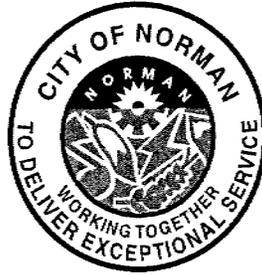


City of Norman, OK

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



City Council Agenda

Tuesday, October 25, 2011

6:30 PM

Municipal Building Council Chambers

City Council

*Mayor Cindy Rosenthal
Council Member Roger Gallagher
Council Member Tom Kovach
Council Member Hal Ezzell
Council Member Carol Dillingham
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
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 GID-1112-27 CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 11, 2011

CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 11, 2011

CITY COUNCIL MINUTES OF OCTOBER 11, 2011

NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 11, 2011

NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 11, 2011

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 11, 2011

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

ACTION TAKEN: _____

Attachments: October 11 Special Session Minutes

October 11 CC Minutes

Awards and Presentations

4 GID-1112-30 PRESENTATION OF THE "GO GREEN RAP" BY STUDENTS FROM TRUMAN ELEMENTARY SCHOOL.

- 5 P-1112-8 PROCLAMATION NO. P-1112-8: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING FRIDAY, NOVEMBER 11, 2011, AS VETERAN’S DAY IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1112-8 proclaiming Friday, November 11, 2011 Veteran’s Day in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Attachments: Veteran's Day

6 **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 7 through Item 40 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:

- 7 RPT-1112-11 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR’S INVESTMENT REPORT AS OF SEPTEMBER 30, 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 Investment Report

- 8 RPT-1112-12 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2011, AND DIRECTING THE FILING THEREOF

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

ACTION TAKEN: _____

- 9 RPT-1112-14 SUBMISSION OF THE DEVELOPMENT OVERSIGHT COMMITTEE FOR THE TIF DISTRICT NO. TWO ANNUAL REPORT FOR THE PERIOD OF JANUARY 1, 2011, THROUGH AUGUST 31, 2011.

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

ACTION TAKEN: _____

Attachments: UNP TIF Oversight Comm Annual Report 8-31-11.PDF
 10-11-11 Minutes.PDF

- 10 RPT-1112-13 SUBMISSION OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2011, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

INFORMATION: The above-described item appears on City Council's agenda in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record.

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

ACTION TAKEN: _____

Attachments: Letter from Library
 Audit Report

11 BID-1112-11 CONSIDERATION AND AWARDING OF BID NO. 1112-11 FOR AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

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

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 3, and 8; and, if accepted, award the bid to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the Alternate Bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Kudron

Trucking, Inc., as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 6; and, if accepted, award the bid to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 9; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 10, 11, and 13; and, if accepted, award the bid to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 12(B); and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Attachments: Bid Tabulation Bid 1112-11

12 BID-1112-12 CONSIDERATION AND AWARDING OF BID NO. 1112-12 FOR INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE DIVISION.

- 1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAME
- 2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET
FRAMES WITH FASTENING HARDWARE
- 3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAME WITH
FASTENING HARDWARE
- 4. HEAVY-DUTY CAST IRON TYPE L GRATE
- 5. HEAVY-DUTY CAST IRON TYPE V GRATE
- 6. (A) 6-INCH MOUNTABLE CAST IRON CURB HOOD WITH
FASTENING
HARDWARE
(B) 8-INCH MOUNTABLE CAST IRON CURB HOOD WITH
FASTENING
HARDWARE
- 7. DETECTABLE WARNING SURFACE/ADA TRUNCATED
DOME,
2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 2, 3, 6-A and 6-B; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications, Ferguson Water Works as the first alternate bidder; and Water Products of Oklahoma, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Water Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications, East Jordan Iron Works, Inc., as the first alternate bidder; and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Ferguson

Water Works as the lowest and best bidder meeting specifications; Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Maxwell Supply Company as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

Attachments: Bid 1112-12 Bid Tabulation

13 BID-1112-13 CONSIDERATION AND AWARDING OF BID NO. 1112-13 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE DIVISION.

- 1. (A) CLASS A
(B) CLASS A WITH ONE PERCENT CALCIUM CHLORIDE
(C) CLASS A WITH TWO PERCENT CALCIUM CHLORIDE
- 2. CLASS B
- 3. HIGH EARLY STRENGTH CONCRETE
- 4. FAST-TRACK CONCRETE
- 5. 5-SACK GROUT MIX
- 6. FLOWABLE FILL

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1-A, 1-B, 1-C, and 3; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 4; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications, Kudron Ready Mix, Inc., as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 6; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications and Kudron Ready Mix, Inc., and Metheny Concrete Products, Inc., as the alternate bidders.

ACTION TAKEN: _____

Attachments: Bid Tabulation Portland Cement

- 14 **BID-1112-14** CONSIDERATION AND AWARDING OF BID NO. 1112-14 FOR TYPE II BARRICADE RENTAL FOR THE STREET/STORM WATER DIVISIONS AS FOLLOWS:

1. (A) 200 BARRICADES PER MONTH
2. (A) 20 BARRICADES PER SEVEN DAYS
 (B) 40 BARRICADES FOR SEVEN DAYS
 (C) 60 BARRICADES PER SEVEN DAYS

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications; and, if accepted, award the bid to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Attachments: Bid 1112-14 Bid Tabulation
Type II Barricade

- 15 K-1112-52 CONSIDERATION OF BID NO. 1112-25; CONTRACT NO. K-1112-52 WITH STANDARD ROOFING COMPANY, INC., IN THE AMOUNT OF \$299,840; PERFORMANCE BOND NO. B-1112-11; STATUTORY BOND NO. B-1112-12; AND MAINTENANCE BOND NO. MB-1112-11 FOR THE ROOF REPLACEMENT PROJECT AT THE WATER TREATMENT PLANT LAB/FILTER, AND CHEMICAL BUILDINGS AND THE WASTEWATER TREATMENT PLANT NORTH PRIMARY CLARIFIER PUMP STATIONS AND STORM WATER HOLDING PONDS BLOWER BUILDING.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$299,840 to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-52 and the performance, statutory, and maintenance bonds; authorize execution of the contract; and direct the filing of the bonds.

ACTION TAKEN: _____

Attachments: [WTP & WWTP Roofs Bid Tab.pdf](#)

[K-1112-52](#)

[Perf B-1112-11](#)

[Stat B-1112-12](#)

[MB-1112-11](#)

[Purchase Requisition.pdf](#)

- 16 GID-1112-28 CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF FIRE-RESISTANT STAGE MATERIALS FROM ROSE BRAND WIPERS, INC., IN THE AMOUNT OF \$29,460 IN CONNECTION WITH THE SOONER THEATRE STAGE MATERIALS REPLACEMENT PROJECT.

ACTION NEEDED: Motion to approve or reject authorization for the purchase of fire resistant stage materials from Rose Brand Wipers, Inc., in the amount of \$29,460 in connection with the Sooner Theatre Stage Materials Replacement Project.

ACTION TAKEN: _____

Attachments: [Stage Materials Quotes](#)

[Bidder number 2](#)

[Bidder number 3](#)

- 17 E-1112-07 EASEMENT NO. E-1112-07: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY DEWEY W. AND KATHRYN SELMON FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-07; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Summary of SS Replacement Projects
 E-1112-07

- 18 SC-1112-2
 SUPP 1 SUPPLEMENT A TO SPECIAL CLAIM NO. SC-1112-2: A SUPPLEMENTAL CLAIM IN THE AMOUNT OF \$1,694.26 SUBMITTED BY LACEY WADE FOR RENTAL CAR EXPENSES INCURRED WHEN A SANITATION VEHICLE STRUCK HER PARKED CAR AT 2500 MCGEE DRIVE.

ACTION NEEDED: Motion to approve or reject Supplement A to Special Claim No. SC-1112-2; and, if approved, direct payment in the amount of \$1,694.26 contingent upon obtaining a Release and Covenant Not to Sue from Lacey Wade.

ACTION TAKEN: _____

Attachments: Staff Memo Lacey Wade
 Special Claim Wade

- 19 K-0607-148 AMENDMENT NO. TWO CONTRACT NO. K-0607-148: BY AND
 Amd 2 BETWEEN THE NORMAN UTILITIES AUTHORITY, THE CITY OF
 NORMAN, OKLAHOMA, AND CLEARWATER ENTERPRISES,
 L.L.C. TO ADD THE COMPRESSED NATURAL GAS FACILITY TO
 THE EXISTING CONTRACT FOR THE PURCHASE OF NATURAL
 GAS FOR CITY FACILITIES.

ACTION NEEDED: Acting as the City Council and Norman Utilities Authority, motion to approve or reject Amendment No. Two to Contract No. K-0607-148 with Clearwater Enterprises, LLC; and, if accepted authorize the execution thereof

ACTION TAKEN: _____

Attachments: Clearwater Amendment

- 20 K-1112-64 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL
 AND VOLUNTARY SERVICES COMMISSION TO APPROVE A
 REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 AND
 ENTER INTO CONTRACT NO. K-1112-64 WITH HEALTH FOR
 FRIENDS, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,000 from Health for Friends, Inc.; and, if approved, authorize the execution of Contract No. K-1112-64.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-64 HFF
 SVSC Minutes
 PO HFF

- 21 K-1112-65 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$6,850 AND ENTER INTO CONTRACT NO. K-1112-65 WITH THE WOMEN'S RESOURCE CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$6,850 from the Women's Resource Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-65.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-65 WRC
 SVSC Minutes
 PO WRC

- 22 K-1112-66 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$15,000 AND ENTER INTO CONTRACT NO. K-1112-66 WITH FOOD AND SHELTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$15,000 from Food and Shelter, Inc.; and, if approved, authorize the execution of Contract No. K-1112-66.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-66 FSFF
 SVSC Minutes
 PO FSFF

- 23 K-1112-67 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 AND ENTER INTO CONTRACT NO. K-1112-67 WITH TRANSITION HOUSE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,000 from Transition House, Inc.; and, if approved, authorize the execution of Contract No. K-1112-67.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-67 Transition
 SVSC Minutes
 PO Transition

- 24 K-1112-68 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,160 AND ENTER INTO CONTRACT NO. K-1112-68 WITH FULL CIRCLE SENIOR ADULT DAY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,160 from Full Circle Senior Adult Day Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-68.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-68 Full circle
 SVSC Minutes
 PO Full Circle

- 25 K-1112-69 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$3,000 AND ENTER INTO CONTRACT NO. K-1112-69 WITH AGING SERVICES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$3,000 from Aging Services, Inc.; and, if approved, authorize the execution of Contract No. K-1112-69.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-69 Aging
 SVSC Minutes
 PO Aging

- 26 K-1112-70 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,390 AND ENTER INTO CONTRACT NO. K-1112-70 WITH MARY ABBOTT CHILDREN'S HOUSE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,390 from Mary Abbott Children's House; and, if approved, authorize the execution of Contract No. K-1112-70.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-70 Mary Abbott
 SVSC Minutes
 PO Mary Abbott

- 27 K-1112-71 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$1,500 AND ENTER INTO CONTRACT NO. K-1112-71 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$1,500 from Among Friends Activity Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-71.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-71 Among Friends
 SVSC Minutes
 PO Among Friends

- 28 K-1112-72 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$7,500 AND ENTER INTO CONTRACT NO. K-1112-72 WITH THE CENTER FOR CHILDREN AND FAMILIES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$7,500 from Center for the Children and Families, Inc.; and, if approved, authorize the execution of Contract No. K-1112-72.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-72 CCFI
 SVSC Minutes
 PO CCFI

- 29 K-1112-73 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,000 AND ENTER INTO CONTRACT NO. K-1112-73 WITH THE SALVATION ARMY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,000 from the Salvation Army; and, if approved, authorize the execution of Contract No. K-1112-73.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-73 Salvation Army
 SVSC Minutes
 PO Salvation Army

- 30 K-1112-74 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$8,500 AND ENTER INTO CONTRACT NO. K-1112-74 WITH CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$8,500 from the Central Oklahoma Community Action Agency; and, if approved, authorize the execution of Contract No. K-1112-74.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-74 COCAA
 SVSC Minutes
 PO COCA

- 31 K-1112-75 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$4,000 AND ENTER INTO CONTRACT NO. K-1112-75 WITH BETHESDA, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$4,000 from Bethesda, Inc.; and, if approved, authorize the execution of Contract No. K-1112-75.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-75 Bethesda
 SVSC Minutes
 PO Bethesda

- 32 K-1112-76 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,700 AND ENTER INTO CONTRACT NO. K-1112-76 WITH THE COMMUNITY AFTER SCHOOL PROGRAM.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,700 from the Community After School Program; and, if approved, authorize the execution of Contract No. K-1112-76.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-76 Comm Af School
 SVSC Minutes
 PO Comm After School

