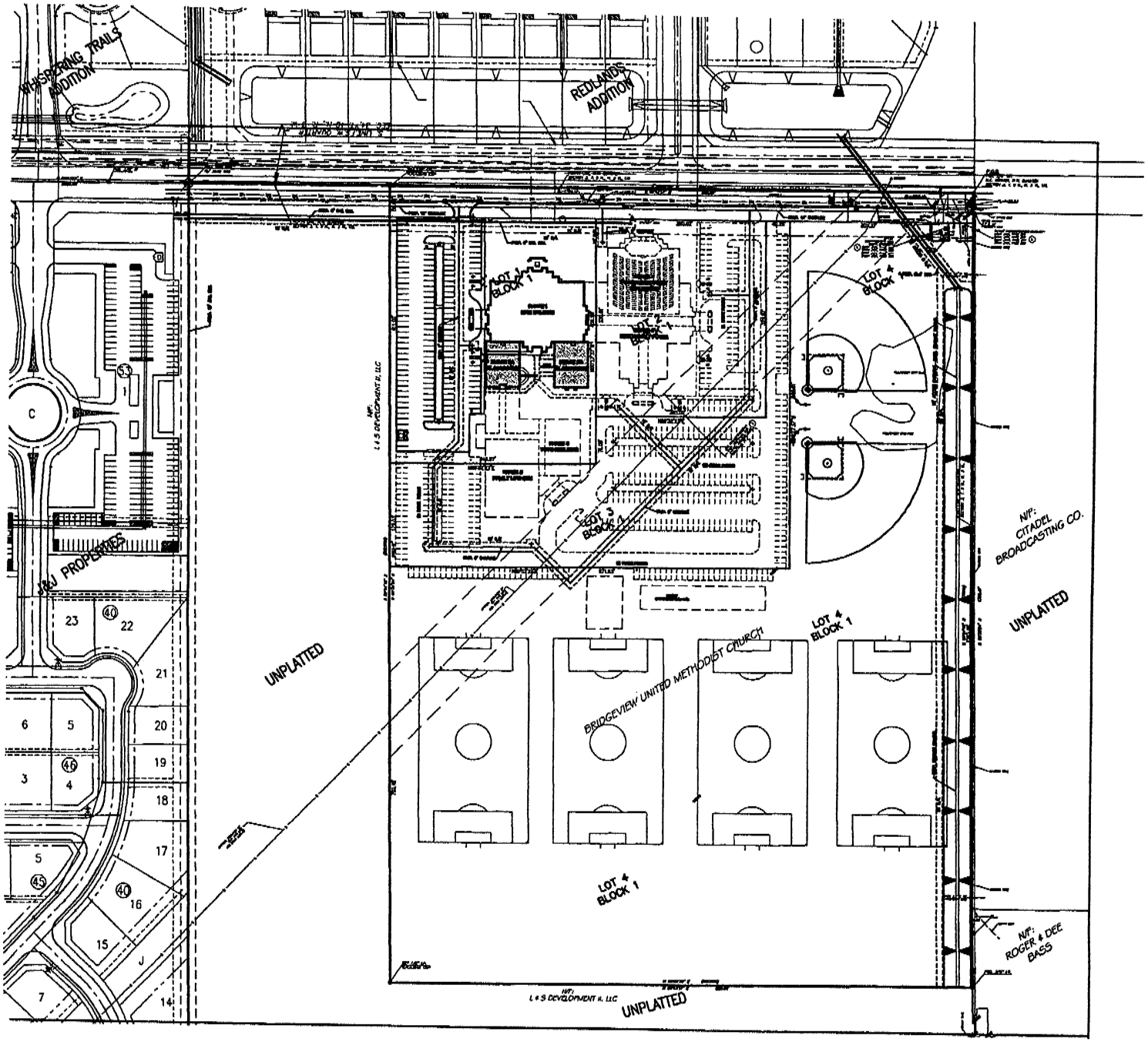
ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Bridgeview United Methodist Church Addition to City Council.

ACTION TAKEN: _____

PRELIMINARY PLAT
BRIDGEVIEW UNITED METHODIST CHURCH
A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



PRELIMINARY SITE PLAN
BRIDGEVIEW UNITED METHODIST CHURCH
A PART OF THE N.W. 1/4 OF SECTION 3, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



Norman Predevelopment Summary October 28, 2010

Applicant	Bridgeview United Methodist Church
Location	South side of Indian Hills Road approx 1/2 mile west of 36th Avenue NW
Case Number	PD 10-21
Time	6:00—6:30 PM

Attendee	Stakeholder	Address	Phone
Allen Carson	Applicant + church pastor	900 24th Avenue NW	626-1005
Mary Sherman	Church member	3128 St. Clair	701-5311
Cathleen Jones	Church member	801 Hawkesbury Park	447-3606
Tom McCaleb	Applicant's engineer	SMC Engineering OKC	232-7715
Bill Kaighn	Applicant's architect	110 Mercedes Drive, Suite 200	321-1020
Randy Foster	Applicant's architect	110 Mercedes Drive, Suite 200	321-1020
Bobby Joe Sharp	Pipeline rep	Conoco Phillips 201 NW 63rd St, Suite 300 OKC	879-4840
Jane Hudson	City facilitator		366-5344
Ken Danner	City Advisor		366-5458
Blaine Nice	City Attorney's office		366-5427

Application Summary. Applicants are seeking to rezone this 40-acre parcel of land from the current A-2 to R-1 with a Special Use Permit for a church. The current *Norman 2025 Land Use Plan* designation is Future Low Density Residential.

Applicant's Opportunity. Applicants seek to build a new church facility, beginning with Phase I, which is a sanctuary and 111 parking spaces. The Phase I sanctuary building would be roughly 18,250 sf in size. Future phases might include more parking, a gym, athletic fields and a multipurpose room.

Schedule. Applicants are proceeding with the zoning process.

Neighbors' Comments. There were no neighbors in attendance.

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: February 22, 2011

CONDUCTED BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Bridgeview United Methodist Church Preliminary Plat **PROJECT TYPE:** Church

SURROUNDING ENVIRONMENT (Streets, Developments)
Residential developments surround the project location with some floodplain land to the west. Indian Hills Road is the main east/west roadway, and the site is midway between 36th and 48th Avenues NW.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Indian Hills Road: 2 lanes (existing) / 4 lanes (future). Speed Limit - 50 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐

Proposed number of access points along for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

	Total	In	Out
Weekday	488	244	244
A.M. Peak Hour	26	16	10
P.M. Peak Hour	25	12	13

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

The proposed development, at build-out, will feature an 800 seat sanctuary, educational buildings, a gymnasium, and offices. At build-out, the site is expected to generate approximately 488 trips per average weekday or 25 PM peak hour trips. On a typical Sunday, when the adjacent street traffic volumes are much lower, the site is expected to generate 1,480 tips per day or 488 trips during the peak hour. A traffic impact study was recently prepared for J&J Properties which is in close proximity to the site in question. The J&J study analyzed development of much of the existing vacant land. However, the intended use of the site for Bridgeview United Methodist Church (Bridgeview UMC) was not known at the time the J&J study was completed. As such, a traffic impact analysis was required to determine the proportionate share of off-site improvements that were identified as part of the J&J study. Specifically, the intersections of 48th Avenue NW with Indian Hills Road, 36th Avenue NW with Indian Hills Road, 48th Avenue NW with Franklin Road, 36th Avenue NW with Franklin Road, and 48th Avenue NW with Tecumseh Road were identified as needing improvements in the previous traffic study. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

RECOMMENDATION: **APPROVAL** ☐ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ■

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The J&J traffic study showed that the Indian Hills Road and 48th Avenue NW, the Franklin Road and 48th Avenue NW, and the Franklin Road and 36th Avenue NW intersections will need to be widened and signalized in the future. The study also found that the Indian Hills Road and 36th Avenue NW and Tecumseh Road and 48th Avenue NW intersections will need to be signalized.

Improvement costs, excluding any costs of half-street widening to be paid by other developments, are expected to be $500,000 at the intersection of Indian Hills Road with 48th Avenue NW, $210,000 at the intersection of Indian Hills Road with 36th Avenue NW, $210,000 at the intersection of Franklin Road with 48th Avenue NW, $210,000 at the intersection of Franklin Road with 36th Avenue NW, and $135,000 at the intersection of Tecumseh Road with 48th Avenue NW. The Bridgeview UMC proportionate share of the intersection improvement costs are summarized in the following table:

Intersection	Total PM Entering Traffic	Improvement Cost	Bridgeview UMC Traffic Volume		Cost Share (%)	
			Phase 1	Phase 2	Phase 1	Phase 2
Indian Hills at 48th Ave	3,927	$500,000	6	3	0.153	0.076
Indian Hills at 36th Ave	4,577	$210,000	6	10	0.131	0.218
Franklin at 48th Ave	2,488	$210,000	2	0	0.080	0.000
Franklin at 36th Ave	2,669	$210,000	2	3	0.075	0.112
Tecumseh at 48th Ave	2,601	$135,000	2	0	0.077	0.000

Total cost to be spent per intersection for Phase 1, as defined in the traffic impact analysis, is as follows: $764 for the intersection of Indian Hills Road with 48th Avenue NW, $275 for the intersection of Indian Hills Road with 36th Avenue NW, $169 for the intersection of Franklin Road with 48th Avenue NW, $157 for the intersection of Franklin Road with 36th Avenue NW, and $104 for the intersection of Tecumseh Road with 48th Avenue NW. The total to be paid for all five intersections by Phase 1 of he Bridgeview UMC development is $1,469. This equates to $146.90 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat for Phase 1.

Total cost to be spent per intersection for Phase 2, or full build out, is as follows: $382 for the intersection of Indian Hills Road with 48th Avenue NW, $459 for the intersection of Indian Hills Road with 36th Avenue NW, $0 for the intersection of Franklin Road with 48th Avenue NW, $236 for the intersection of Franklin Road with 36th Avenue NW, and $0 for the intersection of Tecumseh Road with 48th Avenue NW. The total to be paid for all five intersections by Phase 2 of he Bridgeview UMC development is $1,077. This equates to $71.80 per PM peak hour trip to be collected in traffic impact fees with the filing of the final plat for Phase 2, or full build out.

The development of the Bridgeview UMC site will help to define the ultimate cross-section for Indian Hills Road. The roadway is currently planned as a four-lane roadway. However, the increased number of driveways and intersections in proximity to the Bridgeview UMC site suggest that a five-lane cross-section may be required. Should this ultimately be the case, the Bridgeview UMC would have a share in this additional lane, as well.

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

8a. RESOLUTION NO. R-1011-89
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1011-8) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

8b. ORDINANCE NO. O-1011-47
BRIDGEVIEW UNITED METHODIST CHURCH REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO R-1, SINGLE-FAMILY DWELLING DISTRICT, WITH SPECIAL USE FOR A CHURCH, FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

8c. PP-1011-14
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BRIDGEVIEW UNITED METHODIST CHURCH (SMC CONSULTING ENGINEERS, P.C.) FOR BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.

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

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that this area is currently being rapidly planned based on availability of new sewer and water lines. J&J Addition was the first, followed by Redlands, Whispering Trails and Foxworth Additions. The tract that surrounds the subject property will be before the Commission in the near future, as well as some across the street to the north. This area was anticipated for development and is designated for future residential use. Staff supports the Plan change. The applicant is asking for R-1 zoning which is fully consistent with the Plan, but requires Special Use for a Church. The applicant owns 30 acres. There really is nothing currently developed in the area, except an old radio/TV station immediately to the east of this property. There is a major pipeline that runs through the property and impacts this development. The applicant

has clustered most of the church buildings north of the pipeline, with recreation uses south of it. There were no filed protests on this application. Staff supports the Plan change, the rezoning, and the preliminary plat that accompanies it.

2. Mr. Lewis asked why the applicant wants to rezone when the existing zoning doesn't require a special use. Mr. Koscinski responded that there is a difference in setbacks and sign requirements between the two zones; R-1 allows the buildings to be closer to the road and allows signs to be closer to the road. A-2 has very large setback requirements, and most churches object to those in the long run. The dark blue on the plans indicates the first phase of this development, but if they don't develop the church, R-1 zoning is consistent with the 2025 Plan and the surrounding area. The towers on the adjacent property are pretty far from any property boundary. Any possibility of interference in the church's audio system from the radio/television towers is not an issue staff can address.

3. Mr. Trachtenberg asked whether the radio station is actually in operation. Mr. Koscinski said he believes it is, but is not sure.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – The applicants want to rezone the property for the reasons Mr. Koscinski suggested. The location of the pipeline on the property restricts the use of the lot; it is a Conoco high-pressure pipeline. They have met with Conoco and have their concurrence and have given them a specific easement for the pipeline. The angle of the pipeline is not conducive to rectangular buildings. The rezoning reduces the setback from Indian Hills Road and allows them to move the buildings closer to the road. This has been a cooperative effort between several land owners, including the church, in the planning and development of this area. This will be a phased development, shown with potentially four phases; it will depend on the growth of the church. The architect and church have met and have developed the current site plan.

2. Mr. Trachtenberg asked whether the recreation facilities will be for use by the community or only for the church. Mr. McCaleb indicated the plan is currently to restrict the use to the church.

3. Mr. Lewis asked if the reason for the rezoning is the setback. Mr. McCaleb responded that A-2 requires a larger setback from Indian Hills Road; R-1 requires a 25' setback, whereas A-2 requires a 50' setback.

4. Mr. Lewis asked if there is a timeframe for construction to begin. Mr. McCaleb said that when they first met they were planning to start construction in April. The biggest obstacle is waiting for installation of the sewer line; it is expected to be done by the end of April. The applicant is ready to proceed. Once the Council approves the preliminary plat, they are ready to process their final plat. There are some site issues that have been worked out. They have made several adjustments to their plans to fit the conditions of the site.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Curtis McCarty moved to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council. Chris Lewis seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1011-89, Ordinance No. O-1011-47, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for BRIDGEVIEW UNITED METHODIST CHURCH ADDITION, to the City Council, passed by a vote of 9-0.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 64

File Number: O-1011-46

Introduced: 2/8/2011 **Current Status:** Non-Consent Items

Version: 1 **Matter Type:** Zoning Ordinance

Title

ORDINANCE NO. O-1011-46: 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 THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-46 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1011-46 upon Final Reading as a whole.

ACTION TAKEN: _____

Body

BACKGROUND: The applicant has submitted a request to rezone a seventy-acre tract to Planned Unit Development which lies where the 2025 Land Use Plan transitions from Suburban Residential to Country Residential. The existing zoning of the whole tract is A-2, Rural Agricultural District. The proposed PUD will cluster fourteen lots around a substantial open space within a gated residential community.

DISCUSSION: Both the 2020 and 2025 Plan encouraged rural clustered development as a more efficient way to develop property by minimizing public improvements while maximizing the retention of open or agricultural areas. In this case, the portion of this tract within the Suburban area is over thirteen acres, and could achieve a density of almost seven dwelling units, without any special bonus provisions. The majority of the tract lies within the Country Residential area, where clustering allows a bonus of one dwelling unit per eight acres (A-2 requires ten acres for each dwelling), yielding an additional seven lots. The applicant has merged the density of the two areas into one subdivision containing fourteen lots, while retaining forty-two acres of the tract as an undeveloped common area (60% of the tract). The individual development lots will range in size from one acre up to 3.69 acres, with an average size of two acres. The PUD narrative indicates that standard RE, Residen-

tial Estates, zoning restrictions will control the homes on each lot. A single gated entrance off Rock Creek Road is flanked by open areas which include a major pond that will be preserved. All of the lots either directly abut or have views of various open space areas, which include a wooded area and a substantial meadow. In order to gain approval as a clustered development in the Country Residential area, substantial open space is required. In this case, approximately sixty percent of the tract will be retained as private open space that is commonly owned or restricted by deed. Standard residential amenities will be permitted in the common areas, such as a gazebo, picnic areas, and trails.