- 33 K-1112-77 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,700 AND ENTER INTO CONTRACT NO. K-1112-77 WITH BRIDGES.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,700 from Bridges; and, if approved, authorize the execution of Contract No. K-1112-77.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-77 Bridges
 SVSC Minutes
 PO Bridges

- 34 K-1112-78 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$10,500 AND ENTER INTO CONTRACT NO. K-1112-78 WITH COMMUNITY SERVICES BUILDING, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,500 from Community Services Building, Inc.; and, if approved, authorize the execution of Contract No. K-1112-78.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-78 CSBI
 SVSC Minutes
 PO CCFI

- 35 K-1112-79 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,000 AND ENTER INTO CONTRACT NO. K-1112-79 WITH THE AMERICAN RED CROSS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,000 from the American Red Cross.; and, if approved, authorize the execution of Contract No. K-1112-79.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-79 Red Cross
 SVSC Minutes
 PO Red Cross

- 36 K-1112-80 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$8,500 AND ENTER INTO CONTRACT NO. K-1112-80 WITH EAST MAIN PLACE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$8,500 from East Main Place, Inc.; and, if approved, authorize the execution of Contract No. K-1112-80.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-80 East Main Place
 SVSC Minutes
 PO East Main Place

- 37 K-1112-81 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$1,700 AND ENTER INTO CONTRACT NO. K-1112-81 WITH KALEIDOSCOPE GRIEF SUPPORT, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$1,700 from Kaleidoscope Grief Support, Inc.; and, if approved, authorize the execution of Contract No. K-1112-81.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-81 Kaleidoscope
 SVSC Minutes
 PO Kaleidoscope

- 38 K-1112-82 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,500 AND ENTER INTO CONTRACT NO. K-1112-82 WITH THE COUNCIL FOR DEVELOPMENTAL DISABILITIES D/B/A ABLE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,500 from the Council for Developmental Disabilities d/b/a ABLE; and, if approved, authorize the execution of Contract No. K-1112-82.

ACTION TAKEN: _____

Attachments: SVSC Rqsts 2011
 K-1112-82 ABLE
 SVSC Minutes
 PO ABLE

- 39 GID-1112-29 CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SUBROGATION RECOVERY SETTLEMENT IN THE AMOUNT OF \$8,333.33 IN JAMES SCOTT V. THE CITY OF NORMAN, WORKERS COMPENSATION COURT CASE NO. WCC 2010-07704 R.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's office to effectuate the settlement in the amount of \$8,333.33.

ACTION TAKEN: _____

- 40 R-1112-50 RESOLUTION NO. R-1112-50: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$93,967 FROM THE CAPITAL FUND BALANCE TO INCREASE THE BALANCE OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) AUDIT ADJUSTMENT PROJECT ACCOUNT TO BE USED FOR FINAL PAYMENT ON AUDITED PROJECTS AND AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$39,623.41 TO ODOT FOR THE CITY'S 20% SHARE OF THE 24TH AVENUE N.W. AND BOARDWALK INTERSECTION PROJECT.

ACTION NEEDED: Motion to adopt or reject Resolution no. R-1112-50; and, if adopted, direct final payment in the amount of \$39,623.41 to ODOT for the City's share of the 24th Avenue N.W. and Boardwalk Intersection Project.

ACTION TAKEN: _____.

Attachments: Attachment A
 Attachment B
 R-1112-50
 ODOT Invoice-R-1112-50
 Requisition

Non-Consent Items

- 41 R-1112-5 RESOLUTION NO. R-1112-5: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA AND TO PLACE THE PROPERTY IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-1; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: R-1112-5
 SouthernPlains 2025 Map
 Southern Plains 2025 Staff Report
 9-8-11 PC Minutes - Southern Plains

- 42 O-1112-2 ORDINANCE NO. O-1112-2: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-2 upon Second Reading section by Section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-2 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1112-2 Southern Plains Treatment Special Use
 Southern Plains Site Plans
 Southern Plains Location Map
 Southern Plains Staff Report
 Southern Plains Statement
 Predevelopment Summary Southern Plains
 9-8-11 PC Minutes - Southern Plains

43 O-1112-11 ORDINANCE NO. O-1112-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3100 26TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-11 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-11 upon Final Reading as a whole.

ACTION TAKEN: _____

- Attachments:** O-1112-11 Hunter Bed and Breakfast
 Hunter BB Site Plan
 Hunter BB Location Map
 Hunter Special Use Staff Report
 Hunter BB Project Description
 Hunter BB Pre-Development
 9-8-11 PC Minutes - Hunter BB
 O-1112-11 Hunter Protest

- 44 R-1112-4 RESOLUTION NO. R-1112-4: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: R-1112-4

Location map Tecumseh Project 2025

Tecumseh Project 2025 Staff Report

8-11-11 PC Minutes - Tecumseh Project

- 45 O-1112-1 ORDINANCE NO. O-1112-1: 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 AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-1 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-1 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1112-1

Tecumseh Project Site Plan

Tecumseh Project Location Map

Tecumseh Project Rezone Staff Report

Tecumseh Project PUD Narrative

8-11-11 PC Minutes - Tecumseh Project

Protest Area Map October 12

Emails of protest 6-27-11 (4)

Letters of protest 6-30 to 7-6 (5)

Letters of protest 7-8 (4)

Letters of Protest (9) July 11

Letters of Protest (3) 7-12 to 8-8

Petition of Protest 6-27-11

Petition of Protest 7-8-11

Letter of Protest Frazier

Letter of Protest Chanda Lee

Letter of protest Larson

Letter of protest Knight

Letter from Chuck Real Property LLC

Protest Heitz

- 46 PP-1112-1 CONSIDERATION OF PRELIMINARY PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to approve or reject the preliminary plat for the Tecumseh Project Addition, a Planned Unit Development, and waiver of alley requirements.

ACTION TAKEN: _____ -

Attachments: Attachment A-Traffic Table
 Tecumseh Project Location Map
 Tecumseh Project Prelim Plat
 Tecumseh Project Site Plan
 Staff Report - Tecumseh Project Prelim Plat
 Tecumseh Project Traffic Impact
 Tecumseh Project Alley Waiver
 Tecumseh Project Pre-Dev Summary 3-11
 Tecumseh Road Medical GES
 Tecumseh Project Greenbelt Comments
 Pert Excerpts Aug 11 PC Minutes

47 **Miscellaneous Discussion**

This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to five minutes or less.

48 **Adjournment**



City of Norman, OK

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

Master

File Number: GID-1112-27

File ID: GID-1112-27	Type: Minutes	Status: Consent Item
Version: 1	Reference: Item No. 3	In Control: City Council
Department: City Clerk Department	Cost:	File Created: 10/07/2011
File Name: Minutes	Final Action:	

Title: CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 11, 2011
 CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 11, 2011
 CITY COUNCIL MINUTES OF OCTOBER 11, 2011
 NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 11, 2011
 NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 11, 2011
 NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 11, 2011

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

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 3

Attachments: October 11 Special Session Minutes, October 11 CC Minutes

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File GID-1112-27

CITY COUNCIL SPECIAL SESSION MINUTES

October 11, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:17 p.m. in the Municipal Building Conference Room on the 11th day of October, 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 Gallagher, Griffith, Kovach,
Lockett, Spaulding, Quinn, Mayor Rosenthal

ABSENT: Councilmember Dillingham

TARDY: Councilmember Ezzell

Item 1, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1011-2 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$63,150 AND ADDING 30 CALENDAR DAYS FOR THE FYE 2009 SEWER MAINTENANCE PROJECT, PHASE 2.

The Norman Utilities Authority approved Contract No. K-1011-2 with Urban Contractors, L.L.C., in the amount of \$1,570,100 on July 13, 2010, for the FYE 2009 Sewer Maintenance Project, Phase 2, and approved Change Order No. One increasing the contract amount by \$69,250 on June 14, 2011, to assist the Line Maintenance Division for replacement of a sewer line on Red Oaks Drive between Evergreen and Cedarbrook Circles. Mr. Charlie Thomas, Capital Projects Engineer, said Change Order No. Two increasing the contract amount by \$63,150 and extending the contract 30 days will replace an eight inch sewer line outside the project area that is over 40 years old and prone to failure. Change Order No. Two is included on Council's regular meeting agenda later this evening.

Items submitted for the record

1. Text File No. K-1011-2 CO2 dated September 26, 2011, from Charlie Thomas, Capital Projects Engineer
2. Change Order No. Two to Contract No. K-1011-2

Item 2, being:

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

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

YEAS: Councilmembers Gallagher, Griffith, Kovach,
Lockett, Spaulding, Quinn, Mayor Rosenthal

NAYES: None

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

The City Council adjourned into Executive Session at 5:21 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Mr. Michael Bates, Union Negotiator; Ms. Gala Hicks, Director of Human Resources; and Mr. Anthony Francisco, Finance Director, were in attendance at the Executive Session.

Councilmember Ezzell arrived during the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Item 2, continued:

Thereupon, Councilmember Quinn 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 Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the Special Session was reconvened at 6:13 p.m.

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

* * * * *

Item 3, being:

DISCUSSION OF COUNCIL PROCEDURES REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS AND REVIEW OF EXISTING BOARDS AND COMMISSIONS INCLUDING POLICIES AND PRACTICES.

Mayor Rosenthal said this topic was continued from Council's annual planning session due to time constraints. She said since there is limited time to adequate discussion this topic this evening, she would prefer moving the discussion to an evening in the near future when there is nothing else on the agenda. For purposes of tonight's discussion, she suggested Council focus on staff's memorandum outlining those boards or commissions that are no longer holding meetings and the request submitted by Councilmembers Spaulding, Gallagher, and Lockett to discuss the dissolution of the Enforcement Authority. She asked whether Council wanted to give staff direction on the removal of those boards. There was a consensus to move forward with the removal of the Utilities Commission, Cable Communication Advisory Committee, and the Traffic Appeals Board. However, Council had mixed feelings about the disillusion of the Enforcement Authority.

Councilmember Ezzell said he is supportive of maintaining the local filing of campaign and expenditure reports, but felt the filing dates and requirements should mirror State statute to avoid confusion. He said the reporting could still take place without the Enforcement Authority and felt the process should be streamlined. Councilmember Kovach felt the Friday report prior to the Election is still needed, but the other filing dates could mirror State statute.

Councilmember Griffith felt the educational aspect the Enforcement Authority provides to candidates regarding filing reports, etc., was extremely helpful to him as a candidate, but Councilmember Spaulding felt the orientation sessions were unnecessary and made him feel threatened and uncomfortable.

Councilmember Kovach said the Oversight Committee recently recommended changes to Norman's ordinance to mirror State statute in many areas. He felt citizen input was important to the election process and felt like Council should look to limit the duties of the Enforcement Authority rather than dissolve it. Councilmember Lockett said the local requirements serve to see who is giving money to whom and felt the Enforcement Authority asking for additional information or threatening to issue a summons to obtain the information was too harsh.

Mayor Rosenthal said campaign disclosure was at the heart of the Enforcement Authority's function and felt if Council tried to dissolve it, there would be a large public outcry.

Councilmembers suggested the Oversight Committee look at the Enforcement Authority's again and the reporting requirements once again and make a recommendation to Council regarding how to proceed. Mayor Rosenthal said the other discussion regarding the appointment process and Council Committee norms could be scheduled for a study session as soon as possible and the Enforcement Authority portion could come back to Council following additional study by the Oversight Committee.

Item 3, continued:

Items submitted for the record

1. Memorandum dated October 6, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
2. Boards/Commissions/Committees Summary dated September 15, 2011, prepared by the City Clerk's Office
3. Breakdown of Boards/Commissions/Committees by Ward dated September 15, 2011, prepared by the City Clerk's Office
4. Comparison of Boards with Other Cities dated October 6, 2011, prepared by Brenda Hall, City Clerk
5. Analysis of Boards Appointments from July 2007 to present prepared by Mayor Rosenthal
6. General Guidelines for Board and Commission Appointments revised December 2009
7. City Council Committee Norms dated September 17, 2011, prepared by Mayor Rosenthal
8. City Board List dated September 14, 2011
9. Summary of Citizen Committee Characteristics by Type, Purpose, and Organizational Structure, an excerpt from *Citizen Committees: A Guide to Their Use in Local Government* by Joseph Lee Rodgers
10. Request dated October 3, 2011, from Councilmembers Dave Spaulding, Roger Gallagher, and Linda Lockett

* * * * *

ADJOURNMENT

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

YEAS: Councilmembers Ezzell, Gallagher, Griffith,
Kovach, Lockett, Spaulding, Quinn, Mayor
Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 6:30 p.m.

ATTEST:

City Clerk

Mayor

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

October 11, 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 11th day of October, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
ABSENT:	Councilmember Dillingham and Mayor Rosenthal

The Pledge of Allegiance was led by students from Madison Elementary School.

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS MINUTES OF SEPTEMBER 15, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 17/SEPTEMBER 20, 2011
CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 20, 2011
CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 21, 2011
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF SEPTEMBER 22, 2011
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 27, 2011
CITY COUNCIL MINUTES OF SEPTEMBER 27, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 27, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 27, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 27, 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 Griffith;

Items submitted for the record

1. Text File No. GID-1112-23 dated September 27, 2011, by Brenda Hall, City Clerk
2. City Council Business and Community Affairs minutes of September 15, 2011
3. City Council Special Session minutes of September 17/September 20, 2011
4. City Council Study Session minutes of September 20, 2011
5. City Council Finance Committee minutes of September 21, 2011
6. City Council Community Planning and Transportation Committee minutes of September 22, 2011
7. City Council Conference minutes of September 27, 2011
8. City Council minutes of September 27, 2011
9. Norman Utilities Authority minutes of September 27, 2011
10. Norman Municipal Authority minutes of September 27, 2011
11. Norman Tax Increment Finance Authority minutes of September 27, 2011

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

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

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

* * * * *

Item 4, being:

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

Mayor Pro Tem Quinn and Councilmember Lockett presented Citizenship Awards to students Tanner Bradley, Yannick Davidson, Patrick Hart, Nate Holladay, Lexi Kincaid, Kylee Liles, Alissa Mesquita, Ali Pervaiz, Yujeong Son, Lyric Wall-Kuhn, and Charlese Wollman. Ms. Pam Charlson, Principal of Madison Elementary School, introduced Fifth Grade Teacher, Ms. Zuleyka Flores, who said the students were selected as representatives of good citizens of Madison Elementary School.

Items submitted for the record

- 1. Text File No. GID-1112-25 dated October 4, 2011, by Carol Coles, Administrative Assistant

* * * * *

Item 5, being:

PROCLAMATION NO. P-1112-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, OCTOBER 20, 2011, AS LIGHTS ON AFTERSCHOOL DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman be acknowledged, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. P-1112-7 dated October 4, 2011, by Brenda Hall, City Clerk
- 2. Proclamation No. P-1112-7

Participants in discussion

- 1. Ms. Diane Murphree, United Way Community Impact Director, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman.

* * * * *

Item 6, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 7 through Item 34 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 7 through Item 34, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Item 7 through Item 34 were placed on the consent docket by unanimous vote.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-2 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

Councilmember Kovach moved that Ordinance No. O-1112-2 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-2 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-2 with Exhibit A, site development plans
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Southern Plains Treatment Services statement
6. Norman Predevelopment Summary Case No. PD11-18 dated May 26, 2011, for Southern Plains Treatment Center for property located at the northeast corner of 24th Avenue N.W. and Harriet Road
7. Pertinent excerpts from Planning Commission minutes of September 8, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1112-2 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-2 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1112-11 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3100 26TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1112-11 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-11 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-11 with Exhibit A, site plan
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Statement describing the Nature and Operating Characteristics of our Proposed Bed and Breakfast
6. Norman Predevelopment Summary Case No. PD11-20 dated July 28, 2011, for Thomas and Lisa Hunter for property located at 3100 26th Avenue N.E.
7. Pertinent excerpts from Planning Commission minutes of September 8, 2011

Item 8, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1112-11 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-11 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

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

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

Items submitted for the record

1. Text File No. RPT-1112-10 dated September 12, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of August, 2011

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

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

* * * * *

Item 10, being:

SUBMISSION OF A REVISED FINAL REPORT FROM THE ENFORCEMENT AUTHORITY FOR THE 2011 CITY COUNCIL ELECTION CYCLE.

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

Items submitted for the record

1. Text File No. RPT-1112-1 dated May 23, 2011, by Brenda Hall, City Clerk
2. Revised Norman Enforcement Authority Report dated August 30, 2011
3. Enforcement Authority minutes of August 29, 2011
4. Pertinent excerpts from City Council minutes of July 26, 2011

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

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

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

* * * * *

Item 11, being:

CONSIDERATION OF AWARDING OF BID NO. 1112-22 AND APPROVAL OF CONTRACT NO. K-1112-42 WITH SHELL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$582,262; PERFORMANCE BOND NO. B-1112-3; STATUTORY BOND NO. B-1112-4, MAINTENANCE BOND NO. MB-1112-6; AND RESOLUTION NO. R-1112-27 FOR THE 2010 ROAD RECONSTRUCTION BOND PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$582,262 be awarded to Shell Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-42 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-1112-27 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-42 dated August 30, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 8, 2011, for the Urban Road Reconstruction 2010 Bond Projects, all FYE 2011 and one (1) FYE 2012 Project Bond Location
3. Contract No. K-1112-42
4. Performance Bond No. B-1112-3
5. Statutory Bond No. B-1112-4
6. Maintenance Bond No. MB-1112-6
7. Resolution No. R-1112-27
8. Purchase Requisition No., 0000191523 dated September 13, 2011, in the amount of \$582,262 to Shell Construction Company, Inc.

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

YEAS:

Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES:

None

The Mayor Pro Tem declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$582,262 was awarded to Shell Construction Company, Inc. as the lowest and best bidder meeting specifications; Contract No. K-1112-42 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-1112-27 was adopted.

* * * * *

Item 12, being:

CONSIDERATION OF BID NO. 1112-23, CONTRACT NO. K-1112-48 WITH CIMARRON CONSTRUCTION COMPANY IN THE AMOUNT OF \$179,440; PERFORMANCE BOND NO. B-1112-5; STATUTORY BOND NO. B-1112-6; MAINTENANCE BOND NO. MB-1112-8; AND RESOLUTION NO. R-1112-41 FOR THE FYE 2010 DRAINAGE PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$179,440 be awarded to Cimarron Construction Company as the lowest and best bidder meeting specifications; Contract No. K-1112-48 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-1112-41 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-48 dated September 26, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for the FYE 2010 Drainage Projects
3. Location maps
4. Contract No. K-1112-48
5. Performance Bond No. B-1112-5
6. Statutory Bond No. B-1112-6
7. Maintenance Bond No. MB-1112-8
8. Resolution No. R-1112-41
9. Purchase Requisition No. 0000191653 dated September 14, 2011, in the amount of \$179,440 to Cimarron Construction Company

Item 12, continued:

Participants in discussion

- 1. Mr. Shawn O'Leary, Director of Public Works

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

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$179,440 was awarded to Cimarron Construction Company as the lowest and best bidder meeting specifications; Contract No. K-1112-48 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-1112-41 was adopted.

* * * * *

Item No. 13

CONSIDERATION OF BID NO. 1112-24; CONTRACT NO. K-1112-49 WITH ALVA ROOFING COMPANY IN THE AMOUNT OF \$514,998; PERFORMANCE BOND NO. B-1112-7; STATUTORY BOND NO. B-1112-8; MAINTENANCE BOND NO. MB-1112-9; AND RESOLUTION NO. R-1112-49 FOR THE ROOF REPLACEMENT PROJECT FOR FIRE STATION NO. FIVE/LITTLE AXE RECREATION CENTER, 12TH AVENUE RECREATION CENTER, AND WHITTIER RECREATION CENTER.

Councilmember Kovach moved that all bids meeting specifications be accepted; the base bid in the amount of \$483,739 plus Alternate E in the amount of \$31,259 for a total bid amount of \$514,998 be awarded to Alva Roofing Company as the lowest and best bidder meeting specifications; Contract No. K-1112-49 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-1112-49 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1112-49 dated October 3, 2011, by Matthew Smith, Facility Maintenance Superintendent
- 2. Bid tabulation dated September 29, 2011, for the Fire Station No. Five/Little Axe Recreation Center, 12th Avenue Recreation Center, and Whittier Recreation Center Roof Replacement Project
- 3. Contract No. K-1112-49
- 4. Performance Bond No. B-1112-7
- 5. Statutory Bond No. B-1112-8
- 6. Maintenance Bond No. MB-1112-9
- 7. Resolution No. R-1112-49
- 8. Purchase Requisition No., 0000192536 dated October 5, 2011, in the amount of \$514,998 to Alva Roofing Company

Participants in discussion

- 1. Mr. Steve Lewis, City Manager

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

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and all bids meeting specifications accepted; the base bid in the amount of \$483,739 plus Alternate E in the amount of \$31,259 for a total bid amount of \$514,998 was awarded to Alva Roofing Company as the lowest and best bidder meeting specifications; Contract No. K-1112-49 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-1112-49 was adopted.

* * * * *

Item 14, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF TEN (10) EIGHT-INCH WATER METERING ASSEMBLIES FROM BADGER METER, INC., IN THE AMOUNT OF \$88,144.80 FOR THE WATER LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Kovach moved that authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division be approved, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1112-19 dated September 13, 2011, by David Hager, Utilities Superintendent
2. Quotation No. 38708 effective September 2, 2011, through February 29, 2012, from Daryl W. Gibson, National Account Manager West, Badger Meter, to Fred Fitzgerald, City of Norman
3. Technical Brief for 8-inch Model FSAA-01, Fire Series Meter Assembly with Strainer, Turbine Meter, Check Valve, and Disc By-Pass Meter
4. Purchase Requisition No. 0000191585 dated September 14, 2011, in the amount of \$88,144.80 to Badger Meter, Inc.

and the question being upon approving authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division, a vote was taken with the following result:

YEAS:	Trustees Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice Chairman Quinn
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NAYES:	None
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The Vice Chairman declared the motion carried and authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division was approved.

* * * * *

Item 15, being

CONSIDERATION OF THE DECLARATION OF EQUIPMENT AT THE WASTEWATER TREATMENT PLANT AS SURPLUS AND/OR OBSOLETE AND AUTHORIZATION OF THE SALE THEREOF.

Acting as the Norman Municipal Authority, Trustee Kovach moved that the equipment at the Wastewater Treatment Plant be declared to be surplus and/or obsolete and the sale thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1112-24 dated September 28, 2011, by Steve Hardeman, Utilities Superintendent
2. Surplus or Obsolete Equipment at Wastewater Treatment Plant dated September 19, 2011

and the question being upon declaring the equipment at the Wastewater Treatment Plant to be surplus and/or obsolete and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice Chairman Quinn
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NAYES:	None
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The Vice Chairman declared the motion carried and the equipment at the Wastewater Treatment Plant declared to be surplus and/or obsolete; and the sale thereof was authorized.

* * * * *

Item 16, being:

PARTIAL RELEASE OF EASEMENT GRANTED TO PSC LAND, L.L.C., IN THE AMOUNT OF \$5,000 ORIGINALLY INCLUDED IN CONTRACT NO. K-9798-53 WITH KOCH INDUSTRIES, INC., IN CONNECTION WITH THE TECUMSEH ROAD WIDENING PROJECT, PHASE I, 36TH AVENUE WIDENING.

Councilmember Kovach moved that a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 be approved and the execution and filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-26 dated October 6, 2011, by Blaine Nice, Assistant City Attorney
2. Release of Easement
3. Contract No. K-9798-53 with Exhibit A, Partially Assigned Easements, and Exhibit B, Approximate Location of Pipeline
4. Location map

and the question being upon approving a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 approved; and the execution and filing thereof were directed.

* * * * *

Item 17, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-2 FOR LOT 3, ARMS ACRES, AND A VARIANCE IN THE 400-FOOT BUILDING SETBACK TO 200-FOOT BUILDING SETBACK (LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY ONE-FOURTH MILE WEST OF PORTER AVENUE)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. COS-1112-2 dated August 15, 2011, by Ken Danner, Development Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1112-2
4. Staff Report dated September 8, 2011, recommending approval
5. Letter requesting variance dated August 26, 2011, from Todd D'Amico as Agent for the Cantrell Family, Property Owners, to Ken Danner, City of Norman
6. Greenbelt Commission Comments
7. Norman Rural Certificate of Survey No. COS-0506-3 filed November 23, 2005
8. Pertinent excerpts from Planning Commission minutes of September 8, 2011

and the question being upon approving Norman Rural Certificate of Survey No COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Norman Rural Certificate of Survey No. COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 18, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION VII, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 250 FEET EAST OF 24TH AVENUE N.W. ON THE SOUTH SIDE OF CONFERENCE DRIVE)

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

Items submitted for the record

1. Text File No. FP-1112-3 dated August 15, 2011, by Ken Danner, Development Manager
2. Location map
3. Staff Report dated September 8, 2011, recommending approval
4. Final plat
5. Final site development plan
6. Landscape plan
7. Revised preliminary plat
8. Pertinent excerpts from Planning Commission minutes of September 8, 2011

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

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the final site development plan and final plat for University North Park Addition, Section VII, a Planned Unit Development, approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat were directed.