RECOMMENDATION: At the Planning Commission meeting of March 10, 2011 the owners of an adjacent lot filed a formal protest, citing a desire for the developer to install a six-foot opaque fence along the eastern boundary of the tract. Their protest represented 7.7 percent of the notice area. The developer's agent did not agree to that request since the area will be the common open area and is currently fenced with barbed wire fence, which should be adequate to separate animals and people. The requirements for fencing are in Section 9.2 of the PUD design regulations and the Planning Commission did not amend those regulations. By a vote of 8-1, the Planning Commission supported this PUD request. Staff recommends that this rezoning be granted.

O-1011-46

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 THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

§ 1. WHEREAS, Rock Creek Land, L.L.C., the owner of the hereinafter described property, has made application to have the same placed in the PUD, Planned Unit Development Distict, and to have the same removed from the A-2, Rural Agricultural District; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PUD, Planned Unit Development District, and to have the same removed from the A-2, Rural Agricultural District, to wit:

The West Half of the Southeast Quarter (W/2 SE/4) of Section 14, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, LESS AND EXCEPT the following described tract: The Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE/4 SW/4 SE/4)

Said tract contains 70 acres, more or less

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

a. The site shall be developed in accordance with the Site Plan (Exhibit A), approved March 10, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

§ 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

_____, 2011.

_____
Mayor

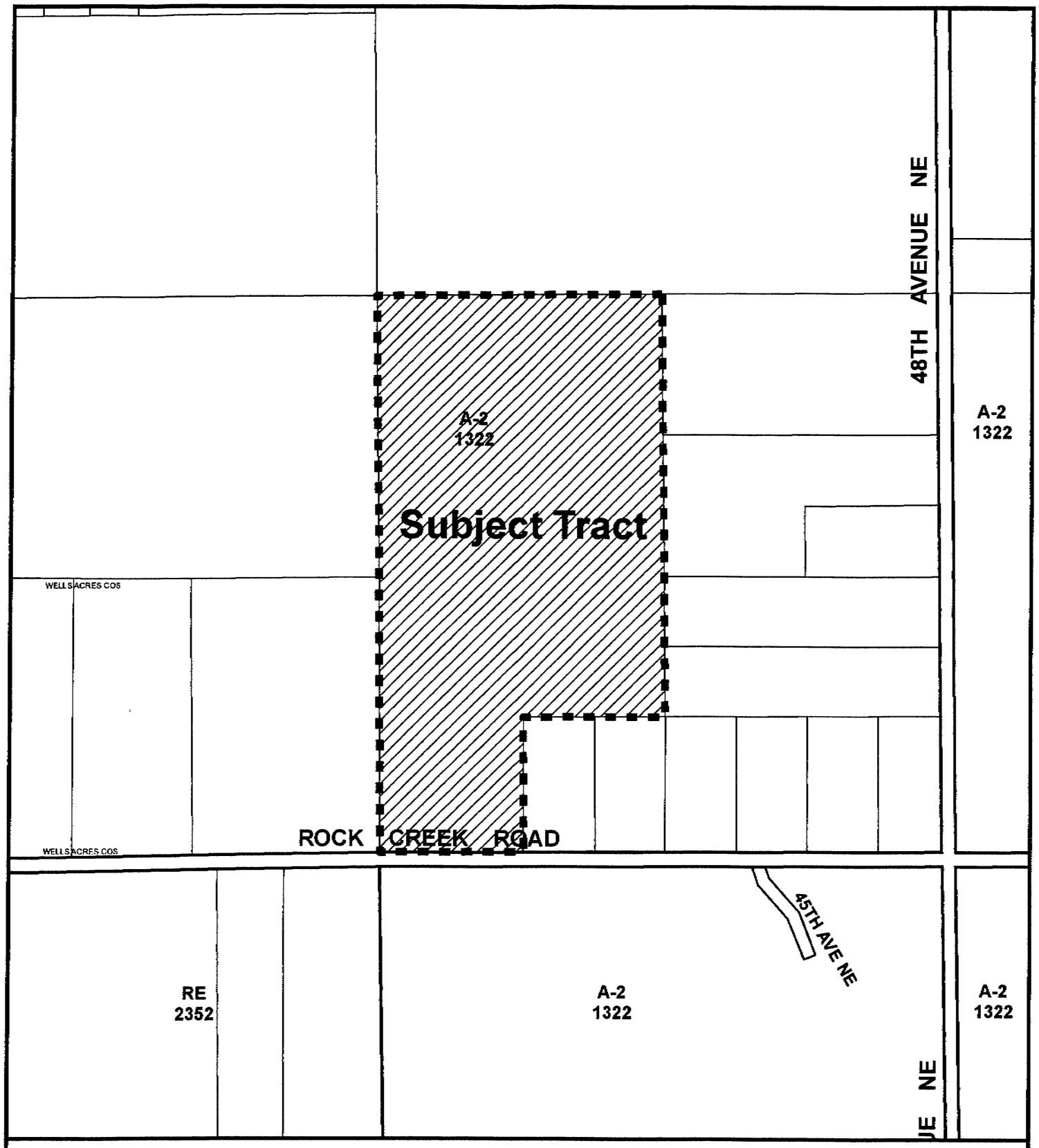
NOT ADOPTED this _____day of

_____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk



Location Map

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.

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W E
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Scale: 1" = 600'
November 3, 2009

Subject Tract
Zoning

PROJECT OWNER AND DEVELOPER:

ROCK CREEK LAND, L.L.C.
102 WEST EMPAULA
NORMAN, OKLAHOMA
73069

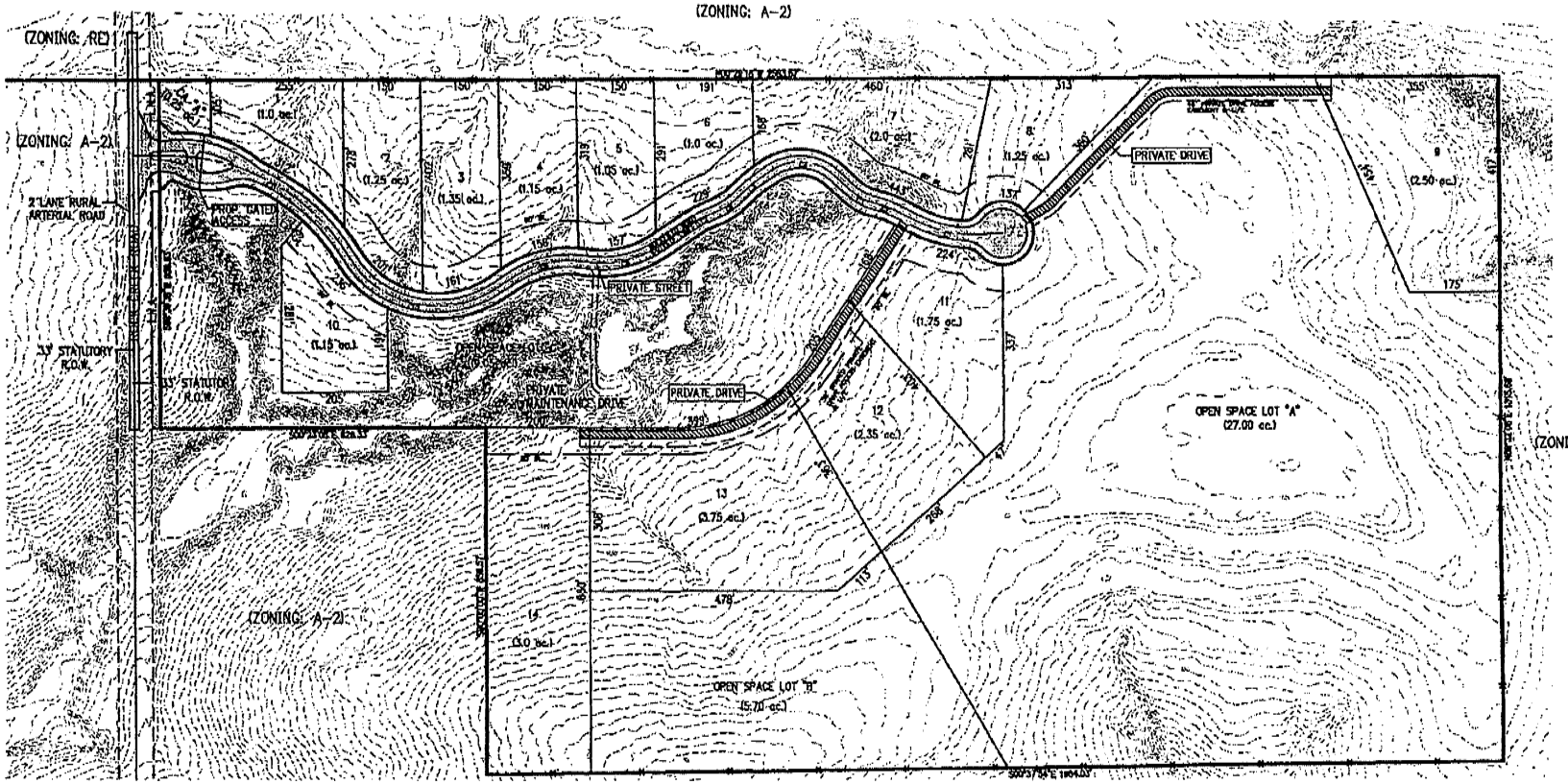
PH: 405.329.1111
FX: 405.366.8030

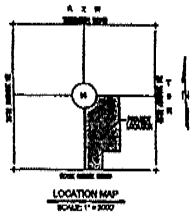
EXHIBIT A

MASTER DEVELOPMENT PLAN
OF

ROCK CREEK ESTATES

A PART OF THE SE/4 OF SEC. 14, T-9-N, R-2-W, I.M.,
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LEGEND

PROP. OR EX. FENCE
PRIVATE DRIVE
PRIVATE STREET

SCALE: 1" = 100'

GRAPHIC SCALE IN FEET

LEGAL DESCRIPTION

The West Half of the Southeast Quarter (W/2, SE/4) of Section Fourteen (14), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Less and Except the following described tract: The Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SE/4, SW/4, SE/4), Cleveland County, Oklahoma.

Containing 70 Acres, More or Less.

LOT COUNT:

SINGLE-FAMILY RESIDENTIAL	14 LOTS
SINGLE-FAMILY	70 ACRES ±
OVERALL DENSITY	0.20 du/ac

LEGEND

B.L.	BUILDING LINE LINE
D/E	DRAINAGE EASEMENT
EX.	EXISTING
L.N.A.	LIMITS OF NO ACCESS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
P/A/E	PEDESTRIAN ACCESS EASEMENT

COMMON AREAS:

O/A "A"	0.25 ACRES ±
TOTAL O/A (SITE)	0.25 ACRES ±

OPEN SPACE:

OPEN SPACE "A"	27.00 ACRES ±
OPEN SPACE "B"	5.70 ACRES ±
OPEN SPACE "C"	8.05 ACRES ±
TOTAL OPEN SPACE (SITE)	41.75 ACRES ±

	DELTA ANGLE	RADIUS	LENGTH	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	32°47'12"	200.00	114.33	112.78	S 17°02'40" E	58.63
C2	12°41'18"	200.00	47.60	47.48	S 38°07'35" E	24.07
C3	23°44'42"	150.00	62.09	61.67	S 32°05'46" E	31.51
C4	70°04'45"	100.00	122.34	115.00	S 64°47'08" E	70.59
C5	43°16'43"	200.00	151.06	147.44	S 32°03'04" E	79.34
C6	16°33'37"	100.00	28.89	28.79	S 20°08'03" E	14.52
C7	13°13'14"	200.00	46.16	46.07	S 39°36'37" E	23.06
C8	39°42'16"	200.00	138.60	136.01	S 13°02'43" E	72.37
C9	46°38'42"	200.00	162.88	158.45	S 13°02'43" E	86.81
C10	62°31'17"	200.00	218.27	207.63	S 31°06'20" W	120.94
C11	89°07'03"	400.00	621.74	560.88	S 39°08'11" W	392.34

NORMAN COMPREHENSIVE PLAN 2025

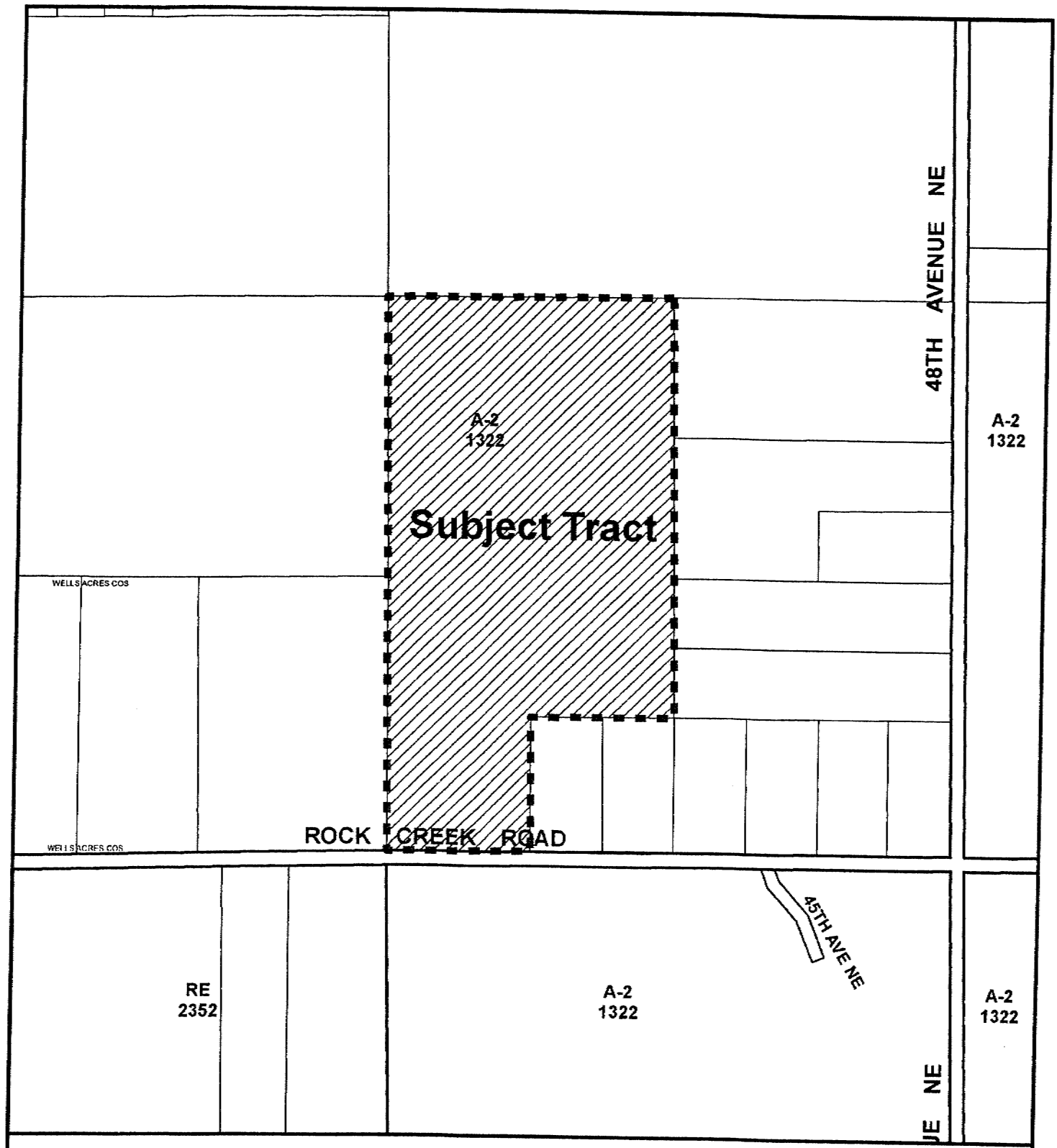
63.6 AC (80.0%) SHOWN AS COUNTRY RESIDENTIAL
13.4 AC (19.1%) SHOWN AS URBAN RESIDENTIAL

MASTER DEVELOPMENT PLAN FOR
ROCK CREEK ESTATES

Crafton Tull

SHEET NO. 1 OF 1
DATE 02/07/2011
PROJECT NO. 116004-00

64-4



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5436
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responsibility for errors or omissions
in the information presented.