* * * * *

Item 19, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$8,775 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE BULLETPROOF VESTS AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of \$8,775 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. GP0020, Homeland Security, FBI, Other Revenue/Bullet Proof Vest Grant (022-0000-331.13-23) be increased by \$8,775; and \$8,775 be appropriated to Uniform and Clothing/Safety and Protective (022-6032-421.35-02), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-21 dated September 23, 2011, by Jim Spearman, Grants Coordinator
2. Request Payment Results

Item 19, continued:

and the question being upon accepting a grant in the amount of \$8,775 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 Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and a grant in the amount of \$8,775 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. GP0020, Homeland Security, FBI, Other Revenue/Bullet Proof Vest Grant (022-0000-331.13-23) was increased by \$8,775 and \$8,775 was appropriated to Uniform and Clothing/Safety and Protective (022-6032-421.35-02).

Item 20, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1011-2: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$63,150 AND ADDING 30 CALENDAR DAYS FOR THE FYE 2009 SEWER MAINTENANCE PROJECT, PHASE 2.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1011-2, Change Order No. Two, dated September 26, 2011, by Charlie Thomas, Capital Projects Engineer
2. Change Order No. Two to Contract No. K-1011-2
3. Purchase Order No. 190050 dated August 5, 2010, in the amount of \$1,570,100 adding Change Order No. One in the amount of \$69,250 and Change Order No. Two in the amount of \$63,150 for an amended contract amount of \$1,702,500

and the question being upon approving Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice Chairman Quinn

NAYES: None

The Vice Chairman declared the motion carried and Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days approved; and the execution thereof was authorized.

Item 21, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1011-131 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN UTILITIES AUTHORITY, AND STANDARD ROOFING COMPANY, INC., FOR THE ROOF REPLACEMENT PROJECT FOR THE SENIOR CITIZEN CENTER, FIRE STATION NO. FOUR, NORTH AND SOUTH DIGESTER CONTROL BUILDINGS AT THE WASTEWATER TREATMENT PLANT, AND THE WESTWOOD MAINTENANCE, IRRIGATION PUMP, AND POOL FACILITIES.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that the project be accepted and final payment in the amount of \$188,349 be directed to Standard Roofing Company, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-131, Final, dated September 27, 2011, by Matthew Smith, Facility Maintenance Superintendent
2. Photographs of Fire Station No. 4; Senior Center; Westwood Maintenance; Westwood Pool; and Wastewater Treatment Plant Digester buildings before and after roof replacement
3. Purchase Order No. 199875 dated April 1, 2011, in the amount of \$380,694 adding Change Order No. One in the amount of \$16,153 and subtracting partial payments totaling \$278,498 leaving a balance of \$118,349

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

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and the project accepted; and final payment in the amount of \$188,349 be directed to Standard Roofing Company, Inc.

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Item 22, being:

CONTRACT NO. K-1112-44: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND THE MCKINNEY PARTNERSHIP ARCHITECTS, P.C. IN AN AMOUNT NOT-TO-EXCEED \$27,000 FOR THE DESIGN, PREPARATION OF CONSTRUCTION DOCUMENTS, BIDDING AND CONSTRUCTION ADMINISTRATION FOR PHASES I THROUGH 5 OF THE SPACE UTILIZATION PROJECT FOR MUNICIPAL BUILDING A.

Councilmember Kovach moved that Contract No. K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-44 dated August 12, 2011, by Shawn O'Leary, Director of Public Works
2. Contract No. K-1112-44 with Exhibit A, Phasing Plan, and Attachment B, Billing Rates
3. Existing Floor Plan for Building A
4. Project cost estimate of Phases 1 through 5 in the amount of \$207,818.75 and Phases 6 through 9 in the amount of \$77,847.33 for a total cost estimate of \$285,66.08
5. Purchase Requisition No. 0000190447 dated August 16, 2011, in the amount of \$27,000 to the McKinney Partnership Architects

Item 22, continued:

and the question being upon approving Contract No. K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and Contract No K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-1112-46: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA TO PROVIDE SOLID WASTE DISPOSAL SERVICES FOR THE UNIVERSITY OF OKLAHOMA THROUGH JUNE 30, 2014.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Contract No. K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1112-46 dated September 22, 2011, by Scottie Williams, Sanitation Superintendent
2. Contract No. K-1112-46

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving Contract No. K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice- Chairman Quinn
NAYES:	None

The Vice Chairman declared the motion carried and Contract No K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-1112-54: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JACKSON & JACKSON ENGINEERING, INC., IN THE AMOUNT OF \$22,000 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF KENNEDY ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL PROJECT AGREEMENT NO. 1028 WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION.

Councilmember Kovach moved that Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Item 24, continued:

Items submitted for the record

1. Text File No. K-1112-54 dated September 26, 2011, by Mike Rayburn, Assistant Traffic Engineer
2. Contract No. K-1112-54 with Exhibit A, Engineer's Services; Exhibit B, Payments to Engineer for Services; Exhibit C, Standard Hourly Rates Schedule; Exhibit D, Notice of Acceptability of Work; Exhibit E, Amendment to Owner-Engineer Agreement; and Exhibit F, Insurance
3. Purchase Requisition No. 0000192052 dated September 23, 2011, in the amount of \$22,000 to Jackson and Jackson Engineering, Inc.

Participants in discussion

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

and the question being upon approving Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 approved; and the execution thereof was authorized.

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Item 25, being:

CONTRACT NO. K-1112-58: A RIGHT-OF-WAY, PUBLIC UTILITY, AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. STP-114B(278)AG, STATE JOB NO. 27795(04) FOR THE WEST MAIN STREET ROADWAY LIGHTING SYSTEM UPGRADE PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-40.

Councilmember Kovach moved that Contract No. K-1112-58 with the Oklahoma Department of Transportation be approved, Resolution No. R-1112-40 be adopted, and execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-58 dated September 26, 2011, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1112-58
3. Resolution No. R-1112-40
4. Location map

and the question being upon approving Contract No. K-1112-58 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Contract No K-1112-58 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-40 was adopted and execution of the contract and resolution was authorized.

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Item 26, being:

CONTRACT NO. K-1112-60: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AMERISAVE MORTGAGE CORPORATION TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 3312 WOODSBORO DRIVE.

Councilmember Kovach moved that Contract No. K-1112-60 with AmeriSave Mortgage Corporation be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1112-60 dated September 22, 2011, by Linda Price, Revitalization Manger
- 2. Contract No. K-1112-60

and the question being upon approving Contract No. K-1112-60 with AmeriSave Mortgage Corporation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Contract No. K-1112-60 with AmeriSave Mortgage Corporation approved; and the execution thereof was authorized.

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Item 27, being:

CONTRACT NO. K-1112-61: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN PUBLIC SCHOOLS FOR PROPERTY AT MONROE ELEMENTARY SCHOOL LOCATED AT 1601 SOUTH MCGEE DRIVE TO BE USED AS A NEIGHBORHOOD PARK.

Councilmember Kovach moved that Contract No. K-1112-61 with Norman Public Schools be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1112-61 dated September 23, 2011, by Jud Foster, Director of Parks and Recreation
- 2. Contract No. K-1112-61 with Exhibit "A", Legal Description, and Exhibit "B", Proposed Park Site
- 3. Location map

and the question being upon approving Contract No. K-1112-61 with Norman Public Schools and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Contract No. K-1112-61 with Norman Public Schools approved; and the execution thereof was authorized.

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Item 28, being:

A FINANCING AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND FIRST AMERICAN BANK TO PROVIDE ALTERNATIVE FUNDING FOR THE PURCHASE OF PROPERTY AT 101, 113, 115, 116, AND 118 WEST GRAY STREET.

Acting as the City Council and the Norman Municipal Authority, Councilmember Kovach moved that the waiver of competitive bidding be approved and the debt in the amount of \$750,000 be authorized with First American Bank as lender and City Staff be authorized to execute appropriate documents to effectuate the loan, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1112-63 dated October 5, 2011, by Anthony Francisco, Director of Finance

and the question being upon approving the waiver of competitive bidding and upon the subsequent authorizations, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the waiver of competitive bidding approved; the debt in the amount of \$750,000 was authorized with First American Bank as lender and City Staff was authorized to execute appropriate documents to effectuate the loan.

* * * * *

Item 29, being:

RESOLUTION NO. R-1112-43: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$3,385 FROM THE GENERAL FUND BALANCE TO REIMBURSE COSTS ENCUMBERED BY THE HUMAN RESOURCES DEPARTMENT FOR WRITTEN EXAMINATIONS ADMINISTERED TO FIREFIGHTER APPLICANTS WITH FEES COLLECTED FROM APPLICANTS.

Councilmember Kovach moved that Resolution No. R-1112-43 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1112-43 dated September 19, 2011, by Jackie Crumrine, Training and Development Manager
- 2. Resolution No. R-1112-43

and the question being upon adopting Resolution No. R-1112-43, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-43 was adopted.

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Item 30, being:

RESOLUTION NO. R-1112-44: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY KODY KEITH UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF KODY KEITH V. THE CITY OF NORMAN, WORKERS COMPENSATION CASE NO. WCC-2010-02727R; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1112-44 be adopted and payment of claims in the amount of \$37,500 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-44 dated September 22, 2011, by Blaine Nice, Assistant City Attorney
2. Resolution No. R-1112-44
3. Purchase Requisition No. 0000191969 dated September 21, 2011, in the amount of \$37,500 to Kody Keith and Douglas S. Wall
4. Purchase Requisition No. 0000191970 dated September 21, 2011, in the amount of \$750 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000191975 dated September 21, 2011, in the amount of \$281.25 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000191976 dated September 21, 2011, in the amount of \$140 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000191977 dated September 21, 2011, in the amount of \$118 to Cleveland County District Court Clerk

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Resolution No. R-1112-44 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES:

None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-44 adopted; and payment of claims in the amount of \$37,500 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 31, being:

RESOLUTION NO. R-1112-45: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,328.73 FROM THE GENERAL FUND BALANCE AND \$16,485.57 FROM THE RISK MANAGEMENT FUND BALANCE TO PURCHASE TWO (2) TRAFFIC SIGNAL CONTROLLER CABINETS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that Resolution No. R-1112-45 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-45 dated September 26, 2011, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1112-45

Item 31, continued:

and the question being upon adopting Resolution No. R-1112-45, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-45 was adopted.

* * * * *

Item 32, being:

RESOLUTION NO. R-1112-46: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$20,000 FROM THE ROOM TAX FUND BALANCE TO BE USED BY THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., TO DEVELOP A NEW MOBILE SITE.

Councilmember Kovach moved that Resolution No. R-1112-46 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-46 dated September 29, 2011, by Suzanne Krohmer, Budget Manager
2. Resolution No. R-1112-46
3. Memorandum dated September 19, 2011, from Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, to Steve Lewis, City Manager, and Anthony Francisco, Finance Director

Participants in discussion

1. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau

and the question being upon adopting Resolution No. R-1112-46, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-46 was adopted.

* * * * *

Item 33, being:

RESOLUTION NO. R-1112-47: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,622 FROM THE CAPITAL LIABILITY AND SITE IMPROVEMENT ACCOUNT TO PAY THE OKLAHOMA DEPARTMENT OF TRANSPORTATION THE CITY OF NORMAN'S MATCHING SHARE OF THE U.S. HIGHWAY 77 (CLASSEN BOULEVARD) AND IMHOFF ROAD PROJECT AS OUTLINED IN CONTRACT NO. K-1112-16.

Councilmember Kovach moved that Resolution No. R-1112-47 be adopted and payment in the amount of \$93,359.72 be directed to ODOT for the City's share of the costs of the project, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-47 dated September 29, 2011, by John Clink, Capital Projects Engineer, with Attachment "A," Traffic Impact Table Fee
2. Resolution No. R-1112-47
3. Invoice No. 26474(04)-1 dated September 27, 2011, in the amount of \$93,359.72 from ODOT to Angelo Lombardo, City Traffic Engineer
4. Purchase Requisition No. 0000192191 dated September 27, 2011, in the amount of \$93,359.72 to ODOT

Item 33, continued:

and the question being upon adopting Resolution No. R-1112-47 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-47 adopted; and payment in the amount of \$93,359.72 was direct to ODOT for the City's share of the cost of the project.