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W E
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Scale: 1" = 600'
November 3, 2009

Subject Tract
Zoning

ORDINANCE NO. O-1011-46 ITEM NO. 7a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Rock Creek Land, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural
SURROUNDING ZONING	North: A-2 East: A-2 South: A-2 West: A-2
LOCATION	North side of Rock Creek Road approx. ½ mile east of 36th Avenue N.E.
SIZE	70 acres more or less
PURPOSE	Residential development
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: SF dwellings on large acreages South: SF dwellings on large acreages West: Vacant

SYNOPSIS The applicant has submitted a Planned Unit Development request for a seventy-acre tract which lies where the 2025 Land Use Plan transitions from Suburban Residential to Country Residential. The existing zoning of the whole tract is A-2, Rural Agricultural. The proposed PUD will cluster fourteen lots around a substantial open space within a gated residential community.

ANALYSIS The following items are the key elements in the PUD proposal:

1. DENSITY. Both the 2020 and 2025 Plan encouraged rural clustered development as a more efficient way to develop property by minimizing public improvements while maximizing the retention of open or agricultural areas. In this case, the portion of this tract within the Suburban area is over thirteen acres, and could achieve a

density of almost seven dwelling units. The majority of the tract lies within the Country Residential area, where clustering allows a bonus of one dwelling per eight acres (A-2 requires one per ten acres), yielding an additional seven lots. The proposed subdivision contains fourteen lots, while retaining forty-two acres of the tract as an undeveloped common area (60% of the tract).

2. USE. Fourteen single-family dwellings are proposed as the principal use for the development. The individual development lots will range in size from one acre up to 3.69 acres, with an average size of two acres. The PUD narrative indicates that standard RE, Residential Estates, zoning restrictions will control the homes on each lot.

3. OPEN SPACE. In order to gain approval as a clustered development, substantial open space is required. In this case, approximately sixty percent of the tract will be retained as private open space that is commonly owned or restricted by deed. Standard residential amenities will be permitted in the common owned or restricted by deed. Standard residential amenities will be permitted in the common areas, such as a gazebo, picnic areas, and trails.

4. DESIGN. A single gated entrance off Rock Creek Road is flanked by open areas which include a major pond that will be preserved. All of the lots either directly abut or have views of various open space areas, which include a wooded area and a substantial meadow.

5. PHASES. The subdivision will be platted in one phase.

ALTERNATIVES/ISSUES

1 **IMPACTS**. Most nearby tracts are either agricultural use or existing homes on large acreages. Actual home sites are 250-500 feet away from common property boundaries. Most of the proposed dwellings within this subdivision are clustered near Rock Creek Road or adjacent to the west boundary line, and should have limited impact on homes to the east of this addition.

2. **ACCESS**. The Traffic Engineer has concurred with the chosen location for the intersection with Rock Creek Road.

OTHER AGENCY COMMENTS

1. **PARK BOARD**. Public parkland dedication is not required for residential subdivisions which do not exceed one unit per acre. THE PUD averages one lot per five acres of gross development (70÷14=5 ac). Private open space is included within the plat that far exceeds any public park requirement.

2. **PUBLIC WORKS**. The internal road is a private road that serves all of the lots. The Rock Creek Road entrance is gated using the adopted city standard.

3. **GREENBELT COMMISSION**. The Commission expressed support for internal pathways connecting the private open space elements.

STAFF RECOMMENDATION The applicant has proposed a subdivision that creatively responds to the terrain and land features of this tract. It complies with the densities established by two different land use categories expressed in the 2025 Plan and uses the PUD approach to blend the development into one cohesive design, while preserving a substantial amount of the tract as an open area. Staff supports this request, and recommends approval of this Planned Unit Development.

PROJECT OWNER AND DEVELOPER:

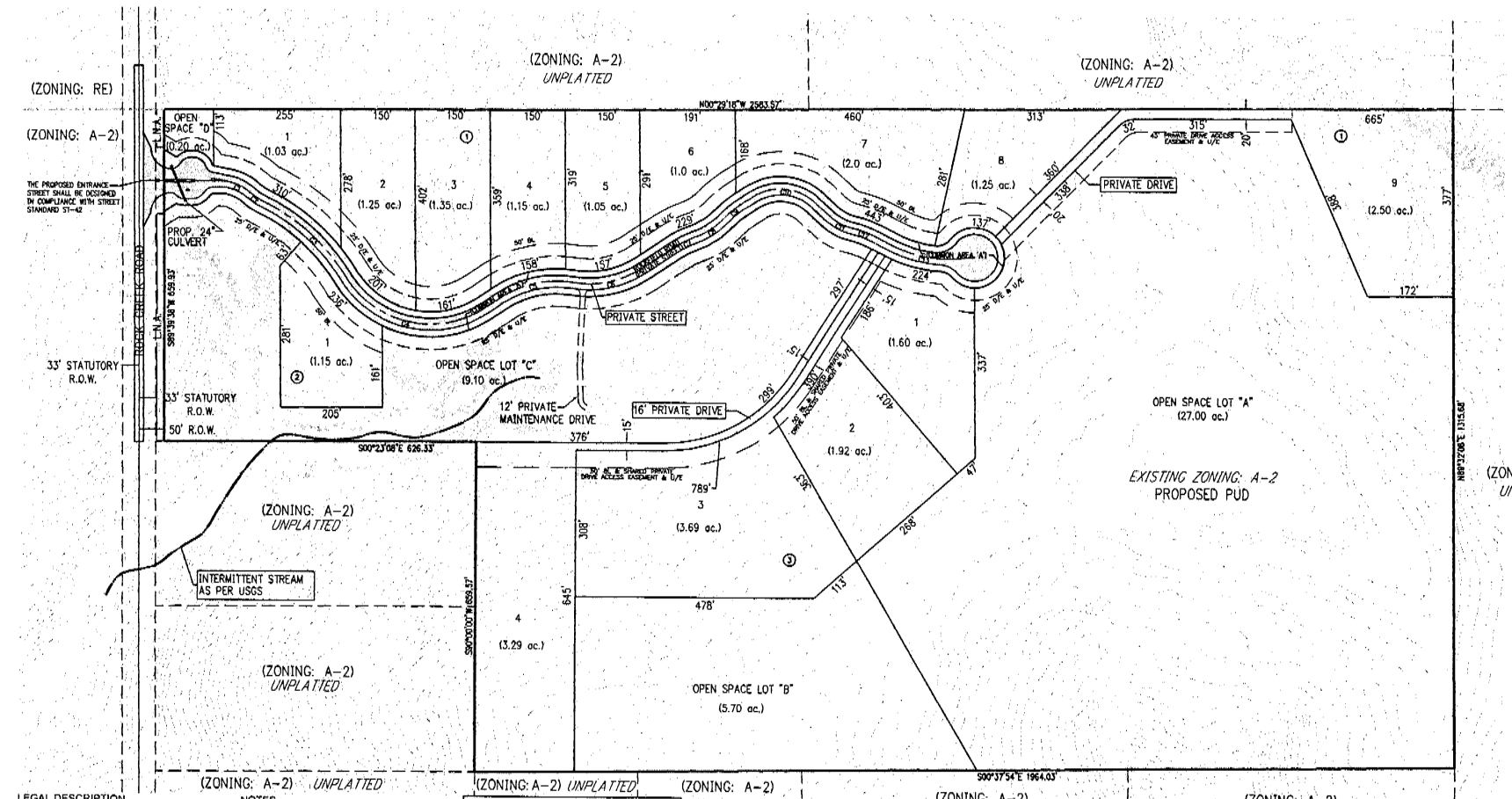
ROCK CREEK LAND, L.L.C.
102 WEST EUFAULA
NORMAN, OKLAHOMA
73069

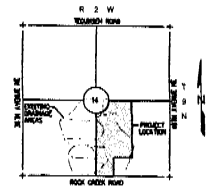
PH: 405.329.1111
FX: 405.366.8630

PRELIMINARY PLAT
OF

TANGLEWOODS ADDITION
A PLANNED UNIT DEVELOPMENT

A PART OF THE SE/4 OF SEC. 14, T-9-N, R-2-W, I.M.,
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP
SCALE: 1" = 2000'

LEGAL DESCRIPTION

The West Half of the Southeast Quarter (W/2, SE/4) of Section Fourteen (14), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Less and Except the following described tract: The Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE/4, SW/4, SE/4), Cleveland County, Oklahoma.

Containing 70 Acres, More or Less.

NOTES

1. A PROPERTY OWNERS ASSOCIATION IS REQUIRED.

2. MAINTENANCE OF THE COMMON AREAS, PRIVATE STREETS, ISLANDS/MEDIANS IN PUBLIC RIGHTS-OF-WAY AND ARTERIAL LANDSCAPING WITH ITS IRRIGATION SYSTEM (IF ANY) IN THE TANGLEWOODS ADDITION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION. NO STRUCTURES, STORAGE OF MATERIAL, GRADING, FILL, OR OTHER OBSTRUCTIONS, EITHER TEMPORARY OR PERMANENT SHALL BE PLACED WITHIN THE DRAINAGE RELATED COMMON AREAS AND/OR DRAINAGE EASEMENTS SHOWN.

3. THE INDIVIDUAL LOTS WILL BE SERVED BY PRIVATE WATER WELLS AND PRIVATE INDIVIDUAL SANITARY SEWER SYSTEMS.

LOT COUNT:	
SINGLE-FAMILY RESIDENTIAL	14 LOTS
SINGLE-FAMILY	70 ACRES ±
OVERALL DENSITY	0.20 du/Ac

LEGEND	
BL	BUILDING LIMIT LINE
D/E	DRAINAGE EASEMENT
EX.	EXISTING
L.N.A.	LIMITS OF NO ACCESS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
U/E	UTILITY EASEMENT

OPEN SPACE:	
OPEN SPACE 'A'	27.00 ACRES ±
OPEN SPACE 'B'	5.70 ACRES ±
OPEN SPACE 'C'	9.05 ACRES ±
OPEN SPACE 'D'	0.25 ACRES ±
TOTAL OPEN SPACE (SITE)	42.00 ACRES ±

	DELTA ANGLE	RADIUS	LENGTH	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	32°11'34"	100.00	56.19	55.45	N 25°33'31" E	28.86
C2	15°06'43"	100.00	27.86	27.80	N 33°39'55" E	14.04
C3	32°19'11"	400.00	225.64	222.66	N 41°26'01" E	115.91
C4	92°02'17"	200.00	321.27	287.83	N 11°56'35" E	207.24
C5	40°33'42"	200.00	141.59	138.63	N 13°45'43" W	73.91
C6	39°47'16"	200.00	138.89	136.11	N 13°22'31" W	72.37
C7	13°13'13"	200.00	46.26	46.16	N 26°36'31" W	23.24
C8	26°30'25"	150.00	69.40	68.78	N 33°18'08" W	35.33
C9	13°15'13"	200.00	46.26	46.16	N 39°53'44" W	23.24
C10	76°06'43"	100.00	132.84	123.29	N 04°47'15" E	78.29
C11	29°48'43"	100.00	52.00	51.47	N 27°52'46" E	26.63
C12	13°43'21"	200.00	47.90	47.79	N 19°32'33" E	24.07
C13	30°47'12"	250.00	134.33	132.73	N 11°20'40" E	68.83

SCALE: 1" = 100'
GRAPHIC SCALE IN FEET
100 0 100

PRELIMINARY PLAT TO SERVE
TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT

Crafton Tull
3141 Ayer
Oklahoma City, Oklahoma 73106
405.787.6270 | 405.787.6276
www.crafton-tull.com

SHEET NO.: 1 OF 1
DATE: 02/24/2011
PROJECT NO.: 116004-00

THE CITY OF NORMAN

PLANNED UNIT DEVELOPMENT

PUD- 0-1011-46

DESIGN STATEMENT

FOR

TANGLEWOODS ADDITION

PREPARED BY:
Crafton Tull
214 E. Main
Oklahoma City OK, 73104
405-787-6270 / 405-787-6276 (fax)

OWNER:
Rock Creek Land, L.L.C.
102 W. Eufaula
Norman OK, 73069
405-329-1111 / 405-366-8630 (fax)

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SECTION 1.0 INTRODUCTION

The Planned Unit Development (PUD) of Tanglewoods Addition is located within the SE /4 of Section 14, Township 9 N, Range 2 W, of the Indian Meridian, Cleveland County, Oklahoma. The subject property is generally located north of Rock Creek Road and 1/2 mile east of 36th Avenue NE.

Tanglewoods Addition is designed to be a rural, gated Single Family Residential subdivision consisting of 14 lots on a total of approximately 70 acres, yielding a density of 0.20 dwelling units per acre. The proposed development will utilize a Cluster type concept with the minimum lot size being 1 acre and 60% of the site will be reserved as Common Area and Open Space.

The primary concept of the development is to provide an upscale residential neighborhood that preserves the natural character of the site by reserving large open spaces. The development will offer secluded housing sites by preserving as many trees as possible and a unique housing design and architectural standard will be established by recorded covenants and restrictions.

SECTION 2.0 LEGAL DESCRIPTION

The West Half of the Southeast Quarter (W/2, SE/4) of Section Fourteen (14), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Less and Except the following described tract: The Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE/4, SW/4, SE/4), Cleveland County, Oklahoma.

SECTION 3.0 OWNER/DEVELOPER

The owner and developer of this property described in Section 2.0 is:
Rock Creek Land, L.L.C.
102 West Eufaula
Norman, Oklahoma 73069

SECTION 4.0 SITE AND SURROUNDING AREA

The subject property is presently vacant and zoned A-2 Rural Agricultural District. The current zoning for the surrounding properties are as follows:

North: A-2 Rural Agricultural District
East: A-2 Rural Agricultural District
South: A-2 Rural Agricultural District and RE-Residential Estate Dwelling District
West: A-2 Rural Agricultural District

SECTION 5.0 PHYSICAL CHARACTERISTICS

The subject site generally slopes from the north to the south, having an elevation of approximately 1165 ft. near the north boundary and 1112 ft near the south boundary. The property has predominately well drained loamy and sandy soils that formed in materials weathered from sandstone. The south two thirds of the site has dense tree cover with mature oak trees and also contains a freshwater pond, while the north one third of the site is a rolling meadow with native grasses.

SECTION 6.0 CONCEPT

The concept for this PUD is to develop a Rural Single Family Residential subdivision. It will be a private gated development that will utilize a Cluster concept with 60% of the total site being reserved as common area and open space. There will be a maximum of 14 secluded home sites on approximately 70 acres, yielding a density of 0.20 dwelling units per acre. The minimum lot size shall be 1.00 acre. Amenities such as a stone entryway, walking trails, fishing pond, and covered gathering area will be provided.

SECTION 7.0 SERVICE AVAILABILITY

7.1 STREETS

The site has frontage and takes access from Rock Creek Road located along the south boundary. Rock Creek Road is a two lane rural arterial street with 66 feet statutory right-of-way.

7.2 SANITARY SEWER

Public sanitary sewer facilities for this property are not available. Each lot within the development will utilize a private on-site individual sewage treatment system.

7.3 WATER

Public water facilities for this property are not available. Each lot within the development will utilize a private water well.

7.4 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with the various utility companies will be made in conjunction with this development. Easements will be provided.

7.5 NORMAN COMPREHENSIVE LAND USE PLAN 2025

The Land Use Plan, as shown on Exhibit A, illustrates that approximately 56.6 acres (80.9%) of the site is located within the Country Residential Area and 13.4 acres (19.1%) of the site is located within the Suburban Residential Area. The Country Residential Area provides for a density of 1 unit per 10 acres; however as a bonus for clustering and reserving open space, the Plan permits a density of 1 unit per 8 acres. The Suburban Residential Area allows a density of 1 unit per 2 acres with a potential bonus density of 1 unit per 1.5 acres if open space is reserved and municipal water is supplied. A municipal water source is not available but open space will be reserved; therefore a partial bonus permitting a density of 1 unit per 1.90 acres is proposed for the Suburban Residential Area.

This Planned Unit Development is consistent and in compliance with the area standards established within the Comprehensive Land Use Plan.