* * * * *

Item 34, being:

RESOLUTION NO. R-1112-48: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$150,711 FROM THE CAPITAL FUND, REIMBURSEMENT/REFUND REVENUE ACCOUNT FOR REIMBURSEMENT OF UTILITY RELOCATION COSTS IN CONNECTION WITH THE 60TH AVENUE N.W. WIDENING IMPROVEMENTS PROJECT.

Councilmember Kovach moved that Resolution No. R-1112-48 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1112-48 dated September 29, 2011, by Scott Sturtz, Capital Projects Engineer
2. Resolution No. R-1112-48
3. Memorandum dated September 9, 2011, from Scott Sturtz, Capital Projects Engineer, through Shawn O'Leary, Director of Public Works, to Steve Lewis, City Manager
4. Check Nos. 003164 and 084780 totaling \$150,710.80 from the City of Oklahoma City to the City of Norman

and the question being upon adopting Resolution No. R-1112-48, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-48 was adopted.

* * * * *

Item 35, being:

UPDATE ON THE PROGRESS MADE AT 304 SOUTH STEWART AVENUE AS REQUESTED BY CITY COUNCIL IN CONNECTION WITH CONDEMNATION OF SAID PROPERTY PER RESOLUTION NO. R-0910-60.

Councilmember Kovach moved to allow the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. RPT-1011-3 dated July 13, 2010, by Linda Price, Revitalization Manager
2. Photographs of 304 South Stewart Avenue, before and after repairs
3. Pertinent excerpts from City Council minutes of October 27, 2009; January 26 and July 27, 2010; and January 25, 2011

Participants in discussion

- 1. Ms. Linda Price, Revitalization Manager

Item 35, continued:

and the question being upon allowing the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the Revitalization Manager was allowed to update City Council regarding the progress made at 304 South Stewart Avenue.

Thereupon, Councilmember Kovach moved that the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue be approved and Staff be authorized to continue to monitor the condition of the property and work with the property owner to complete the necessary repairs, which motion was duly seconded by Councilmember Quinn; and the question being upon approving the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue approved; and Staff was authorized to continue to monitor the condition of the property and work with the property owner to complete the necessary repairs.

* * * * *

Item 36, being:

RESOLUTION NO. R-1112-4: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE)

Councilmember Ezzell moved that Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-4 dated June 21, 2011, by Doug Kosciński, Current Planning Manager
2. Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of August 11, 2011

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

Item 36, continued:

and the question being upon postponing Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, until October 25, 2011, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, was postponed until October 25, 2011.

* * * * *

Item 37, being:

ORDINANCE NO. O-1112-1: 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 AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

Ordinance No. O-1112-1 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 27, 2011, Councilmember Ezzell moved that Ordinance No. O-1112-1 be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. O-1112-1 dated June 21, 2011, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1112-1
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Preliminary Site Development Plan
6. PUD Narrative for Tecumseh Project, L.L.C., dated February 5, 2001, with revision dates of March 1, 2001, and June 13, 2011
7. Protest area map containing 50.4% protest within the notification area
8. Email of protest filed June 27, 2011, from Yumi Davis to Mayor Rosenthal and City Councilmembers
9. Email of protest filed June 27, 2011, from Vicki Hopkins to Mayor Rosenthal and City Councilmembers
10. Email of protest filed June 27, 2011, to Mayor and City Council and letter of protest filed July 11, 2011, to Mayor, City Council, and City Planning Commission from Bonner Slayton, M.Ed., NBCT
11. Email of protest filed June 27, 2011, from Susan Wood to Mayor and Councilmembers
12. Letter of protest filed June 30, 2011, from Erin Williford to City of Norman Planning Commission
13. Letter of protest filed July 1, 2011, from Mary Lynne Cooper to Members of the Norman Planning Commission
14. Letter of protest filed July 5, 2011, from Phillip and Shannon Johnson to Norman City Planning Commission
15. Letter of protest filed July 6, 2011, from Paula J. and Gregory S. Cook to Members of the Norman Planning Commission
16. Letter of protest filed July 6, 2011, from Mark R. and Bethany D. McCoy to Members of the Norman Planning Commission
17. Letter of protest filed July 7, 2011, from Janelle Borden to Norman Planning Commission
18. Letter of protest filed July 7, 2011, from Reverend Thomas J. Boyer, Pastor, St. Mark the Evangelist Catholic Church, to Members of the Norman City Planning Commission
19. Letter of protest filed July 8, 2011, from Robert and Stacy Morey to Members of the Norman Planning Commission
20. Letter of protest filed July 8, 2011, from Gordon Mohon to Planning Commission
21. Letter of protest filed July 8, 2011, from Timothy D. and Cara L. Black to Members of the Norman Planning Commission

Item 37, continued:

Items submitted for the record, continued

22. Letters of protest filed July 8, 2011, from Keith and Crystal Brewster to Members of the Norman Planning Commission with attached map of Undeveloped/Recently-Developed land for Office Space Zoned Office or Commercial (Acres) and filed August 8, 2011, from Keith Brewster with attached Figure 1, Two-Way Traffic Volume Map; Figure 2, Traffic Volumes on West Tecumseh Road; and Table 1, Warranty Deed Transfers to Norman Regional Hospital Authority for the Healthplex
23. Letters of protest filed July 11, 2011, from R. Scott and Paula J. Copeland to Members of the Norman Planning Commission
24. Letter of protest filed July 11, 2011, from Cheryl Conly and Margaret Crawford to Norman Planning Commission
25. Letter of protest filed July 11, 2011, from Alex and Kathryn Chadwick to Norman Planning Commission
26. Letter of protest filed July 11, 2011, from Kris Janis Vermelis, to Norman Planning Commission
27. Letter of protest filed July 11, 2011, from Monte L. and Brenda Stutterheim to Norman Planning Commission with attached objections
28. Letter of protest filed July 11, 2011, from James C. and Brandy M. Reese to Members of the Norman Planning Commission
29. Letter of protest filed July 11, 2011, from Joyce F. and Douglas Harris to Norman Planning Commission
30. Letter of protest filed July 12, 2011, from James Walter Gentry to Norman Planning Commission
31. Letter of protest filed July 21, 2011, from Paul E. and Erica B. Phelps to Members of the Norman Planning Commission
32. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed June 27, 2011, containing 213 signatures
33. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed July 8, 2011, containing 118 signatures
34. Protest area map dated October 10, 2011, containing 53.6% protest within notification area
35. Letter of protest filed October 5, 2011, from Deanna L. and Paul R. Larson to Norman City Council
36. Letter of protest filed October 5, 2011, from Matthew and Teresa Frazier to Norman City Council
37. Letter of protest filed October 4, 2011, from Chanda Lee to Norman City Council
38. Letter of protest filed October 7, 2011, from Gray g. and Brenda K. Knight
39. Letter of protest filed October 7, 2011, from Chuck Real Property, L.L.C.
40. Email requesting postponement dated October 11, 2011, from Sean Rieger to Brenda Hall, Steve Lewis, Cindy Rosenthal, Shawn O'Leary, Susan Connors, Carol Dillingham, Tom Kovach, Roger Gallagher, Hal Ezzell, Dave Spaulding, Linda Lockett, Dan Quinn, Jim Griffith, and Ellen Usry

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

and the question being upon postponing Ordinance No. O-1112-1 until October 25, 2011, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-1 was postponed until October 25, 2011.

Item 38, being:

CONSIDERATION OF PRELIMINARY PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

Councilmember Ezzell moved that the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. PP-1112-1 dated June 21, 2011, by Ken Danner, Development Manager
2. Location map
3. Preliminary plat
4. Staff Report dated August 11, 2011, recommending approval
5. Preliminary site development plan
6. Development Review Form, Transportation Impacts, dated July 6, 2011, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Letter requesting alley waiver dated July 5, 2011, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
8. City of Norman Predevelopment Summary Case No. PD11-13 dated March 24, 2011, for Cascade Development, L.L.C., for property located on the south side of Tecumseh Road east of Astor Drive
9. Greenbelt Enhancement Statement dated March 7, 2011
10. Greenbelt Commission comments

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

and the question being upon postponing the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, until October 25, 2011, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, were postponed until October 25, 2011.

* * * * *

Item 39, being:

RESOLUTION NO. R-1112-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

Councilmember Gallagher moved that Resolution No. R-1112-53 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1112-53 dated October 5, 2011
2. Resolution No. R-1112-53

Item 39, continued:

Thereupon, Councilmember Kovach moved that Resolution No. R-1112-53 be amended as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO~~S~~ "IN GOD WE TRUST" AND "E PLURIBUS UNUM" IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

* * *

§ ~~3.~~ 3. WHEREAS "E Pluribus Unum" was adopted by an Act of Congress in 1782 as a part of the National Seal and served as the motto until 1956, and these words have been used on United States currency since 1795; and

§ ~~4.~~ 4. WHEREAS strength through unity is a foundation for our nation and our community; and

§ ~~3~~ 5. WHEREAS, these words have been a profound source of strength and guidance to many generations of Americans; and

§ ~~4~~ 6. WHEREAS, the Council desires to display ~~this~~ these patriotic motto~~s~~ in the Council Chambers to solemnize public occasions and express confidence in our society.

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

§ ~~5.~~ 7. That the historic words of our national motto~~s~~, "In God We Trust," and "E Pluribus Unum" shall be permanently and prominently displayed in the Norman Council Chambers of City Hall, centered on the wall behind the Councilmembers and legible throughout the chambers.

§ ~~6-~~ 8. Further, that the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

- 1. Resolution No. R-1112-53, as amended

and the question being upon amending Resolution No. R-1112-53 as stated above, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-53 was amended as stated above.

Participants in discussion

- 1. Mr. Ian Koettner, 825 Coopers Hawk Drive, protestant
- 2. Ms. Lisa Schmidt, 1330 Salsbury Drive, asked questions
- 3. Mr. Will Weir, 1426 Beverly Hills Street, protestant
- 4. Mr. Van Harrington, 412 Rhoades Court, asked questions
- 5. Mr. Fred Pope, 1501 Navajo Road, proponent
- 6. Ms. Mary Steine, 4013 Buckingham Drive, proponent
- 7. Mr. Ty Hardiman, 630 Miller Avenue, protestant
- 8. Mr. Stephen Tyler Holman, 1020 South College Avenue, protestant
- 9. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
- 10. Ms. Alice Vile, 3003 River Oaks, protestant
- 11. Ms. Elizabeth Kendrick, 211 Harvard Drive, protestant

Item 39, continued:

and the question being upon adopting Resolution No. R-1011-53, as amended, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro tem declared the motion carried and Resolution No. R-1011-53, as amended, was adopted.

* * * * *

MISCELLANEOUS DISCUSSION

Councilmember Dillingham is Missed. Mayor Pro Tem Quinn said Councilmember Dillingham has missed two meetings in a row because of family illness and asked everyone to keep her and her family in their thoughts.

*

Smalley Center. Mr. Jim Stanley, 3922 Pine Tree Circle, said he had not understood in the beginning how the City could spend \$800,000 at the Smalley Center and when he toured that facility, he observed an arms vault and several other good points suitable for a Police facility but he still questioned the estimate for improvements. He said he did not understand why the funding for the Smalley Center had been used to purchase the Gray Street properties. He did not know there was anywhere else to store weapons and was told they were presently stored at the Police Pistol Range. He said he wanted to know what the situation was with the Smalley Center and how long the Army would wait for the City to commit to the property.

Mr. Steve Lewis, City Manager, said the City of Norman has not been offered this property to date and Staff was presently in discussion with the Departments of Defense and Justice. He said the property would be conveyed to the City at the appropriate time and that title was being cleared up so it could be transferred to the City. He said some time ago a local architect and engineering firm had inspected the property and provided a detailed cost estimate to modernize the facility to make it ready to be occupied by the Police and Fire Departments and he would be happy to make this available to Mr. Stanley.

Mr. Stanley said it was his impression that the money for the Smalley Center had already been committed to the Gray Street properties and asked for clarification.

Mr. Anthony Francisco, Director of Finance, said Council had approved transferring the funds originally budgeted for the Smalley Center to be used to purchase the Gray Street property.

*

Flooding Problems in Southlake Addition. Mr. Glen Dewberry, 1408 Spring Creek Drive, Yukon, said he and his wife own a house in the Southlake Addition at 2129 Harbor Drive. He said the property has had flooding problems since it was developed and Mr. Bob Hanger, Stormwater Engineer, and Mr. Shawn O'Leary, Director of Public Works, had been very helpful in trying to resolve the flooding issues. He read excerpts from the City ordinance about property owners' responsibilities regarding stormwater runoff, drainage, erosion, and sedimentation. He said the level of the ground is higher on one side of the property and all the drainage runoff drains into several properties' backyards. He has asked City Staff why this ordinance is not applicable and was told that the property on the east is not yet developed so this did not apply and that the ordinance is difficult to enforce. He asked if the ordinance is not enforceable then why is it still on the books. He said Mr. O'Leary has researched the development of the property and Staff has agreed that the runoff on the east is causing the problem and should be addressed according to the ordinance by the owner of that property. He was informed that the property owner is going to brush hog on the west side of the drainage ditch which will not take care of the problem. He said there has already been damage in one of the homes and potential for damage in others.

Miscellaneous Discussion, continued:

Flooding Problems in Southlake Addition, continued:

Mr. Shawn O'Leary, Director of Public Works, said Public Works and Legal Staff have been working with Mr. Dewberry for many months regarding this concern. He said the addition is located on Highway 77/Classen Boulevard south of Highway Nine and east of the property, the natural contour of the ground is an unplatted, undeveloped agricultural property and this parcel divides Southlake Addition and St. James Addition. He said the property is owned by the Cervi Group. He said Mr. Dewberry's home was built in 1983 prior to much of our current drainage criteria and standards. He said it was a well built home by the McKown Group but the flow of water has existed from well before development of the property. He said Staff's interpretation was that there has been no violation on the part of the adjacent property owner but Staff has tried to be a mediator between Mr. Dewberry and the developer to the east. He said the group has been willing to brush hog and also clean the area. He said there was a ditch and berm dug at the time of development but it was not designed and no easements were dedicated for maintenance of it. He said Staff has determined this to be a civil matter between the two property owners. He said the Legal Department has concluded that the City does not have a legal position to require either property owner to do anything at this time. It was his understanding that none of the homes in Southlake Addition have been flooded inside the structures but certainly there has been water in the backyards and a nuisance created from the runoff of water into this area.

*

Rule of Three. Ms. Lisa Schmidt, 1330 Salisbury Avenue, said after the new Councilmembers were seated the "Rule of Three" had been adopted. She said it was her understanding that any item brought by three people and put on the agenda could not be voted on at the same meeting. She asked if this was correct or was she confusing this with an ordinance.

Councilmember Kovach said when the "Rule of Three" was brought forward, it was passed both as a resolution and an ordinance. He said the ordinance took effect thirty days after it was approved and the resolution took place immediately. He said the Charter specifies that no ordinance can be voted on in the same meeting that is introduced and that is why there is a First Reading. He said resolutions and proclamations do not fall under these guidelines.

Ms. Schmidt said she hoped Council is very cautious about using the "Rule of Three" because although Council had invited public input sometimes people are not given enough notice when these types of items come forward.

*

Enforcement Authority. Ms. Jeanette Coker, 620 East Main Street, said she believed Ms. Mary Francis should be removed from the Enforcement Authority. She reminded Council that the City Clerk sent out the Campaign Contribution and Expenditure Reports to Council and the Enforcement Authority on Wednesday, March 2, 2011, and on March 3rd, she was reported in the Thursday morning Norman Transcript for filing her report late. She said the Enforcement Authority did not meet until Friday, March 4th and that this shows Mary Francis as Chairman of the Enforcement Authority acted solely on her own and that she had been singled out for filing late even though there were other late reports not mentioned. She said this was a violation of the Ethics Policy and harassment. She said she has heard discussion about abolishing the Enforcement Authority altogether and that the Enforcement Authority provides information to the Candidates that is needed but the duties and responsibilities of the Enforcement Authority probably do need to be better defined. She said as an appointed official, Mary Francis pledged to carry out her duties while maintaining the utmost ethical standards of fairness and impartiality, to avoid any intimidation, hostility or other adversity, harassment of any sort, discrimination or the appearance thereof. She asked for the removal of Mary Francis from the Enforcement Authority on the basis of impropriety and that Council should step up and do what needs to be done.

Mr. Will Weir, 1426 Beverly Hills Street, agreed with Ms. Coker that in the interest of good governance and balance, something should be done.

Councilmember Kovach said when a citizen makes an allegation of a violation of the Ethics Policy Council cannot sit by and ignore it. He asked the City Manager to look into this and suggested a meeting with Ms. Coker and her Council representative with a report back to Council.

*

Miscellaneous Discussion, continued:

Thanks to City Council. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau (NCVB), thanked City Council for supporting the NCVB's marketing efforts through the approval of the funds for the development of the mobile site. He said NCVB is working on their annual report which shows an overwhelming increase over last year.

*

Grand Opening of Andy Alligator Water Park. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau (NCVB), announced that the Ground Breaking for the Andy Alligator Water Park would be at 11:30 a.m., Wednesday, October 12, 2011.

*

Disappointment in Approval of Item 39. Ms Elizabeth Kendrick, 211 Harvard, expressed her disappointment in the approval of Item 39, Resolution No. R-1112-53 when many opposed it. She said this is the first City Council meeting she had attended and she got the impression that Council was not listening to the people in the audience and she would like to think that the citizens' voices matter. She said she would remember on Election Day and she does vote.

Mayor Pro Tem Quinn replied that there are those that think Council does not listen to them because they vote a different way. He said this City Council takes into consideration what is said, they think about the issue, and then they make a decision to vote. He said Council may not vote the way you want us to, but that does not mean they are not listening.

*

Removal of Poster from City Hall. Mr. Stephen Tyler Holman, 1020 College Avenue said he agreed with Councilmember Kovach that the poster in the hallway of City Hall that says "America, Love It or Leave It" should be removed.

*

Veteran's Committee. Councilmember Gallagher said he is serving on a Veteran's Committee that is planning the Veteran's Day Parade which will be at 8:00 a.m. on November 11, 2011. He said the parade would be for all veterans, active or inactive. He invited everyone who has spent any time in the military to come out and march from Eufaula Street at Jenkins Avenue to the Memorial at Reaves Park where there will be a dedication, a flyover, and patriotic music from the University of Oklahoma, Norman High, and Norman North Bands. He said this is not an official City event but it is supported by the City. He said this was a group of people who thought that Norman needed a parade honoring the veterans and the people in the military and there has not been a parade like this since the end of World War II. He said there were several units participating along with the Canadian River Cruisers and the Blue and Gold Star Mothers. He reminded citizens that the parade would be in tribute to those who never made it back or whose lives were ruined by the war. He discussed Oklahoma's history in the military and listed the loss of lives in each war. He urged all veterans to get involved and be a part of this.

*

Parking Tickets for the Disabled. Councilmember Kovach said he had been contacted by a constituent who is disabled, parked at the Cleveland County Courthouse while performing jury duty, and received a parking ticket for an expired meter. He said many Oklahoma communities waive giving citations to those who have a handicapped sticker in their car when they are at an expired meter. He said he thought Norman should consider this and Council should look at this.

*

Commendation to Fire Department. Councilmember Griffith said one of the goals during the construction of Fire Station No. Eight was to achieve Leadership in Energy and Environmental Design (LEED) certification and Fire Station No. Eight has achieved Gold LEED Certification. He said this fire station is the first one in the state of Oklahoma to receive LEED Certification. He offered his congratulations.

*

Miscellaneous Discussion, continued:

Ward 6 Comprehensive Transportation Planning (CPT) Meeting. Councilmember Griffith reminded Ward 6 citizens that there would be a Ward 6 CPT meeting at 6:30 p.m. on Monday, October 24, 2011, at Eisenhower Elementary School, to begin discussions about the CPT Scoping Plan. He said citizen input was needed and there would be a meeting in every ward to allow the scoping group to gather the community's ideas about a Transportation Master Plan that is so desperately needed for Norman.

*

Sales Tax for October. Mr. Steve Lewis, City Manager, said the October sales tax receipts have been received which is for the month of August, 2011, and with adjustments from the Tax Free Holiday, receipts shows 6.46% over 2010. He said the 2012 Budget had been based on a 4.5% increase which makes the City ahead of what was anticipated.

Mayor Pro Tem Quinn said 6.46% is nice but the community still needs to "Shop Norman" to make the percentage higher each month.

*

Fall Cleanup. Mr. Steve Lewis, City Manager, said Fall Cleanup is underway and this Saturday, October 15th is the designated pickup day for those with Wednesday trash collection; October 22nd is for those who have their trash picked up on Thursday; and October 29th for those who have Friday pickup. He said for those who have missed their pickup day, the Transfer Station will be open at no charge to the citizens on Saturdays through October 29th.

*

November 8th Election. Mr. Steve Lewis, City Manager, said on November 8th voters will be voting on the Animal Shelter Improvements and a Charter Amendment. He said this information is posted on the City's website and an informational mailer will be sent to Norman residents during the last week of October.

*

Robinson Street Underpass. Mr. Steve Lewis, City Manager, said the first beam for the Robinson Street Underpass will be put up on Wednesday, October 12, 2011. He said this beam will span the three piers across Robinson Street and will be the first sign of the permanent bridge.

*

Fire Station No. Nine. Mr. Steve Lewis, City Manager, said Fire Station No. Nine is coming along well and the design and bid documents should be completed by mid-November and then the project will be bid out.

ADJOURNMENT

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

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
-------	---------------------------------------------------------------------------------------------------

NAYES:	None
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The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 8:45 p.m.

ATTEST:

City Clerk

Mayor



City of Norman, OK

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

Master

File Number: **GID-1112-30**

File ID: GID-1112-30	Type: Award	Status: Consent Item
Version: 1	Reference: Item No. 4	In Control: City Council
Department:	Cost:	File Created: 10/18/2011
File Name: Presentation from Truman School		Final Action:
<p align="center">Title: PRESENTATION OF THE "GO GREEN RAP" BY STUDENTS FROM TRUMAN ELEMENTARY SCHOOL.</p>		

Notes:

Agenda Date: 10/25/2011

Agenda Number: 4

Attachments:

Project Manager:

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File GID-1112-30



City of Norman, OK

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

Master

File Number: P-1112-8

File ID: P-1112-8	Type: Proclamation	Status: Consent Item
Version: 1	Reference: Item No. 5	In Control: City Council
Department: City Clerk Department	Cost:	File Created: 10/18/2011
File Name: Proclaiming November 11th as Veteran's Day		Final Action:

Title: PROCLAMATION NO. P-1112-8: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING FRIDAY, NOVEMBER 11, 2011, AS VETERAN'S DAY IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1112-8 proclaiming Friday, November 11, 2011 Veteran's Day in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 5

Attachments: Veteran's Day

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File P-1112-8

P-1112-8

A PROCLAMATION OF THE MAYOR OF THE CITY OF
NORMAN, OKLAHOMA PROCLAIMING FRIDAY,
NOVEMBER 11, 2011, AS VETERAN'S DAY IN THE CITY
OF NORMAN.

- § 1. WHEREAS, the Armistice was signed at the eleventh hour of the eleventh day of the eleventh month of 1918 which marked the end of hostilities for World War I; and
- § 2. WHEREAS, November 11th was declared a National Holiday in June of 1926, and
- § 3. WHEREAS, November 11th was renamed Veteran's Day in 1954 to honor all veterans of all wars; and
- § 4. WHEREAS, our Nation's military is serving on all the continents of the world in peacekeeping or humanitarian roles and in actual combat in Iraq and Afghanistan; and
- § 5. WHEREAS, we owe a tremendous debt of gratitude to these patriots whose service and sacrifice have allowed us to raise our children in a country blessed with peace and prosperity and to shape a brighter future for nations around the world; and
- § 6. WHEREAS, in grateful recognition of the contributions of those who have served in our Armed Forces and with deep respect for America's veterans who have answered the highest calling of citizenship, patriotism, and generosity of their service

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

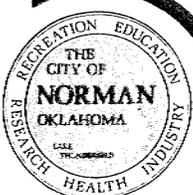
- § 7. Do hereby proclaim Friday, November 11, 2011, as Veteran's Day in the City of Norman and urge all Americans to acknowledge the courage and sacrifice of our verterans through appropriate public ceremonies and private prayers.

PASSED AND APPROVED THIS 25th day of October, 2011.