8.0 SPECIAL DEVELOPMENT REGULATIONS

The following Special Development Regulations and/or limitations are placed upon the development of the PUD. Planning and zoning regulations will be those, which are in effect at the time of development of this PUD, provided, however, that the density and or intensity of the PUD shall not be increased. Development is when a permit is issued for any construction or addition to any structure on a development tract. Certain zoning districts are referred to as a part of the Special Development Regulations of this PUD. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of such zoning districts shall be the language and regulations applicable to the referenced zoning districts as contained in the City of Norman's Zoning Code as such exists at the time of development of this PUD. In the event of conflict between provisions of this PUD and any of the provisions of the City of Norman Municipal Code, as amended (Code), in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, the provisions of the Code shall prevail and be controlling; provided however, that in the event of a conflict between the Special Use and Development Regulations specifically negotiated as a part of this PUD and the provisions of the Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, such Special Use and Development Regulations of this PUD shall prevail and be controlling.

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the RE-Residential Estate Dwelling District shall govern this PUD, except as herein modified.

9.0 SPECIAL CONDITIONS

The following special conditions shall be made a part of this PUD:

9.1 ARCHITECTURAL REGULATIONS

Exterior building wall finish on all main structures shall consist of a minimum 50% brick, masonry, drivet, rock, stone, slate (or Faux slate) or stucco veneer. A maximum of 25% EIFS and a maximum of 25% painted lap wood siding shall be permitted. Exposed metal walls or exposed concrete block on main structures shall not be permitted.

Metal standing seam roofs may be permitted.

9.2 FENCING REGULATIONS

A fence shall be either maintained or constructed along the east, west, and north boundaries of this PUD. The fence type shall be consistent with the rural, open reserve type of development with consideration given to the natural movement patterns of wildlife. Barb wire fences shall be permitted. Maintenance of the fences shall be the responsibility of the adjacent property owner. All fences adjacent to open space lots shall be the responsibility of the Property Owners Association.

9.3 ACCESS AND STREET REGULATIONS

There shall be one access point from Rock Creek Road in this PUD.

Individual lots shall not be permitted to take access from arterial/section line roads and "Limits of No Access" shall be established along lots abutting an arterial/section line road.

This development will be gated, with private streets and drives. The use of controlled access gates at the street entrance from Rock Creek Road is permitted.

Private streets as shown on the Preliminary Site Development Plan, Exhibit B shall have a minimum right-of-way width or private access easement of 50 feet. A minimum paving width of 20 feet is required for all private streets. A Property Owners Association through the use of recorded Covenants and Restrictions shall govern rights and maintenance of the private streets.

Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted to be from a private drive. The private drive shall be placed within a common area or access easement designated for access purposes. A Property Owners Association through the use of recorded Covenants and Restrictions shall govern the rights and maintenance of the private drives. The private drives are distinguished from private streets on the attached Preliminary Site Development Plan, Exhibit B.

9.4 LOT WIDTH REGULATIONS

There shall be a minimum lot width of 120 feet at the building line for each lot that takes access from a private street as designated by the Preliminary Site Development Plan and such lot shall abut the street for a distance of not less than 50 feet. Any lot taking access from a private drive as designated by the Preliminary Site Development Plan shall have a minimum lot width of 120 feet and shall abut the private drive for a distance of not less than 30 feet.

9.5 LOT AREA REGULATIONS

Each private lot shall contain not less than one (1) acre of lot area.

9.6 SETBACK REGULATIONS

All lots that take access from a private street as designated by the Preliminary Site Development Plan shall have a minimum front yard setback of 50 feet measured from the street right-of-way or access easement. All lots that take access from a private drive as designated by the Preliminary Site Development Plan shall have a minimum front yard setback of 50 feet measured from the front lot line.

All side yard and rear yard setbacks governing the RE-Residential Estate Dwelling District shall apply within this PUD.

Fireplaces, bay windows, entryways, patios, patio covers, and other similar appurtenances may encroach up to two feet into the side yard setback and up to five feet into the rear yard setback. However, said appurtenances shall not extend into any utility easements, right-of-ways, or across a property line.

9.7 OPEN SPACE

In order to preserve the rural character of the site, improve water quality and to protect its environmentally sensitive nature, a minimum of 60% of the entire site area shall be designated as common area and open space. The open spaces to the extent possible shall be preserved as natural as possible with care taken to preserve native prairie grasses and quality trees. No development activities shall occur within the areas designated as open space; however walking trails, gazebos, picnic tables, benches, and other non-intrusive recreational amenities shall be permitted within these areas, subject to the approval of the Property Owners Association.

A Property Owners Association through the use of recorded Covenants and Restrictions shall govern the rights and maintenance responsibilities of the designated common areas and open spaces.

9.8 PLATTING REGULATIONS

Platting of this PUD shall be required prior to development.

10.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

EXHIBIT A: NORMAN LAND USE PLAN AREA DESIGNATIONS

EXHIBIT B: PRELIMINARY SITE DEVELOPMENT PLANS on a 24" x 36" document at a scale of 1-inch = 100 feet and 10 reduced to 8 ½" x 11" and attached to the Design Statement, showing the base zoning district(s), general location of proposed land uses, acreage, building lines, location/vicinity map, residential densities, location of streets within the PUD and adjacent arterial streets with right-of-way, location and approximate size of open space, greenbelts, and recreational areas, areas where access to streets will be limited and the location of driveways, where appropriate.

EXHIBIT C: TOPOGRAPHY MAPS, on 8 ½" x 11" to be included with the Design Statement.

EXHIBIT D: 11" X 17"COLOR RENDERINGS

EXHIBIT A

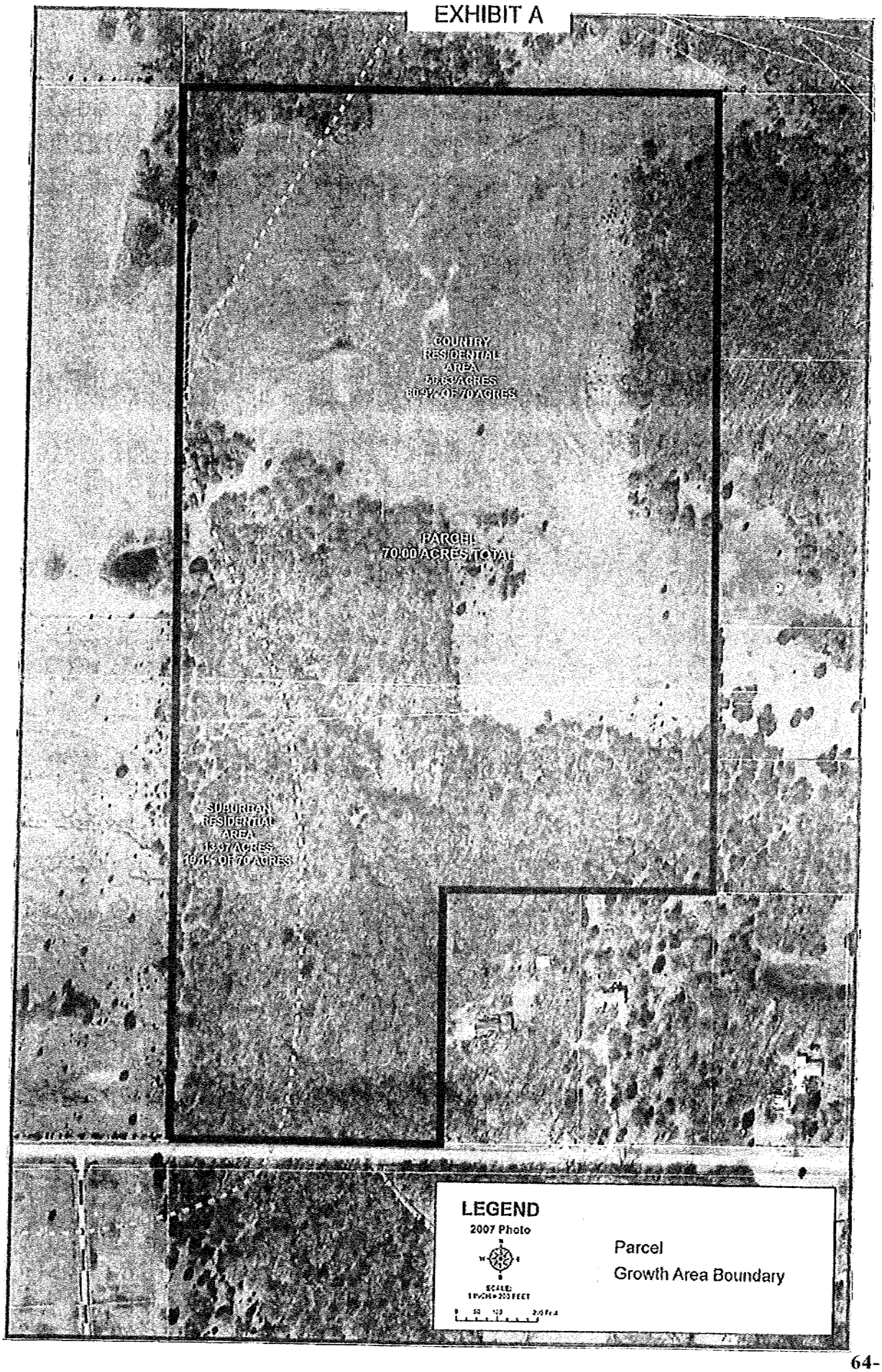

COUNTRY
RESIDENTIAL
AREA
PARCEL
70.00 ACRES TOTAL
SUBURBAN
RESIDENTIAL
AREA
LEGEND
2007 Photo
Parcel
Growth Area Boundary

EXHIBIT B

PROJECT OWNER AND DEVELOPER

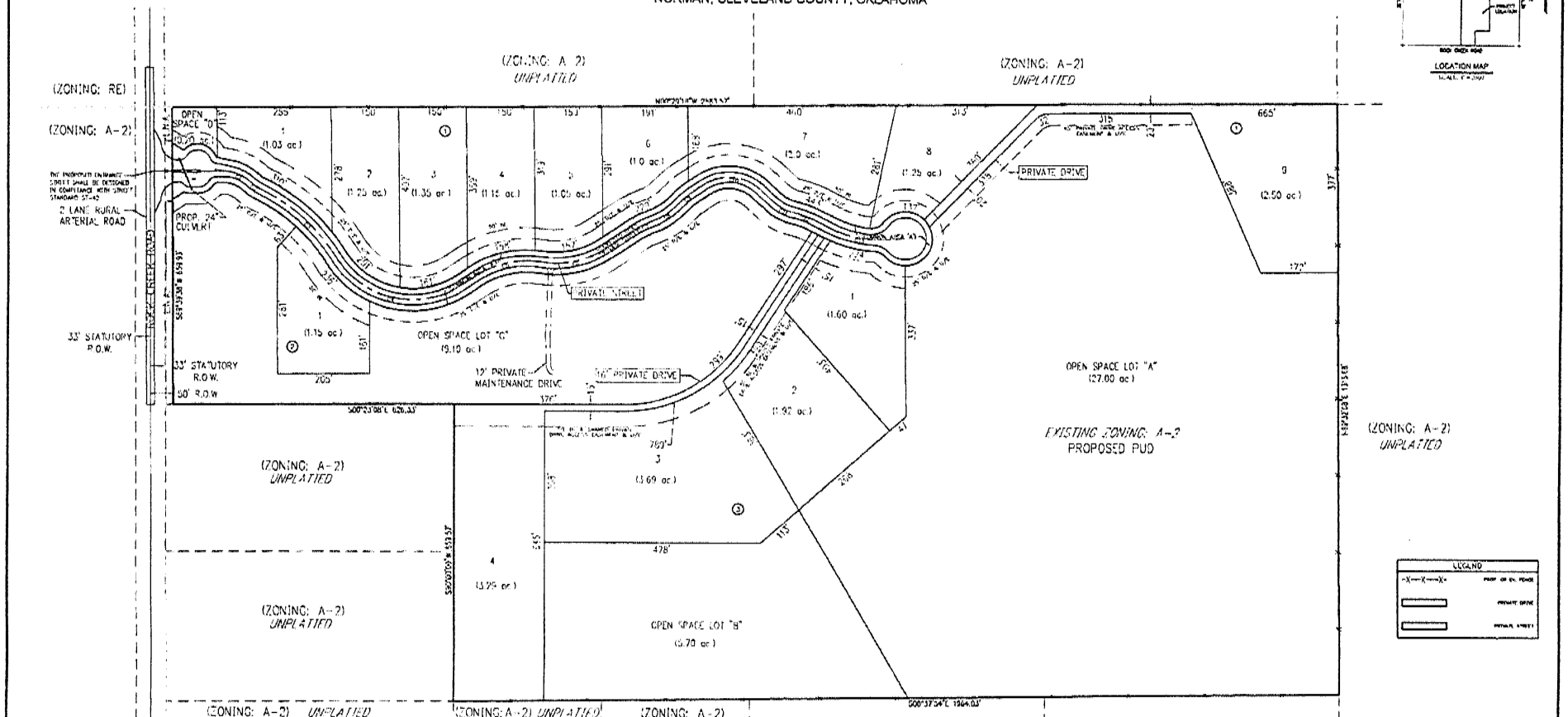
ROCK CREEK LAND, L.L.C.
102 WEST CUPALKA
NORMAN, OKLAHOMA
73069

PH: 405.329.1111
FX: 405.366.8630

PRELIMINARY SITE DEVELOPMENT PLAN
or

TANGLEWOODS ADDITION
A PLANNED UNIT DEVELOPMENT

A PART OF THE SE/4 OF SEC. 14, T-9-N, R-2-W, I.M.,
NORMAN, CLEVELAND COUNTY, OKLAHOMA



LEGAL DESCRIPTION

The West Half of the Southeast Quarter (W/2, SE/4) of Section Fourteen (14), Township Nine (9) North, Range Two (2) West of the Indian Meridian, less and Except the following described tract: The Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE/4, SW/4, SE/4), Cleveland County, Oklahoma

Containing 70 Acres, More or Less

LOT COUNT:	
SINGLE-FAMILY RESIDENTIAL	14 LOTS
SINGLE-FAMILY	70 ACRES ±
OVERALL DENSITY	0.20 du/AC

LEGEND	
BL	BUILDING LIMIT LINE
D/E	DRAINAGE EASEMENT
EX.	EXISTING
L.N.A.	LIMITS OF NO ACCESS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
U/E	UTILITY EASEMENT

NORMAN COMPREHENSIVE PLAN 2025
55.6 AC (80.9%) SHOWN AS COUNTRY RESIDENTIAL
13.4 AC (19.1%) SHOWN AS URBAN RESIDENTIAL

OPEN SPACE:	
OPEN SPACE "A"	27.60 ACRES ±
OPEN SPACE "B"	5.70 ACRES ±
OPEN SPACE "C"	9.10 ACRES ±
OPEN SPACE "D"	0.50 ACRES ±
TOTAL OPEN SPACE (70%)	42.90 ACRES ±

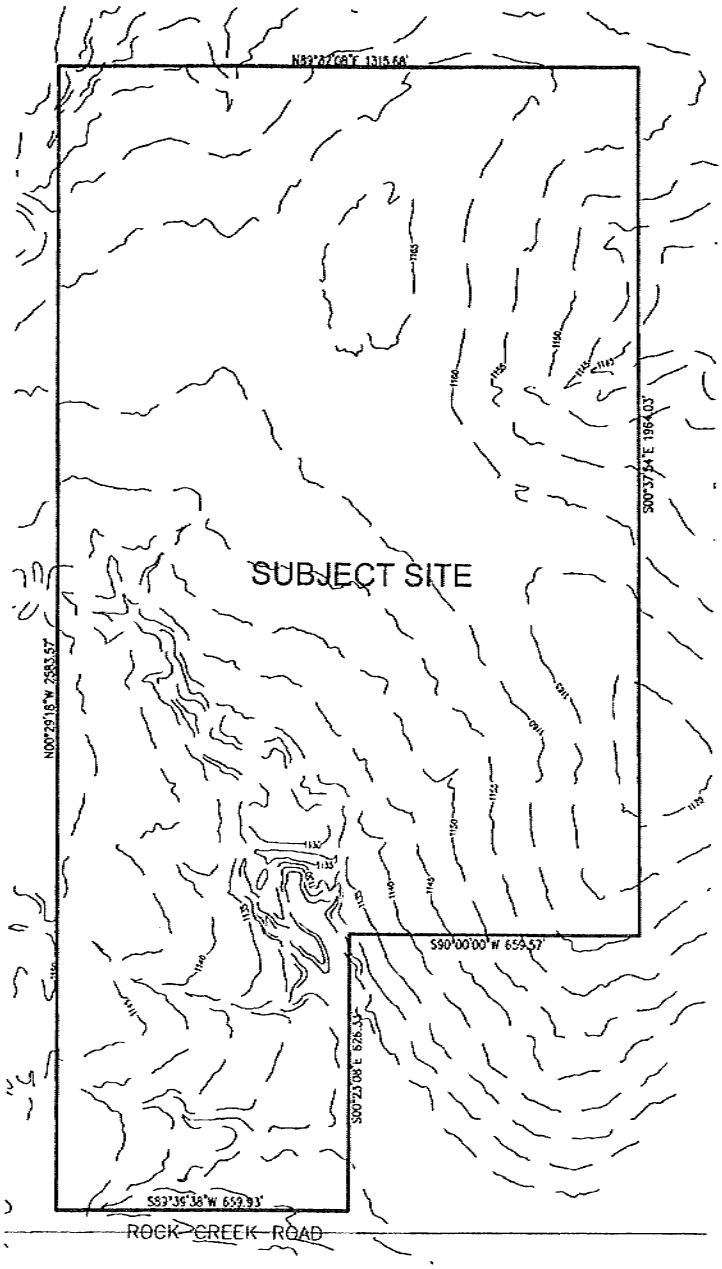
	DELTA (DEG)	RADIUS	LENGTH	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	12°11'32"	300.00	63.81	63.68	N 29°53'31" E	31.96
C2	15°06'43"	100.00	27.00	27.00	N 33°24'33" E	14.06
C3	37°16'11"	400.00	223.84	220.00	N 41°50'01" E	115.08
C4	82°26'17"	200.00	321.27	293.65	N 11°06'31" E	197.74
C5	40°33'43"	200.00	141.59	138.65	N 13°45'41" W	73.93
C6	39°47'06"	200.00	138.88	136.11	N 13°07'30" W	72.13
C7	13°55'13"	300.00	69.74	69.58	N 26°38'31" W	35.24
C8	26°30'29"	300.00	138.80	137.58	N 33°46'06" W	70.53
C9	13°55'13"	300.00	69.74	69.58	N 26°38'31" W	35.24
C10	26°06'43"	100.00	132.44	123.75	N 04°46'53" E	70.29
C11	29°44'43"	100.00	52.00	51.42	N 27°05'46" E	26.63
C12	13°43'21"	200.00	47.90	47.79	N 19°03'31" E	24.07
C13	30°41'12"	250.00	134.33	132.72	N 15°20'40" E	68.83

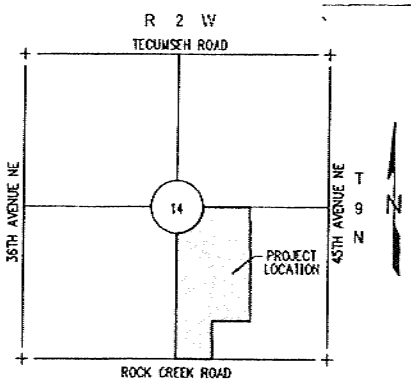
PRELIMINARY SITE DEVELOPMENT PLAN FOR
TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT

Crafton Tull

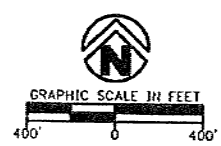
SHEET NO. 1 OF 1
DATE 02/24/2011
PROJECT NO. 116004-00

EXHIBIT "C"
TOPOGRAPHIC MAP





LOCATION MAP
SCALE: 1" = 3000'



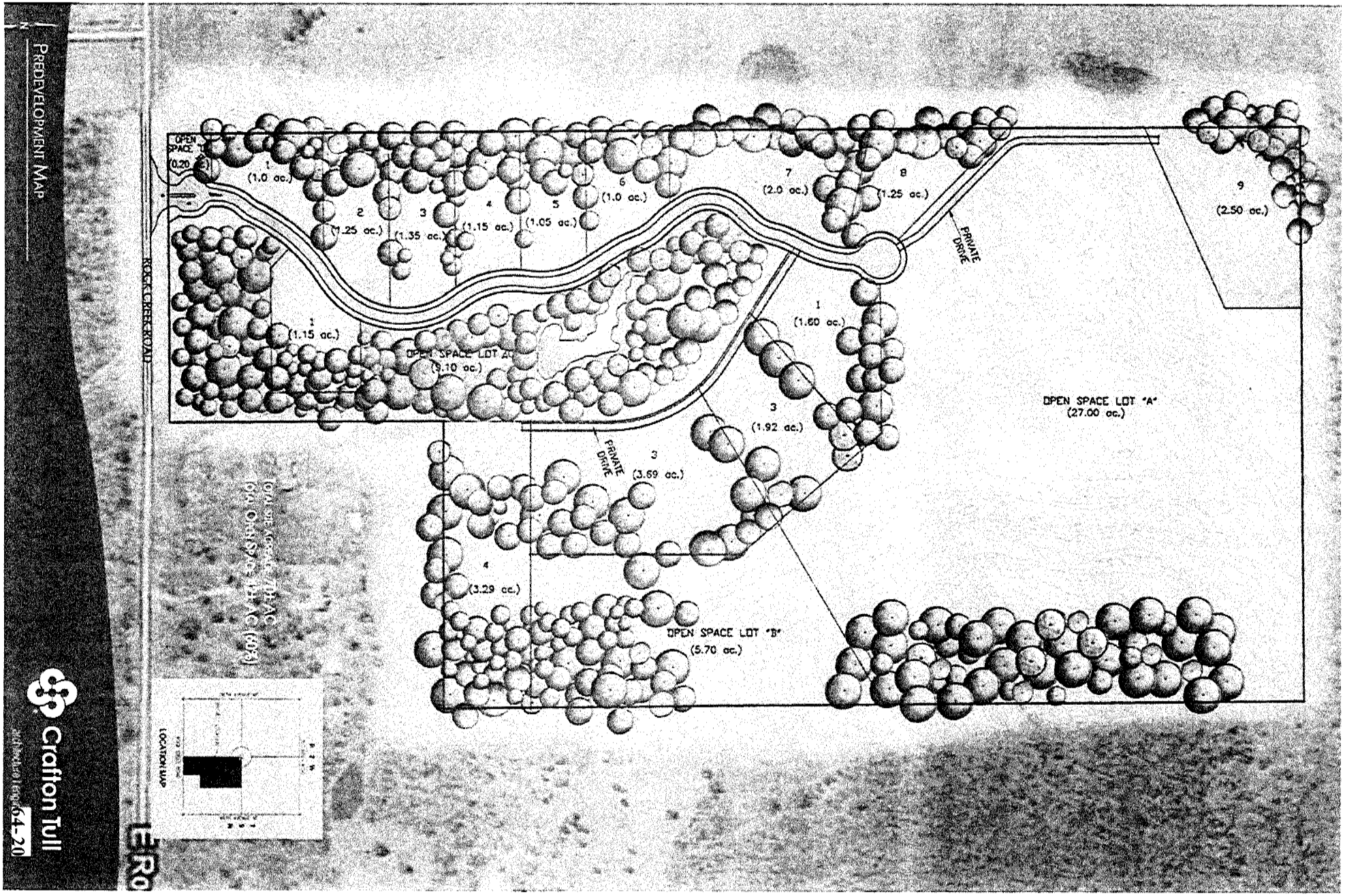
TOPOGRAPHIC MAP OF TANGLEWOODS ADDITION

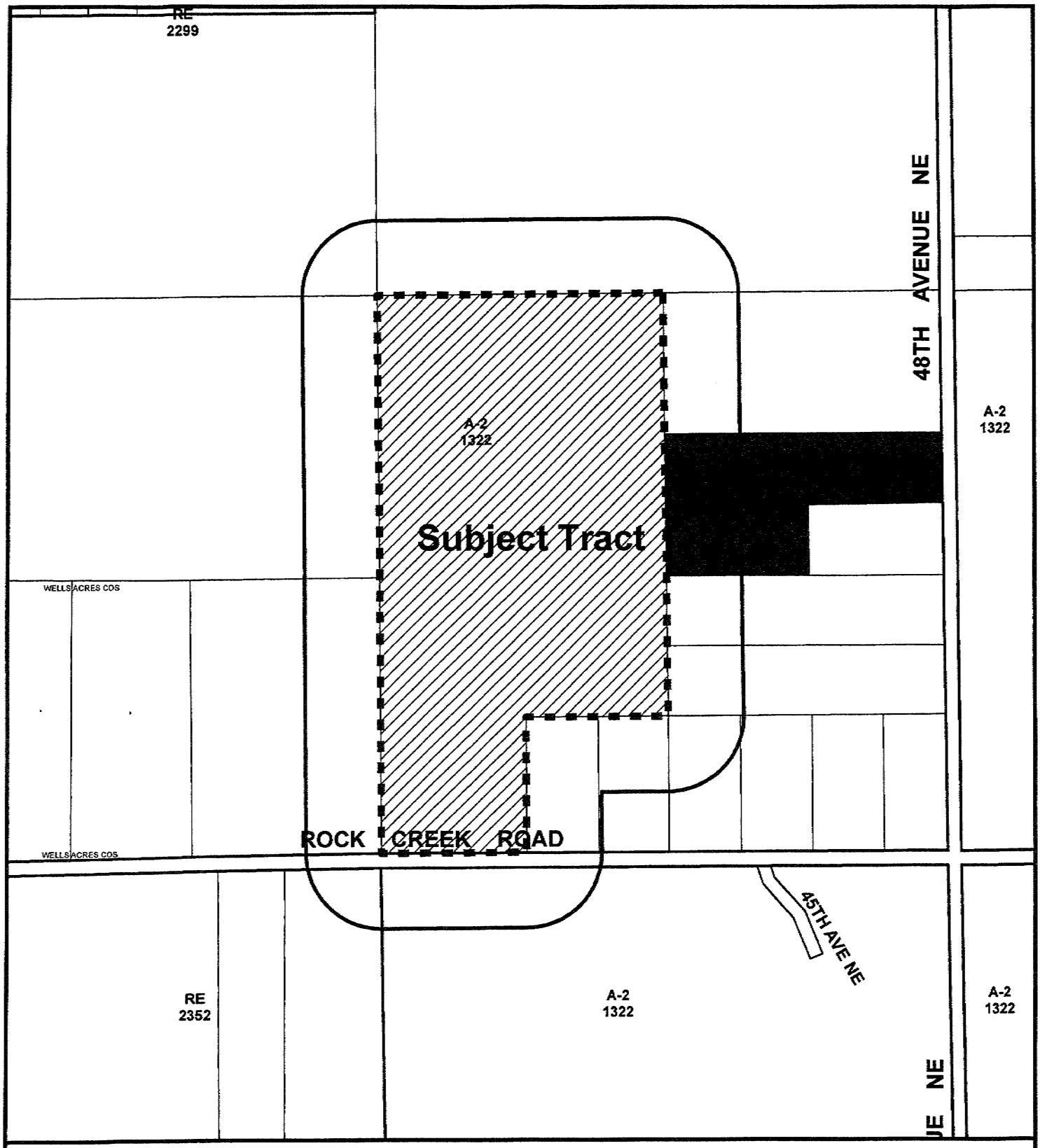
214 E. Main
Oklahoma City, Oklahoma 73104

Crafton Tull
architecture | engineering | surveying
405.787.6270 | 405.787.6276 f
www.craftontull.com

SHEET NO.: 1 OF 1
DATE: 02/07/2011
PROJECT NO.: 116004-00

EXHIBIT D


PREDEVELOPMENT MAP
Crafton Tull
1
(1.0 ac.)
2
(1.25 ac.)
3
(1.35 ac.)
4
(1.15 ac.)
5
(1.05 ac.)
6
(1.0 ac.)
7
(2.0 ac.)
8
(1.25 ac.)
9
(2.50 ac.)
1
(1.15 ac.)
OPEN SPACE LOT "C"
(3.10 ac.)
1
(1.60 ac.)
3
(1.92 ac.)
3
(3.69 ac.)
4
(3.29 ac.)
OPEN SPACE LOT "A"
(27.00 ac.)
OPEN SPACE LOT "B"
(5.70 ac.)
PRIVATE DRIVE
PRIVATE DRIVE
ROCK CREEK ROAD
LOCATION MAP



Protest Map

7.7% Protest Within Notification Area

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

N
W E
S

Scale: 1" = 600'
March 9, 2011

Subject Tract
Protest
Notification Area

2800 48th Avenue Northeast
Norman, OK 73026

February 23, 2011

Planning Community Development Department
City of Norman, Oklahoma
Building A, 201 West Gray
Norman, OK 73070

Sent via FAX Mail
405-366-5445
(Sent From Seoul, Korea)

Attention: Renee

Dear Sir or Madam:

On behalf of my spouse (Charlotte J. Crawford) and I, we write in opposition to the proposed rezoning of the ~70 acres of undeveloped land that is directly west of our home and our 15 acres located at 2800 48th Avenue Northeast — a property we have owned for more than 25 years.

As we understood, the proposed development was to have been subdivided into a limited number of relatively large sub-plots for future homes along with ~50% of this land to be reserved as a green zone. In general, we had no basic problem with this original proposal.

However, we now hear that the developer plans to subdivide his land into many smaller plots (less than one acre in size). While the City of Norman requires ~50% of the land for a green zone, that zone will be adjacent to our north-south property line. We oppose this rezoning request for the following reasons:

1. We have horses, which we allow to graze on the far west side of our property. As with all horses, they are easily spooked and must be fed an appropriate diet.
2. With many more new homes now being planned in the proposed development, we know that workers and children will come onto our property in order to 'pet' our horses, and thereby, put themselves in harms way leading to future lawsuits.
3. With the green zone aligned with our north-south property line, our horses may become an 'attractive nuisance' and 'draw' people we do not know to cross over to our land.
4. With many more new homes now being planned, we also know that construction workers likely with take work breaks and come on to our property to potentially relieve themselves.
5. As a result, we know that unwanted trash will be left behind, which in turn, will create a maintenance problem for my wife and I plus create a health hazard for our horses.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 2-24-11 [illegible]

6. Because we are both well into our 60s, neither of us are prepared to police our west property line to maintain our own security and that of our animals.

One option to the problem we will face is for the City of Norman to deny the developer's rezoning request.

Yet, we understand that the developer has certain rights. Therefore, we request the following compromise => The developer shall be required to install a 6-foot tall privacy fence at his expense *before* any construction or development begins. The proposed fence shall extend north-to-south along the entire west perimeter of our property. We believe this solution is fair, because it will go a long way toward mitigating the problems we outlined above.

Thank you for your consideration of our request.

Sincerely,

Ken Crawford

Kenneth C. Crawford

KCC for CJC

Charlotte J. Crawford

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY ROCK CREEK LAND, L.L.C., FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

7a. ORDINANCE NO. O-1011-46
ROCK CREEK LAND, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

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

7b. PP-1011-13
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ROCK CREEK LAND, L.L.C. (CRAFTON TULL) FOR TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Pre-Development Summary – January 27, 2011
7. Pre-Development Summary – November 19, 2009
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that the current zoning of the property is A-2. It is in a part of town where the normal density would be one dwelling unit per 10 acres. Based on the 2025 Plan it is an area that is eligible for a portion of the property to be rezoned for RE lots; about 7 lots could be achieved in that area. The 2025 Plan encourages rural clustering, for the efficiency of design, and as a way of preserving open space. The clustering on the western part would allow another 7 lots. The applicant has designed a 14-lot subdivision that works very well with the topography. The applicant is creating a gated community. There will be single-family homes only. They have retained the pond and made it a feature of the subdivision. The traffic engineer has reviewed the location of the intersection and approved it. Staff supports the request for PUD zoning and the preliminary plat. There was a protest filed by one of the abutting property owners to the east, expressing concerns about trespass issues and he is interested in having a fence installed.