Mayor

ATTEST:

City Clerk





City of Norman, OK

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

Master

File Number: RPT-1112-11

File ID: RPT-1112-11	Type: Communication or Report	Status: Consent Item
Version: 1	Reference: Item No. 7	In Control: City Council
Department: Finance Department	Cost:	File Created: 10/07/2011
File Name: Finance Director's Investment Report Sept 2011	Final Action:	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 7

Attachments: Finance Director's Investment Report

Project Manager: Anthony Francisco, Director of Finance

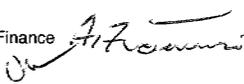
Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File RPT-1112-11

DATE: 05-Oct-11
 TO: City Council
 FROM: Anthony Francisco, Director of Finance
 PREPARED BY: Clint Mercer, Chief Accountant 
 SUBJECT: Breakdown of Interest Earnings by Fund

FUND	MONTHLY COMPARISON				ANNUAL COMPARISON			
	MONTHLY BUDGETED INTEREST EARNINGS FYE12	MONTHLY INTEREST EARNINGS September 2011	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE12-YTD	INTEREST EARNINGS YTD FYE12	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	\$8,333	\$5,198	-37.62%	8.20%	\$33,333	\$15,907	-52.28%	8.42%
PUBLIC SAFETY SALES TAX FUND	N/A	\$5,502	100.00%	8.68%	N/A	\$15,680	100.00%	8.30%
ROOM TAX FUND	\$250	\$117	-53.02%	0.19%	\$1,000	\$396	-60.45%	0.21%
CAPITAL PROJECTS FUND	\$12,500	\$14,921	19.37%	23.53%	\$50,000	\$45,181	-9.64%	23.93%
SINKING FUND	\$2,083	\$2,611	25.32%	4.12%	\$8,333	\$8,557	2.68%	4.53%
G.O. BOND FUND	\$167	\$120	-28.16%	0.19%	\$667	\$328	-50.75%	0.17%
WESTWOOD FUND	\$625	\$2,425	288.05%	3.82%	\$2,500	\$2,608	4.30%	1.38%
WATER FUND	\$10,000	\$9,623	-3.77%	15.17%	\$40,000	\$28,679	-28.30%	15.19%
WASTEWATER FUND	\$8,333	\$5,830	-30.04%	9.19%	\$33,333	\$18,638	-44.09%	9.87%
HALLPARK FUND	N/A	\$0	100.00%	0.00%	N/A	\$0	100.00%	0.00%
DEVELOPMENT EXCISE	\$16,667	\$8,444	-49.34%	13.31%	\$66,667	\$25,751	-61.37%	13.64%
SEWER SALES TAX	\$6,250	\$5,402	-13.57%	8.52%	\$25,000	\$16,277	-34.89%	8.62%
SANITATION FUND	\$2,500	\$360	-85.60%	0.57%	\$10,000	\$814	-91.86%	0.43%
PARKLAND FUND	\$1,250	\$947	-24.26%	1.49%	\$5,000	\$2,821	-43.58%	1.49%
TRUST & AGENCY FUNDS	N/A	\$4	100.00%	0.01%	N/A	\$12	100.00%	0.01%
TAX INCREMENT DISTRICT	\$1,458	\$970	100.00%	1.53%	\$5,833	\$3,658	100.00%	1.94%
SPECIAL GRANTS FUND	N/A	\$146	100.00%	0.23%	N/A	\$1,057	100.00%	0.56%
CLEET FUND	N/A	\$17	100.00%	0.03%	N/A	\$58	100.00%	0.03%
HOUSING	N/A	\$0	100.00%	0.00%	N/A	\$0	100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	\$32	100.00%	0.05%	N/A	\$96	100.00%	0.05%
ARTERIAL ROAD FUND	N/A	\$410	100.00%	0.65%	N/A	\$1,226	100.00%	0.65%
SEIZURES	\$42	\$343	723.25%	0.54%	\$167	\$1,074	544.38%	0.57%
	<u>\$70,458</u>	<u>\$63,422</u>	<u>-9.99%</u>	<u>100.00%</u>	<u>\$281,833</u>	<u>188,817</u>	<u>-33.00%</u>	<u>100.00%</u>

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of \$ 113.29 million as of 9/30/11 are represented by working capital cash balances of all City funds of approximately \$ 65.82 million, outstanding encumbrances of \$19.58 million, General Obligation Bond proceeds of \$5.52, NUA revenue bond proceeds of \$12.83 million, NMA bond proceeds of \$4.00 million, and UNP TIF reserve amounts of \$5.54 million.

INVESTMENT BY TYPE

September 30, 2011

<u>LIST BY TYPE</u>	<u>SEC. NO.</u>	<u>PURCHASED</u>	<u>MATURITY</u>	<u>YIELD</u>	<u>EARNED INTEREST</u>	<u>COST</u>	<u>MARKET</u>
**Checking							
BANK OF AMERICA	NUA REV. FD.				\$0.00	\$0.00	\$0.00
BANK OF AMERICA	GEN'L DEP.			0.25%	\$2,044.41	\$10,921,972.55	\$10,921,972.55
BANK OF AMERICA	WARRANTS PAYABLE				\$0.00	(\$1,627,712.99)	(\$1,627,712.99)
BANK OF AMERICA	PAYROLL				\$0.00	(\$3,364,568.51)	(\$3,364,568.51)
BANK OF AMERICA	COURT BOND REFUNDS				\$0.00	\$252,912.31	\$252,912.31
BANK OF AMERICA	INSURANCE CLAIMS				\$0.00	(\$286,876.90)	(\$286,876.90)
BANK OF AMERICA	HALLPARK			0.01%	\$0.74	\$91,930.16	\$91,930.16
**Subtotal					\$2,045.15	\$5,987,656.62	\$5,987,656.62
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	\$4.06	\$1,026,235.48	\$1,026,235.48
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	\$30.89	\$3,698,628.00	\$3,698,628.00
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	\$2,337.73	\$298,247.70	\$298,247.70
BANCFIRST-NUA Water	MONEY MKT.			0.01%	\$59.83	\$11,806,968.38	\$11,806,968.38
Bank of Oklahoma UNP TIF	MONEY MKT.			0.01%	\$35.51	\$4,904,361.09	\$4,904,361.09
REPUBLIC BANK UNP TIF	MONEY MKT.			0.70%	\$392.33	\$639,683.49	\$639,683.49
FIRST FIDELITY	MONEY MKT.			0.30%	\$87.60	\$0.00	\$0.00
BANK OF AMERICA	MONEY MKT.			0.25%	\$4.20	\$452,418.60	\$452,418.60
BANK OF AMERICA	MONEY MKT.			0.02%	\$7.16	\$329,258.37	\$329,258.37
BANK OF AMERICA - Drinking W.	MONEY MKT.			0.25%	\$157.24	\$1,358,567.48	\$1,358,567.48
BANK OF AMERICA - Clean Water	MONEY MKT.			0.26%	\$0.18	\$1,615.27	\$1,615.27
BANK OF AMERICA-2008A	MONEY MKT.			0.25%	\$158.45	\$771,320.00	\$771,320.00
BANK OF AMERICA-2008B	MONEY MKT.			0.25%	\$361.78	\$1,677,252.41	\$1,677,252.41
BANK OF AMERICA-2010	MONEY MKT.			0.25%	\$700.92	\$3,070,409.33	\$3,070,409.33
**Subtotal					\$4,337.88	\$30,034,965.60	\$30,034,965.60
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	\$0.00	\$1,734,051.62	\$1,734,051.62
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/11	03/31/12	0.30%		\$250,000.00	\$250,000.00
GREAT NATIONS BANK	CD	09/30/11	09/30/12	0.65%		\$250,000.00	\$250,000.00
**Subtotal					\$0.00	\$500,000.00	\$500,000.00
**U.S. Treasury Securities/Agency Securities							
FHLB	3133XWD71	12/31/09	02/28/12	1.24%	5,153.67	5,000,000.00	\$5,020,000.00
FHLB	3133XWD71	12/31/09	02/28/12	1.25%	5,176.49	5,000,000.00	\$5,020,000.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	6,550.23	6,000,000.00	\$6,037,683.45
T-Note	912828KP4	12/31/09	05/15/12	1.31%	7,369.60	6,750,000.00	\$6,808,451.55
FHLB	3133XTS49	03/31/10	06/20/12	1.30%	109.55	100,000.00	\$101,146.00
FNMA	313359MNU3	11/30/10	08/01/12	0.73%	5,208.52	8,000,000.00	\$8,329,920.00
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	132.38	100,000.00	\$101,822.00
US T-Note	912828MN7	05/20/11	02/15/13	0.48%	3,019.52	7,500,000.00	\$7,616,625.00
FFCB	31331JBV4	06/30/11	02/21/13	0.49%	831.62	2,000,000.00	\$2,035,320.00
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,649.08	2,000,000.00	\$2,126,620.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,547.07	4,000,000.00	\$4,084,880.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,339.47	5,000,000.00	\$5,055,000.00
FNMA	31398A5Q1	12/02/10	11/08/13	1.06%	7,313.34	8,250,000.00	\$8,253,382.50
FHLB	313371WK8	11/30/10	02/25/14	1.00%	1,458.33	1,750,000.00	\$1,751,487.50
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,299.34	3,500,000.00	\$3,674,440.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,220.11	3,000,000.00	\$3,066,990.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	83.33	2,000,000.00	\$2,047,120.00
FNMA	3136FTBJ7	09/30/11	09/30/15	1.05%	145.83	5,000,000.00	\$5,005,300.00
U.S. STRIPS (Hallpark)	912833KC3	06/09/04	05/15/14	5.12%	431.27	79,860.00	\$130,747.32
**Subtotal					57,038.75	75,029,860.00	\$76,266,935.32
TOTAL					63,421.78	113,286,533.84	\$114,523,609.16

The Governmental Accounting Standards Board requires the reporting of market values of investment securities. These market values represent the amount of money the security would sell for on the open market, if cash flow demands were such that the security had to be sold. The City of Norman purchases investment securities with the intent of holding them to maturity, as stated in the City's Investment Policy. Only in exceptional circumstances would securities be sold before their maturity, due to cash flow demands or favorable market conditions.



City of Norman, OK

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

Master

File Number: RPT-1112-12

File ID: RPT-1112-12	Type: Communication or Report	Status: Consent Item
Version: 1	Reference: Item No. 8	In Control: City Council
Department: City Manager Department	Cost:	File Created: 10/07/2011
File Name: Monthly Report September 2011		Final Action:

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2011, AND DIRECTING THE FILING THEREOF

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

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 8

Attachments:

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1112-12



City of Norman, OK

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

Master

File Number: RPT-1112-14

File ID: RPT-1112-14	Type: Communication or Report	Status: Consent Item
Version: 1	Reference: Item No. 9	In Control: City Council
Department: Finance Department	Cost:	File Created: 10/11/2011
File Name: TIF Oversight Committee Annual Report		Final Action:

Title: SUBMISSION OF THE DEVELOPMENT OVERSIGHT COMMITTEE FOR THE TIF DISTRICT NO. TWO ANNUAL REPORT FOR THE PERIOD OF JANUARY 1, 2011, THROUGH AUGUST 31, 2011.

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

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 9

Attachments: UNP TIF Oversight Comm Annual Report 8-31-11.PDF, 10-11-11 Minutes.PDF

Project Manager: Clint Mercer, Chief Accountant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File RPT-1112-14

Body

BACKGROUND: On April 10, 2007, the City Council approved Resolution No. R-0607-95 establishing a Development Oversight Committee for Tax Increment Finance (TIF) District Number Two. The purpose of this University North Park (UNP) TIF Oversight Committee is to “oversee the implementation of the Project Plan (Ordinance No. O-0506-66) on behalf of the City Council by making recommendations regarding (1) use of revenues and expenditures other than traffic, roadway and utility improvements; (2) material modifications of the Project Plan; and (3) material changes in the Design Guidelines”. The Oversight Committee is also directed by the UNP TIF Master Operating and Development Agreement (Contract No. K-0607-44) “prior to any authorization for expenditures by the City for costs other than Initial

Project Activity Costs to evaluate whether the proposed expenditures are consistent with the Project Plan and shall report its determination to the City Council.”

DISCUSSION: The UNP TIF Oversight Committee (Committee) met periodically throughout fiscal year 2011 and reviewed the Council/NTIFA actions related to the expenditure of the authorized funds. The last annual report approved by the Committee covered a period ending December 31, 2011. The attached annual report covers the period January 1, 2011 to August 31, 2011.

RECOMMENDATION: It is recommended that the Council/NTIFA accept the UNP TIF Oversight Committee’s Annual Report for the period January 1, 2011 to August 31, 2011.