2. Mr. Knotts asked about the sewer service for this area. Mr. Koscinski explained that the lots will be served by individual well and septic systems. There will be site constraints on the smaller lots and they will have to engineer them to fit. They will also have to get county approval for the systems. The plat generally complies with the

cluster concept that the 2025 Plan calls for. All the lots are at least 1 acre in size. The plat also reserves four large open space areas where there will be no further development, other than open space uses such as a gazebo.

3. Mr. McCarty asked for a summary of cluster development in RE zoning. Mr. Koscinski explained that standard RE zoning requires 2-acre lots. With a cluster concept in RE, you can take the back acre of the lots and combine them with surrounding lots to come up with common open space. That concept was used for Cobblestone Creek, south of Highway 9, with 2-acre lots where a golf course encumbers essentially the back half of the lots. In this case, the applicant designed a PUD to deal with all those issues. The developer intends to retain Lot 3, Block 3, and retain individual ownership of the Open Space Lot B behind it.

(Ms. Hartley arrived during this part of the meeting.)

4. Mr. Lewis asked what kind of fence is going to be erected. Mr. Koscinski responded that what the PUD narrative says is what will control, because it will be adopted by ordinance.

5. Mr. Lewis asked whether the trails referenced in the Greenbelt Enhancement Statement are actually planned into the development. Mr. Koscinski indicated that question can be addressed by the applicant's engineer.

6. Mr. Lewis commented that this is proposed to be a gated community. The 2025 Plan says that suburban density will be no more than one unit per two acres, and says the development will generally require individual water wells and sewage treatment facilities, however City water should be provided for any development in this area where high quality water cannot be assured. If we approve this, and there is no high-quality water, then we've obligated the City to running water lines to this area. In addition, it says to be granted this increased density cluster development requires installation of a community water system to current City standards, including the provision of fire protection. Homes in this development are a minimum of 2,800 square feet, so they are in excess of $280,000. He asked how fire trucks and police will gain access to the gated community. Mr. Koscinski indicated the same circumstance exists in Grandview Estates North on the west side of town. The City requirement is that there be a siren operated system (SOS) for emergency access through the gates. The Fire Department would respond to this area the same as they would to any other rural areas of Norman that do not have water; they will bring a water truck and/or find water sources and do what they can to put out a fire. Mr. Lewis commented that it is a great concern to him that there is a potential fire hazard in this development where the City can't fight a fire because of the lack of water that is present.

PRESENTATION BY THE APPLICANT:

1. Kendall Dillon, Crafton Tull, representing the applicant – We're trying to utilize what your plan encourages with a cluster development, especially focused on the rural type of development. Some of the benefits, and one of the reasons the Plan encourages that, is it gives more flexibility in trying to protect surrounding properties, and it is an efficient way to develop property in the sense that it allows you to reduce the amount of infrastructure, which allows you to reduce maintenance costs, and it

allows you to provide more open space and common areas and more preservation areas to accomplish water quality, livability, etc. We've looked at the overall topography of the site and the characteristics of the site and tried to design according to what we believe is a good plan for this site. Since we are permitted to do the cluster development where we can congregate the houses a little closer, still with large lots of 1 acre minimum, we're offering large common areas. To the north is a large common area that wraps around to a separate lot on the east. It is a large open meadow with some native grasses and a real pretty setting. We're preserving all that as an open space. Through the middle of the site you'll notice that we've got another large open space that is a very heavily wooded area. It also contains a drainage way and a large gully. But putting it in open space and leaving all the riparian zones we feel that is a benefit and mitigation in terms of water quality. We also have a pond that we're going to leave in place, not only as an amenity, but we're going to use that as detention for the site so that there will be no increase in runoff from our site. We're reserving 60% of the site as open space. We've clustered the lots predominantly toward the south end and toward the west side of the site. It puts most of the houses in the area that the 2025 Plan considers to be suburban area. That also puts most of the future houses on the site as far away as possible from any existing residents on adjacent properties. We have most of the lots clustered together in the heavily forested area, and we've done that for aesthetics of the subdivision and to offer secluded home sites and have houses that are nestled back within the trees. There will be a landscaped gated entry off Rock Creek Road. The street will wind through with secluded houses on the west and heavily wooded area on the east side. At the end of the street you will be looking out over the open meadow. We believe this is a creative plan and is in compliance and compatible with the 2025 Plan and that it is custom fit for this particular site and incorporates some of the native features of the site. It allows a low density while allowing use of the property. We have submitted a preliminary drainage study to staff and will provide detailed construction plans with the final plat. We have researched the storm water master plan. We are in the upper Rock Creek basin which doesn't have a lot of problems. The plan recommends leaving a buffer along some drainage ways, which are incorporated in the site. The PUD does state that they will make sure that there is a fence around the east, west, and north sides of the property; it also says they can be permitted to do a barbed wire fence, which is their intent. Given the rural nature of the property and the movement patterns of wildlife, they don't want to construct a stockade fence and feel a barbed wire fence serves the purpose for security.

2. Mr. Trachtenberg commented that one of the speakers at the APA Conference last fall discussed best practices in developing sites. He believes this development is an exemplary usage of the cluster concept and shows sensitivity and intelligence in working with the landscape. He asked, based on the existing drainage flows, whether the pond will have water in it year around. Mr. Dillon responded that it is a retention pond and holds water, and it will be an amenity for the neighborhood with fishing and maybe a park bench so residents can enjoy it. In addition, it will have additional capacity to provide for detention on the site.

3. Mr. Trachtenberg asked about fencing on the south side of the property. If it is a gated community, normally gates are part of fences. Mr. Dillon responded that the reason they did not plan a fence on the south is because the residents that expressed

the most concern were on the north and the east, and also because the site is very heavily wooded on the south. They have allowed the trees to serve as the protection on the south. Mr. Trachtenberg asked whether residents of this development will be restricted from cutting trees on their lots. Mr. Dillon indicated that may be addressed in the covenants. There is nothing expressly written into the PUD that prohibits that. The intent of the development is to preserve the property as much like it is today as can be done. They expect that the people who are going to buy and build in the development will have the same vision for the subdivision.

4. Mr. Lewis said he applauds the developer for the large amount of open space. He asked if there is a plan for the open space: what type of trails they're going to connect into the greenbelt system, etc. Mr. Dillon explained that they do not have a detailed plan for amenities. The trails they envision are a nature path. They envision some sort of gathering area, such as a picnic table with a covered area, some park benches around the pond and some trails, although not necessarily paved, that would serve as a walkway around some of the forested areas and the pond that maintain the natural feel.

5. Mr. Lewis asked whether the water on this site has been tested to ensure a quality water system in the development. Mr. Dillon indicated he is not aware of any specific water testing. There are numerous well sites that they have reviewed the log reports from the Oklahoma Water Resources Board. They know generally the amount and quality of the water that will be available and are comfortable with the data.

6. Mr. Lewis asked about fire and police protection when the gates are closed. Mr. Dillon explained that the gates will be equipped with the standard entry so that the gates will open for emergency vehicles. It is a Rural Estates development and those issues are concerns for everybody in those types of developments. Ms. Messner added that this will be a private road and the police do not regularly patrol private roads in Norman. Since it is not a public street, the police would not go out there until they were summoned.

7. Ms. Pailes asked about the placement of Lot 9. Mr. Dillon responded that they felt it would make a really nice lot based on the characteristics of the site and would accomplish their overall objective.

8. Mr. Trachtenberg asked whether the trails will only be for use by the residents, and not part of the public trail system. Mr. Dillon responded affirmatively.

9. Mr. Knotts asked whether cross-fencing will be allowed. Mr. Dillon said it is not addressed by the PUD. They would like to not necessarily exclude it at this point and address it within the covenants and restrictions.

10. Mr. Lewis asked about the added cost of developing the property with the private drives. Mr. Dillon said it will be covered in the covenants and restrictions. They have the ability to make a payback or pro rata share for the development of the private driveway serving the four lots. The costs of the driveways end up being marketing issues and the driveway is part of the building costs. He believes there is somebody already very interested in building on Lot 9.

11. Mr. McCarty asked whether they have talked to the family that submitted the protest letter. Mr. Dillon indicated that Mr. Marriott contacted them this afternoon about the letter. Mr. McCarty asked if the property is currently fenced. Mr. Dillon said they believe part of it is fenced, but not all of it. Mr. McCarty asked if the existing fence would be removed by the developer. Mr. Dillon responded that if the fence is on the neighbor's property, they would not touch it; if it is on Mr. Marriott's property, they would remove it and replace it.

PARTICIPATION BY THE AUDIENCE:

1. Ron Iglesias, a neighbor at the north end of the property and next to the Crawfords – There is a fence there now and the Crawfords wanted a privacy fence. He asked, if there is going to be a barbed wire fence, whether the developer will take down what is left of existing fences and build a clean, continuous fence. Mr. Dillon responded that their intent is to have a nice, well-constructed fence around the property. If a fence is outside their property, they have no right to do anything with it. They will work with adjacent property owners.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Zev Trachtenberg moved to recommend adoption of Ordinance No. O-1011-46, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for TANGLEWOODS ADDITION, A Planned Unit Development, to the City Council. Curtis McCarty seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1011-46, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for TANGLEWOODS ADDITION, A Planned Unit Development, to the City Council, passed by a vote of 8-1.

* * *

CITY COUNCIL AGENDA
APRIL 26, 2011

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

Item No. 65

Text File Number: PP-1011-13

Introduced: 2/8/2011 by Ken Danner, Development Manager

Current Status: Non-Consent Item

Version: 1

Matter Type: Preliminary Plat

Title

CONSIDERATION OF A PRELIMINARY PLAT FOR TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT.

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

ACTION TAKEN: _____

Body

BACKGROUND: This item is a preliminary plat for Tanglewoods Addition, a Planned Unit Development (PUD) and is generally located on the north side of East Rock Creek Road and ½ mile east of 36th Avenue NE. This property consists of approximately 70 acres with 42 acres of open space and fourteen (14) lots.

Planning Commission, at its meeting of March 10, 2011, recommended to City Council that this property be placed in Planned Unit Development and removed from A-2 zoning classification. Planning Commission, at its meeting of March 10, 2011, recommended approval of the preliminary plat for Tanglewoods Addition, a Planned Unit Development.

DISCUSSION: The proposed addition will feature 14 single-family residential lots. This addition is expected to generate approximately 170 trips per day or 18 PM peak hour trips. As such, the trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

(Please refer to attached Traffic Impact Chart)

The location of the proposed driveway along Rock Creek Road is such that sight distance to the east could be in question as a result of a sag vertical curve located to the east of the proposed driveway location. A field visit with the engineer was conducted on Tuesday afternoon, March 1, 2011, to verify the available sight distance to the east. It was found that if the proposed driveway was located as close as possible to the west property line sufficient sight distance would exist to the east. Sight distance to the west is in excess of required minimum intersection sight distance requirements as Rock Creek Road, to the west, is in a long upgrade.
Public improvements for this property consist of the following:

Fire Protection. Fire protection will be provided by the Norman Fire Department.

Sanitary Sewers. Individual sewage systems will be installed in accordance with State Department of Environmental Quality Standards.

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facility will be utilized for the conveyance of storm water.

Streets. East Rock Creek Road is existing. Interior street will be constructed as a private street and maintained by the Property Owners Association.

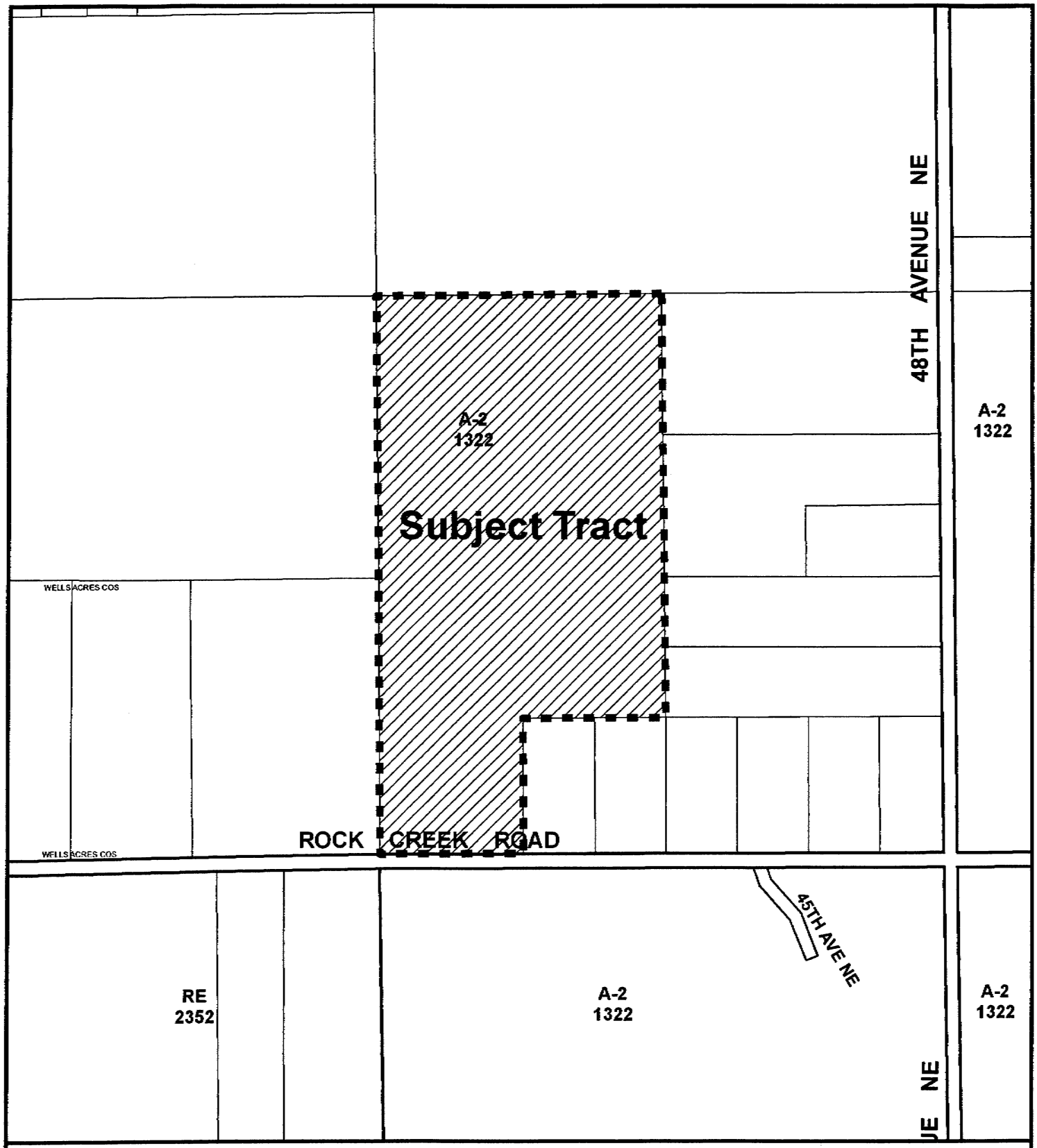
Water Mains. Individual water wells will be installed in accordance with the Department of Environmental Quality and City standards.

Public Dedications. Required right-of-way and easements will be dedicated with the final plat.

RECOMMENDATION: Based upon the above information, staff recommends approval of the preliminary plat for Tanglewoods Addition, a Planned Unit Development, subject to City Council's approval of Ordinance No. O-1011-46.

CC Agenda 4-26-11
PP-1011-13, Tanglewoods Addition
Traffic Impact Chart

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Rock Creek Road	2	1,815	170	1,985	17,100	10.61	11.61



Location Map

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.

N
W E
S

Scale: 1" = 600'

November 3, 2009

Subject Tract

Zoning

PRELIMINARY PLAT ITEM NO. 7b

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for TANGLEWOODS ADDITION, A Planned Unit Development

LOCATION: Generally located on the north side of East Rock Creek Road approximately ½ mile east of 36th Avenue N.E.

INFORMATION:

1. Owner. Rock Creek Land, L.L.C.
2. Developer. Rock Creek Land, L.L.C.
3. Engineer. Crafton Tull

HISTORY:

1. October 18, 1961. City Council adopted Ordinance No. 1312 annexing this property into the City of Norman.
2. October 30, 1961. Planning Commission recommended placing this property into the A-2 zoning classification.
3. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in the A-2 zoning classification.
4. The applicant has made a request to place this property in the Planned Unit Development (PUD) and remove it from A-2 zoning classification.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department.
2. Sanitary Sewers. Individual sewage systems will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.
3. Storm Sewers. Stormwater and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. An existing pond will be utilized for detention. This area is part of the open space and will be maintained by the Property Owners Association.

IMPROVEMENT PROGRAM, con't:

4. Streets. Interior street will be constructed as a private street and maintained by the Property Owners Association.

5. Water Mains. Individual water wells will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. Rock Creek Road right-of-way will be dedicated to the City on the final plat.

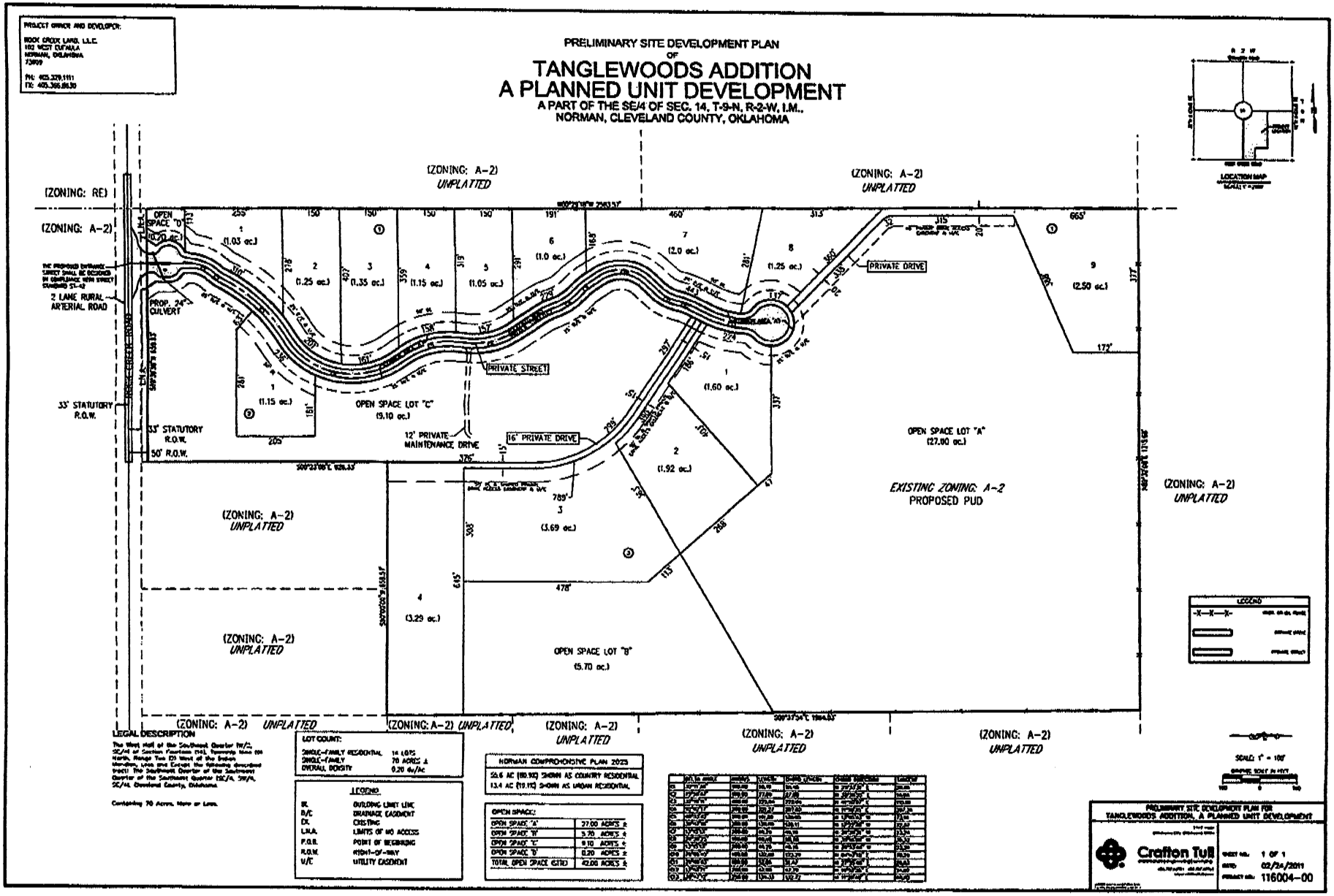
SUPPLEMENTAL MATERIAL: Copies of a location map and a preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Developer proposes to build 14 residential dwellings and approximately 42 acres of open space to be maintained by a Property Owners Association. Staff recommends approval of the preliminary plat for Tanglewoods Addition, A Planned Unit Development.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Tanglewoods Addition, A Planned Unit Development, to City Council.

ACTION TAKEN: _____

PRELIMINARY SITE DEVELOPMENT PLAN
OF
TANGLEWOODS ADDITION
A PLANNED UNIT DEVELOPMENT
A PART OF THE SE/4 OF SEC. 14, T-9-N, R-2-W, I.M.,
NORMAN, CLEVELAND COUNTY, OKLAHOMA



PROJECT OWNER AND DEVELOPER:

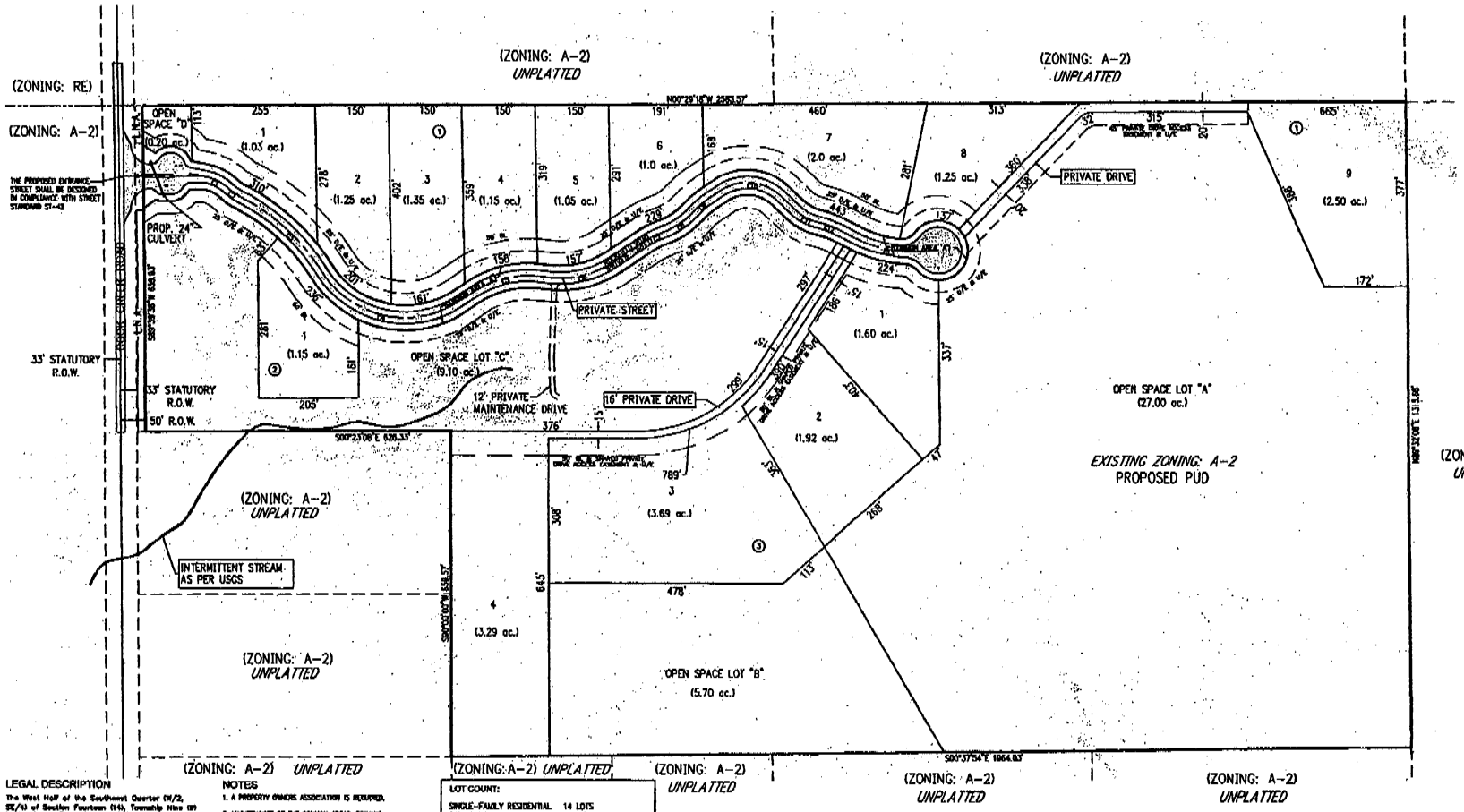
ROCK CREEK LAND, L.L.C.
102 WEST EUFAULA
NORMAN, OKLAHOMA
73069

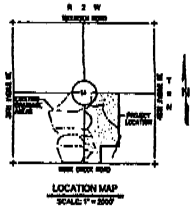
PH: 405.329.1111
FX: 405.366.8630

PRELIMINARY PLAT
OF

TANGLEWOODS ADDITION
A PLANNED UNIT DEVELOPMENT

A PART OF THE SE/4 OF SEC. 14, T-9-N, R-2-W, I.M.,
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LEGAL DESCRIPTION

The West Half of the Southwest Quarter (W/2, SE/4) of Section Fourteen (14), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Less and Except the following described tract: The Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE/4, SW/4, SE/4), Cleveland County, Oklahoma.

Containing 70 Acres, More or Less.

NOTES

1. A PROPERTY OWNERS ASSOCIATION IS REQUIRED.
2. MAINTENANCE OF THE COMMON AREAS, PRIVATE STREETS, ISLANDS/MEDIANS IN PUBLIC RIGHTS-OF-WAY AND ARTERIAL LANDSCAPING WITH ITS IRRIGATION SYSTEM (IF ANY) IN THE TANGLEWOODS ADDITION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION. NO STRUCTURES, STORAGE OF MATERIAL, GRADING, FILL, OR OTHER OBSTRUCTIONS, EITHER TEMPORARY OR PERMANENT SHALL BE PLACED WITHIN THE DRAINAGE RELATED COMMON AREAS AND/OR DRAINAGE EASEMENTS SHOWN.
3. THE INDIVIDUAL LOTS WILL BE SERVED BY PRIVATE WATER WELLS AND PRIVATE INDIVIDUAL SANITARY SEWER SYSTEMS.

LOT COUNT:

SINGLE-FAMILY RESIDENTIAL	14 LOTS
SINGLE-FAMILY	70 ACRES ±
OVERALL DENSITY	0.20 du/Ac

LEGEND

BL	BUILDING LIMIT LINE
D/E	DRAINAGE EASEMENT
EX.	EXISTING
L.N.A.	LIMITS OF NO ACCESS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
U/E	UTILITY EASEMENT

OPEN SPACE:

OPEN SPACE 'A'	27.00 ACRES ±
OPEN SPACE 'B'	5.70 ACRES ±
OPEN SPACE 'C'	9.05 ACRES ±
OPEN SPACE 'D'	0.25 ACRES ±
TOTAL OPEN SPACE (SITE)	42.00 ACRES ±

	DELTA ANGLE	RADIUS	LENGTH	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	30°01'24"	100.00	56.10	55.45	N 20°03'31" E	28.84
C2	15°38'57"	100.00	27.88	27.80	N 37°38'55" E	14.04
C3	32°18'11"	400.00	225.64	222.64	N 41°50'07" E	115.91
C4	90°00'17"	300.00	471.27	267.85	N 11°30'35" E	297.24
C5	40°33'42"	200.00	141.59	138.63	N 13°46'43" W	73.91
C6	39°47'18"	200.00	139.00	136.11	N 13°22'08" W	72.37
C7	13°13'13"	200.00	46.18	46.10	N 38°38'31" W	23.14
C8	39°39'25"	150.00	68.40	66.78	N 33°08'08" W	35.33
C9	13°13'13"	200.00	46.18	46.10	N 38°38'31" W	23.14
C10	76°56'53"	100.00	132.84	123.39	N 64°47'25" E	78.29
C11	29°46'43"	100.00	52.08	51.47	N 37°55'08" E	26.63
C12	17°43'23"	300.00	47.80	47.76	N 16°06'15" E	24.07
C13	39°47'18"	200.00	134.33	132.72	N 11°30'40" E	69.83

SCALE: 1" = 100'

GRAPHIC SCALE IN FEET

100 0 100

PRELIMINARY PLAT TO SERVE
TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT

Crafton Tull

SHEET NO.: 1 OF 1
DATE: 02/24/2011
PROJECT NO.: 116004-00

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: March 1, 2011

CONDUCTED BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Tanglewoods PUD

PROJECT TYPE: Residential P.U.D.

SURROUNDING ENVIRONMENT (Streets, Developments)
Very low density and country residential surrounds the project location. Rock Creek Road is the main east/west roadway, and the site is located midway between 36th and 48th Avenues NE.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Rock Creek Road: 2 lanes (existing and future). Speed Limit - 50 mph. Some sight distance limitations. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ■ NO ☐

Proposed number of access points along for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

	Total	In	Out
Weekday	170	85	85
A.M. Peak Hour	19	5	14
P.M. Peak Hour	18	11	7

TRANSPORTATION IMPACT STUDY REQUIRED? YES ☐ NO ■

The trip generation potential for this development is well below the threshold for when a traffic impact study is required. No negative impacts are anticipated.

RECOMMENDATION: APPROVAL ■ DENIAL ☐ N/A ☐ STIPULATIONS ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

The location of the proposed driveway along Rock Creek Road is such that sight distance to the east could be in question as a result of a sag vertical curve located to the east of the proposed driveway location. A field visit with the engineer was conducted on Tuesday afternoon, March 1, 2011, to verify the available sight distance to the east. It was found that should the proposed driveway be located as close as possible to the west property line that sufficient sight distance will exist to the east. Sight distance to the west is in excess of required minimum intersection sight distance requirements as Rock Creek Road, to the west, is in a long upgrade.

Applicant	Rock Creek Land
Location	N of Rock Creed Road approximately ½ mile east of 36th Ave NE
Case Number	PD11-03
Time	6:00—6:30 PM

Attendee	Stakeholder	Address	Phone
Robert Marriot	engineer	807 Carey Drive	360-5753
Kendall Dillon	Applicant's engineer	214 E Maine	787-6270
Bill and Floyd Taylor	Neighbors	2109 Morgan Dr	329-0137
			(469) 855-7500
Roy & Huwanta Blasius	Neighbors	2830 48th Ave NE	329-4286
Chris Roth	Neighbor	4444 E Tecumseh	?
Don Burress	Neighbor	?	?
Susan Atkinson	City staff		366-5392
Ken Danner	City staff		366-5458
Leah Messner	City staff		366-7748

Application Summary. Applicant is seeking a Preliminary Plat for a 70-acre parcel in NE Norman. The property is currently zoned A-2. The *Norman 2025 Land Use Plan* designation is Very Low Density Residential/Country Residential. The applicant is seeking to rezone the property to PUD for a residential subdivision.

Background. The Predevelopment certificate on this project has expired. This was the second Predevelopment conference on the same proposal.

Applicant's Opportunity.
The applicant is seeking to develop a 14-lot gated community with 65% of the parcel dedicated as open space/common area. He is committed to preserving as much of the current ground cover, tree canopy and topography as possible with minimal impact on the creekshed flowing through the property or on surrounding properties, private streets, and private wells and septic systems.

The development would include 14 single family house sites, with smaller lots to the west edge of the property, larger lots to the east of the creek. Open space, per deed restriction, would be clustered along the east side of the creek and in roughly the northern 1/3 of the parcel. Lots would range in size from the smallest at 1-acre to the largest at nearly 10-acres, with an average lot size of around 1.75-acres. Applicant will not build the individual houses but intends to include some architectural controls on development specifying a Craftsman bungalow-style architectural aesthetic. Applicant envisions a

minimum house size of 2,800 sf with a price point to be determined. He anticipates a 5-10 year full build out.

Water and Sewer.
Applicant anticipates utilizing well and septic service until such time as City of Norman water and sewer services are extended to this location.

Neighbors Comments.

Maintenance of Open Space. Neighbors asked about the maintenance of open space.

> **Answer.** Applicant responded that the development would have a mandatory HOA like any other subdivision where property owners' annual fees would pay for the maintenance of the pond and the open space.

Fencing.
Neighbor to the north expressed strong concern about a lack of fencing along the north property line. He has a large pond and is concerned about trespassers accessing his property and pond.

> **Answer.** Applicant answered that they would erect a secure fence along the north property line that would prevent access. He also clarified that there would be no livestock or game fences erected around this acreage.

Schedule.
Applicant stated that he was proceeding to Planning Commission with this application ASAP.

Norman Predevelopment Summary November 19, 2009

Applicant	Rock Creek Land, LLC
Location	On Rock Creek Road midway between 36th and 48th Avenues NE
Case Number	PD 09-23
Time	7:00—7:30 PM

Attendee	Stakeholder	Address	Phone
Robert Marriot	Applicant	102 W. Eufaula	928-2631
Art Johnson	Applicant's architect	102 W Eufaula	863-9500
Floyd Taylor	Neighbor	2109 Morgan Drive	329-0137
Barbara Ledgerwood	Neighbor	2510 48th Avenue NE	360-3558
Roy and Harriet Blasios	Neighbors	2830 48th Avenue NE	329-4286
Kendall Dillon	Interested citizen	214 E Main	787-6270
Garrett Roth	Interested citizen	1324 Tarman Circle	329-0830
Susan Atkinson	City facilitator		366-5392
Leah Bunney	City Attorney's office		366-7748
Wayne Stenis	City advisor		366-5441

Application Summary.
Applicant is seeking to rezone this 70-acre parcel to from A-2 to a Residential PUD. The *Norman 2025 Land Use* designation is Very Low Density/Country Residential.

Applicant's Opportunity.
The applicant is seeking to develop a 14-lot gated community with 65% of the parcel dedicated as open space/common area. He is committed to preserving as much of the current ground cover, tree canopy and topography as possible with minimal impact on the creekshed flowing through the property, or on surrounding properties, private streets, and private wells and septic systems.

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Water and Sewer.
Applicant anticipates utilizing well and septic service until such time as City of Norman water and sewer services are extended to this location.

Neighbors Comments.

Maintenance of Open Space. Neighbors asked about the maintenance of open space.

> **Answer.** Applicant responded that the development would have a mandatory HOA like any other subdivision where property owners' annual fees would pay for the maintenance of the pond and the open space.

Existing Pond.
Neighboring owner expressed concern about the condition of the existing pond.

> **Answer.** Applicant answered that they intended to substantially clean-up the edges and overall condition of the pond as he wants it to be a central design feature of the site.

Fencing.
Neighbor to the north expressed strong concern about a lack of fencing along the north property line. He has a large pond and is concerned about trespassers accessing his property and pond.

> **Answer.** Applicant answered that they would erect a secure fence along the north property line that would prevent access. He also clarified that there would be no livestock or game fences erected around this acreage.

Schedule.
Applicant stated that he was not in a particular hurry and that build out would occur over 5-10 years. He is proceeding with the rezoning now and will determine next steps when zoning process is complete in 3-4 months.

GREENBELT COMMISSION MEETING

GREENBELT ENHANCEMENT STATEMENT COMMENTS

JANUARY 24, 2011

PD11-03

Applicant:	Rock Creek, LLC
Location:	This property is located on the north side of Rock Creek Road ½ to ¾ mile east of 36th Avenue NE.
Request:	Preliminary plat of a 70 acre parcel with area in Country Residential and Very Low Density Residential; this is a PUD with substantial private open space of approximately 42 acres and development of 24 acres to accommodate 14 single-family lots.

Greenbelt Commission final comments regarding PD11-03:

This is a good example of cluster development with open space and the intention to develop walking paths. The Commission recommends that the paths be developed as graciously proposed.

Pre-Development Case No. PD 11-03

NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 1-10-11

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Rock Creek llc Date: 1-10-11

Contact Person: Robert Marriott Telphone/Fax/Email: 928-2631, 366-8630/robert@robertmarriott.com

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses.

NAME TBD, MIDSECTION ON Rock Creek Road East of 36th Ave NE AND West of 48th Ave NE ON North Side - 70 Acre Residential POD

2. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

MUCH ATTENTION IS GIVEN TO OPEN SPACE AS THERE WILL ONLY BE 14 HOME SITES — AND WILL BE A GATED COMMUNITY — IT WILL FEATURE MOSTLY NATURAL SETTINGS WITH HOMES TUCKED OFF THE ROAD —

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

	For access only	Within open space
Sidewalks		
Other paved surface trail		✓
Unpaved Trail		✓
Direct Access from lots	✓	✓

4. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

THERE ARE NO PARKS OR TRAILS TO MY KNOWLEDGE

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

THERE ARE INTERNAL WALKING PATHS FROM THE SE/C OF PROPERTY AROUND AND TO APPROX 30+ ACRES OF OPEN ROLLING PASTURE —

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

THIS IS A PROJECT WITH OPEN GATES DURING THE DAY AND CLOSED AT NIGHT — THERE WILL BE A PULL OFF OF ROCK CREEK ALLOWING FOLKS TO GET OFF THE STREET.

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include: **storm water channels, detention ponds, floodplains, stream bank/ riparian corridors, utility easements, abandoned or active railroad corridors.** How will your development incorporate those elements into greenbelts and trails? We will use the natural lay of the land to determine where to build - and create walking paths so as to disturb a minimal space!

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

I believe this is a unique opportunity to mix a low density residential area with the POD Clustering home sites & preserving a lot of open space!

9. Other comments:

Signature of Applicant or Contact Person: [signature]

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY ROCK CREEK LAND, L.L.C., FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

7a. ORDINANCE NO. O-1011-46
ROCK CREEK LAND, L.L.C., REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

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

7b. PP-1011-13
CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ROCK CREEK LAND, L.L.C. (CRAFTON TULL) FOR TANGLEWOODS ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD APPROXIMATELY ½ MILE EAST OF 36TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Pre-Development Summary – January 27, 2011
7. Pre-Development Summary – November 19, 2009
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that the current zoning of the property is A-2. It is in a part of town where the normal density would be one dwelling unit per 10 acres. Based on the 2025 Plan it is an area that is eligible for a portion of the property to be rezoned for RE lots; about 7 lots could be achieved in that area. The 2025 Plan encourages rural clustering, for the efficiency of design, and as a way of preserving open space. The clustering on the western part would allow another 7 lots. The applicant has designed a 14-lot subdivision that works very well with the topography. The applicant is creating a gated community. There will be single-family homes only. They have retained the pond and made it a feature of the subdivision. The traffic engineer has reviewed the location of the intersection and approved it. Staff supports the request for PUD zoning and the preliminary plat. There was a protest filed by one of the abutting property owners to the east, expressing concerns about trespass issues and he is interested in having a fence installed.

2. Mr. Knotts asked about the sewer service for this area. Mr. Koscinski explained that the lots will be served by individual well and septic systems. There will be site constraints on the smaller lots and they will have to engineer them to fit. They will also have to get county approval for the systems. The plat generally complies with the

cluster concept that the 2025 Plan calls for. All the lots are at least 1 acre in size. The plat also reserves four large open space areas where there will be no further development, other than open space uses such as a gazebo.

3. Mr. McCarty asked for a summary of cluster development in RE zoning. Mr. Koscinski explained that standard RE zoning requires 2-acre lots. With a cluster concept in RE, you can take the back acre of the lots and combine them with surrounding lots to come up with common open space. That concept was used for Cobblestone Creek, south of Highway 9, with 2-acre lots where a golf course encumbers essentially the back half of the lots. In this case, the applicant designed a PUD to deal with all those issues. The developer intends to retain Lot 3, Block 3, and retain individual ownership of the Open Space Lot B behind it.

(Ms. Hartley arrived during this part of the meeting.)

4. Mr. Lewis asked what kind of fence is going to be erected. Mr. Koscinski responded that what the PUD narrative says is what will control, because it will be adopted by ordinance.

5. Mr. Lewis asked whether the trails referenced in the Greenbelt Enhancement Statement are actually planned into the development. Mr. Koscinski indicated that question can be addressed by the applicant's engineer.

6. Mr. Lewis commented that this is proposed to be a gated community. The 2025 Plan says that suburban density will be no more than one unit per two acres, and says the development will generally require individual water wells and sewage treatment facilities, however City water should be provided for any development in this area where high quality water cannot be assured. If we approve this, and there is no high-quality water, then we've obligated the City to running water lines to this area. In addition, it says to be granted this increased density cluster development requires installation of a community water system to current City standards, including the provision of fire protection. Homes in this development are a minimum of 2,800 square feet, so they are in excess of $280,000. He asked how fire trucks and police will gain access to the gated community. Mr. Koscinski indicated the same circumstance exists in Grandview Estates North on the west side of town. The City requirement is that there be a siren operated system (SOS) for emergency access through the gates. The Fire Department would respond to this area the same as they would to any other rural areas of Norman that do not have water; they will bring a water truck and/or find water sources and do what they can to put out a fire. Mr. Lewis commented that it is a great concern to him that there is a potential fire hazard in this development where the City can't fight a fire because of the lack of water that is present.

PRESENTATION BY THE APPLICANT:

1. Kendall Dillon, Crafton Tull, representing the applicant – We're trying to utilize what your plan encourages with a cluster development, especially focused on the rural type of development. Some of the benefits, and one of the reasons the Plan encourages that, is it gives more flexibility in trying to protect surrounding properties, and it is an efficient way to develop property in the sense that it allows you to reduce the amount of infrastructure, which allows you to reduce maintenance costs, and it

allows you to provide more open space and common areas and more preservation areas to accomplish water quality, livability, etc. We've looked at the overall topography of the site and the characteristics of the site and tried to design according to what we believe is a good plan for this site. Since we are permitted to do the cluster development where we can congregate the houses a little closer, still with large lots of 1 acre minimum, we're offering large common areas. To the north is a large common area that wraps around to a separate lot on the east. It is a large open meadow with some native grasses and a real pretty setting. We're preserving all that as an open space. Through the middle of the site you'll notice that we've got another large open space that is a very heavily wooded area. It also contains a drainage way and a large gully. But putting it in open space and leaving all the riparian zones we feel that is a benefit and mitigation in terms of water quality. We also have a pond that we're going to leave in place, not only as an amenity, but we're going to use that as detention for the site so that there will be no increase in runoff from our site. We're reserving 60% of the site as open space. We've clustered the lots predominantly toward the south end and toward the west side of the site. It puts most of the houses in the area that the 2025 Plan considers to be suburban area. That also puts most of the future houses on the site as far away as possible from any existing residents on adjacent properties. We have most of the lots clustered together in the heavily forested area, and we've done that for aesthetics of the subdivision and to offer secluded home sites and have houses that are nestled back within the trees. There will be a landscaped gated entry off Rock Creek Road. The street will wind through with secluded houses on the west and heavily wooded area on the east side. At the end of the street you will be looking out over the open meadow. We believe this is a creative plan and is in compliance and compatible with the 2025 Plan and that it is custom fit for this particular site and incorporates some of the native features of the site. It allows a low density while allowing use of the property. We have submitted a preliminary drainage study to staff and will provide detailed construction plans with the final plat. We have researched the storm water master plan. We are in the upper Rock Creek basin which doesn't have a lot of problems. The plan recommends leaving a buffer along some drainage ways, which are incorporated in the site. The PUD does state that they will make sure that there is a fence around the east, west, and north sides of the property; it also says they can be permitted to do a barbed wire fence, which is their intent. Given the rural nature of the property and the movement patterns of wildlife, they don't want to construct a stockade fence and feel a barbed wire fence serves the purpose for security.

2. Mr. Trachtenberg commented that one of the speakers at the APA Conference last fall discussed best practices in developing sites. He believes this development is an exemplary usage of the cluster concept and shows sensitivity and intelligence in working with the landscape. He asked, based on the existing drainage flows, whether the pond will have water in it year around. Mr. Dillon responded that it is a retention pond and holds water, and it will be an amenity for the neighborhood with fishing and maybe a park bench so residents can enjoy it. In addition, it will have additional capacity to provide for detention on the site.

3. Mr. Trachtenberg asked about fencing on the south side of the property. If it is a gated community, normally gates are part of fences. Mr. Dillon responded that the reason they did not plan a fence on the south is because the residents that expressed

the most concern were on the north and the east, and also because the site is very heavily wooded on the south. They have allowed the trees to serve as the protection on the south. Mr. Trachtenberg asked whether residents of this development will be restricted from cutting trees on their lots. Mr. Dillon indicated that may be addressed in the covenants. There is nothing expressly written into the PUD that prohibits that. The intent of the development is to preserve the property as much like it is today as can be done. They expect that the people who are going to buy and build in the development will have the same vision for the subdivision.

4. Mr. Lewis said he applauds the developer for the large amount of open space. He asked if there is a plan for the open space: what type of trails they're going to connect into the greenbelt system, etc. Mr. Dillon explained that they do not have a detailed plan for amenities. The trails they envision are a nature path. They envision some sort of gathering area, such as a picnic table with a covered area, some park benches around the pond and some trails, although not necessarily paved, that would serve as a walkway around some of the forested areas and the pond that maintain the natural feel.

5. Mr. Lewis asked whether the water on this site has been tested to ensure a quality water system in the development. Mr. Dillon indicated he is not aware of any specific water testing. There are numerous well sites that they have reviewed the log reports from the Oklahoma Water Resources Board. They know generally the amount and quality of the water that will be available and are comfortable with the data.

6. Mr. Lewis asked about fire and police protection when the gates are closed. Mr. Dillon explained that the gates will be equipped with the standard entry so that the gates will open for emergency vehicles. It is a Rural Estates development and those issues are concerns for everybody in those types of developments. Ms. Messner added that this will be a private road and the police do not regularly patrol private roads in Norman. Since it is not a public street, the police would not go out there until they were summoned.

7. Ms. Pailes asked about the placement of Lot 9. Mr. Dillon responded that they felt it would make a really nice lot based on the characteristics of the site and would accomplish their overall objective.

8. Mr. Trachtenberg asked whether the trails will only be for use by the residents, and not part of the public trail system. Mr. Dillon responded affirmatively.

9. Mr. Knotts asked whether cross-fencing will be allowed. Mr. Dillon said it is not addressed by the PUD. They would like to not necessarily exclude it at this point and address it within the covenants and restrictions.

10. Mr. Lewis asked about the added cost of developing the property with the private drives. Mr. Dillon said it will be covered in the covenants and restrictions. They have the ability to make a payback or pro rata share for the development of the private driveway serving the four lots. The costs of the driveways end up being marketing issues and the driveway is part of the building costs. He believes there is somebody already very interested in building on Lot 9.

11. Mr. McCarty asked whether they have talked to the family that submitted the protest letter. Mr. Dillon indicated that Mr. Marriott contacted them this afternoon about the letter. Mr. McCarty asked if the property is currently fenced. Mr. Dillon said they believe part of it is fenced, but not all of it. Mr. McCarty asked if the existing fence would be removed by the developer. Mr. Dillon responded that if the fence is on the neighbor's property, they would not touch it; if it is on Mr. Marriott's property, they would remove it and replace it.

PARTICIPATION BY THE AUDIENCE:

1. Ron Iglesias, a neighbor at the north end of the property and next to the Crawfords – There is a fence there now and the Crawfords wanted a privacy fence. He asked, if there is going to be a barbed wire fence, whether the developer will take down what is left of existing fences and build a clean, continuous fence. Mr. Dillon responded that their intent is to have a nice, well-constructed fence around the property. If a fence is outside their property, they have no right to do anything with it. They will work with adjacent property owners.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Zev Trachtenberg moved to recommend adoption of Ordinance No. O-1011-46, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for TANGLEWOODS ADDITION, A Planned Unit Development, to the City Council. Curtis McCarty seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1011-46, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for TANGLEWOODS ADDITION, A Planned Unit Development, to the City Council, passed by a vote of 8-1.

* * *