**THE CITY OF NORMAN
TIF #2 OVERSIGHT COMMITTEE
(UNIVERSITY NORTH PARK TIF)
ANNUAL REPORT**

FOR THE PERIOD JANUARY 1, 2011-AUGUST 31, 2011

The City of Norman Tax Increment Finance District (TIF) Number Two Oversight Committee (University North Park TIF) (“Oversight Committee”) was established by the City Council on April 10, 2007 to “oversee the implementation of the Project Plan on behalf of the City Council...shall make recommendations on (1) the use of revenues and expenditures other than traffic, roadway, and utility improvements; (2) material modifications of the master plan; and (3) material changes in the design guidelines.” There are nine committee members, with terms expiring as follows:

- O. Gail Poole, April 10, 2012
- Dr. Joe Siano, April 10, 2012
- Kelley Grace, April 10, 2012
- Ted Smith, April 10, 2013
- Harold Haralson, April 10, 2013
- Sandra Longcrier, April 10, 2013
- Robert Castleberry, April 10, 2014
- Fred Walden, April 10, 2014
- Michael Givel, April 10, 2014

The Oversight Committee will continue in existence until the Project Plan is complete.

The Project Plan (adopted May 23, 2006; Ordinance O-0506-66), as amended (August 26, 2008; Ordinance O-0809-8), establishes the following project categories and estimated costs:

1.	a. Traffic and Roadway Improvements	10,500,000
	b. Legacy Park	7,500,000
	c. Engineering, Legal & Other Professional Fees	1,750,000
	d. Contingency	1,975,000
2.	a. Conference Center & Cultural Facilities	7,500,000
	b. Contingency	750,000
3.	a. Rock Creek Overpass of I-35	7,500,000
	b. Contingency	750,000
4.	a. Lifestyle Center	7,500,000
	b. Contingency	750,000
5.	a. Economic Development	7,500,000
	b. Contingency	750,000
	Total Project Costs	54,725,000

The Oversight Committee has been reviewing documents and meeting since May 2007. Significant items discussed and reviewed over the reporting period include the following:

UNP Debt Financing

The current financing in place is a \$14,560,000 Tax Increment Revenue Note that was approved by the Trustees of the Norman Tax Increment Finance Authority on June 23, 2009 (Resolution R-0809-161). The Committee understands that this financing was considered to be temporary, with stringent financial disincentives in place to discourage keeping the financing in place for more than three years. One attempt was made to refinance this note during the reporting period but ultimately did not close, being unable to produce terms more favorable than the existing financing.

Future Development Commitment

As noted in the previous report, the Committee has an overriding concern with the long-term quality of development of University North Park. The Committee invited and received a presentation by the developer and his architect, Brad Goodwin and Frank Goppold, respectively. The area referenced to as the “lifestyle center” in the project plan was of most interest. Future plans call for more of a “village center” concept similar to a main street area. Mr. Goodwin feels that the lifestyle center concept is no longer viable in the market place and that this revised concept has a better chance of development. The Committee feels that alternate plans are needed that will produce new or unique retail concepts to this area and move the TIF forward to generate future tax revenues.

To advance this “Uniqueness” objective, the Committee believes that joint efforts of the developer and the City of Norman should be taken to make the award-winning Legacy Park design a reality. The development of Legacy Park is dependent on the developer of University North Park making the park site available, as previously agreed. Committee members believe that Legacy Park should have a development theme dedicated to the artistic talents of Oklahoma performers, writers and artists. The Committee is interested in proposals to develop the cultural facilities envisioned in the original UNP TIF Project Plan. Some cultural facilities that have been discussed by the Committee include a Weather Museum, a Gymnastics Museum, an indoor aquatics facility or other recreational or entertainment facilities. It is understood that synergies can be developed by combining these facilities with exhibit space to support the Hammons Conference Center. Efforts should be made to garner partnerships to move these facilities forward with financing from the developer of University North Park, private donations, the TIF, general obligation bonds, revenue bonds or other sources. Committee discussions make it clear that moving the University North Park development forward in the fashion envisioned with the implementation of the Tax Increment Finance District to support the development hinge on this Uniqueness objective being met.

Rock Creek Bridge & Frontage Road Improvements

The Rock Creek Overpass of Interstate 35 was completed and opened to the public in early September 2011. This bridge will substantially improve access to the University North Park area and relieve congestion at I-35 interchanges at Robinson and Tecumseh Avenues. By previous action, the Committee endorsed adding the Rock Creek Overpass as a new project category within the UNP TIF Project Plan. Final plans for the interchange at the northeast quadrant of Interstate 35 and Robinson street have been completed, partial funding secured through the Association of Central Oklahoma Governments (ACOG), and plans are in place to bid the project in January 2012 are moving forward. UNP TIF revenues will be utilized to complete the necessary funding for portions of this traffic and roadway improvement included in the original Project Plan.

Economic Development Facility Progress

As noted in the previous report, an economic development agreement was finalized to help the Norman Economic Development Coalition (NEDC) purchase property within the TIF district for development of the NEDC's University North Park Corporate Center. In October 2010, NEDC did purchase the first thirty acres of Economic Development property at below market prices for the future development of the UNP NEDC Office Park. This purchase was made possible by using as a credit enhancement for NEDC accumulated UNP TIF revenues designed for economic development. At that time, NEDC was in discussions with potential tenant/property owners; however, as of the end of this reporting period, no progress had been made on those negotiations. The Committee received various updates on the status of these negotiations. While this development prospect was not realized, the Committee continues to encourage NEDC and the City of Norman to continue to pursue the employment development prospects within the UNP TIF.

Activity Updates

During each meeting, the Oversight Committee received updates on TIF activities as they developed during the past reporting period. Attached to this report is financial information comparing the original projections of the developer to the actual revenues received to date. While the drop in the national economy in 2008 slowed retail development nationwide, comparison of projections to performance in completed calendar years though the end of 2010 reflect sales tax revenues slightly below target in retail sales projections and more than thirty percent in excess of performance over projections in ad valorem growth in the UNP TIF District. During the reporting period it was announced and recorded the sale of a major portion of the developed retail shopping district located west of 24th Avenue by a national retail shopping center managing firm, Inland. This portion of the project sold for \$205 per square foot, generating a sales price of \$32.5 million dollars. The increase in ad valorem taxes from this sale is projected to be assessed in 2012 and collected in 2013.

Summary

Summarized information on collections and expenditures from the UNP TIF are attached.

The Oversight Committee is pleased with the on-going development within the TIF area. The Committee is excited to see the opening of the Rock Creek Overpass and continued progress of traffic improvements at the I-35/Robinson/Frontage Road intersection. The Committee encourages development that will provide sustainable economic activity within the area while honoring commitments to bring new and unique retail concepts that foster economic growth and present opportunities to bring quality jobs to the district.

TIF #2 OVERSIGHT COMMITTEE MINUTES (UNIVERSITY NORTH PARK TIF)
STUDY SESSION ROOM
201 WEST GRAY
1:30 P.M.
OCTOBER 11, 2011

The Tax Increment Financing District #2 - University North Park ("UNP TIF") Oversight Committee met at 1:30 p.m. in the Municipal Building Study Session Room on the 11th day of October, 2011.

PRESENT: Robert Castleberry, Mike Givel, Harold Haralson, Sandra Longcrier, Joe Siano, Ted Smith, and Fred Walden

ABSENT: Kelley Grace, and Gail Poole

OTHERS PRESENT: Jeff Bryant, City Attorney
Anthony Francisco, Finance Director
Kathryn Walker, Assistant City Attorney
Suzanne Krohmer, Budget Manager
Clint Mercer, Chief Accountant
Roger Gallagher, Council Member
Don Wood, NEDC

The meeting was called to order at approximately 1:38 by Mr. Castleberry. A quorum was present.

Minutes of the August 16, 2011 and September 20, 2011 meetings were unanimously approved.

A copy of the most recent draft of the annual report was reviewed by the committee. Discussion ensued regarding wording within the report. The report as presented was unanimously approved (see copy attached).

Jeff Bryant handed out copies of a presentation that he gave at the September 20, 2011 meeting. He did not repeat the presentation but answered questions regarding the status of the TIF. Questions were noted about the status of Development Agreement #5. Jeff indicated that his comments have been delivered back to the developer and that he expected a response from him within the next week or two. Lot of discussion ensued regarding the TIF, the park land donation issue and development change in accordance with the original vision and how that vision or lack thereof has changed. Jeff noted that the developer is scheduled to make a presentation to the City Council on October 18th. The committee signed their intention to listen to this presentation and meet again on October 25th.

The meeting was adjourned.



City of Norman, OK

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

Master

File Number: RPT-1112-13

File ID: RPT-1112-13	Type: Communication or Report	Status: Consent Item
Version: 1	Reference: Item No. 10	In Control: City Council
Department: City Clerk Department	Cost:	File Created: 10/11/2011
File Name: Pioneer Library System Audit 2011		Final Action:

Title: SUBMISSION OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2011, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

INFORMATION: The above-described item appears on City Council's agenda in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record.

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

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 10

Attachments: Letter from Library, Audit Report

Project Manager: Anne Masters, Director of Pioneer Library System

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1112-13



Pioneer Library System
225 North Webster Avenue
Norman, Oklahoma 73069-7133

Website www.justbyknowus.com
Phone (405) 701 2643
FAX (405) 701 2649

Connecting you to the joy of reading and to information for lifelong learning

October 1, 2011

Brenda Hall, City Clerk
City of Norman
P.O. Box 370
Norman OK 73070

Dear Brenda:

Please find enclosed the Annual Audit of the fiscal year ending June 30, 2011, for the Pioneer Library System. This report is filed as required by Title 65, Section 4-105 13 (b) that reads:

"The system board shall also submit an annual audit of its income and expenditures within ninety (90) days following the close of the fiscal year to the boards of county commissioners, the State Auditor and Inspector, the Oklahoma Department of Libraries, and with cities and towns which participate in financial support of the system."

Thank you.

Respectfully,

A handwritten signature in cursive script that reads "Anne Masters".

Anne Masters
Director

Enclosure



Financial Statements

For the Year Ended June 30, 2011

PIONEER LIBRARY SYSTEM

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June 30, 2011

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INDEPENDENT AUDITORS' REPORT

September 20, 2011

To the Board of Directors of
Pioneer Library System
Norman, Oklahoma

We have audited the accompanying statements of financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System (the Library) as of and for the year ended June 30, 2011, which collectively comprise the Library's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Library's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audits in accordance with auditing standards generally accepted in the United States of American and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System, as of June 30, 2011, and the respective changes in financial position thereof, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 20, 2011, on our consideration of Pioneer Library System's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audits.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4 through 10 and 28 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

GRAY, BLODGETT & COMPANY, PLLC
Gray, Blodgett & Company, PLLC

MEMBER OF
OKLAHOMA SOCIETY OF CERTIFIED
PUBLIC ACCOUNTANTS
AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS
PRIVATE COMPANIES PRACTICE SECTION



America Counts on CPAs

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MEMBER



**Pioneer Library System
Management's Discussion and Analysis for the
Fiscal year Ended June 30, 2011**

This discussion and analysis of the financial performance of Pioneer Library System provides an overall review of the System's financial condition and results of operations for the fiscal year ended June 30, 2011. Readers should read this information in conjunction with the System's financial statements.

Pioneer Library System implemented Governmental Accounting Standards Board (GASB) statement 34 in 2004.

Financial Highlights

For fiscal year 2010-2011, the Library's general fund reported an ending balance of \$6,743,816 versus \$5,812,194 for the fiscal year 2009-2010. Of the 2010-11 year end-total, \$753,281 is reserved for outstanding encumbrances and \$2,417,806 is designated for service upgrades and improvements of library services at current and future libraries within the system. Although the remaining balance of \$3,572,729 is unrestricted, over the years, the Library administration, with the Board of Trustee's approval, has prudently used or committed the money from this fund to alleviate summer/fall cash flow problems and other emergencies that might arise.

The Pioneer Library Systems operating revenue increased by 5.1% this year. This increase allowed the library system to fund numerous projects throughout the system. A new telephone system was purchased and installed at the Norman Public Library for a cost of \$60,265.00. System signage was installed at several of the branches for a cost of \$10,492.55. A market segmentation study was completed by CIVICTechnologies for the Pioneer Library System's service area. Phase three of the pay compensation study which is being conducted by Singer and Associates began in the fall. A security camera system was installed at the SOKC library which will open in the fall of 2011 for a cost of \$20,782.95. The library automation system was updated and movie boxes were purchased for two of the libraries within the system. The library system leased additional office space for some of the system administrative staff.

The Pioneer Library System Foundation began operation in July of 2010 and was organized for the purpose of supporting, promoting and improving the programs, collections, facilities and services of the Pioneer Library System. The Foundation has been included as a component unit of the Library System and the Foundation has issued its own financial statements, available from the Library Foundation administrative office.

Grant highlights for FY11 included a \$65,000.00 grant from the Oklahoma Department of Libraries to install a computer lab at the Shawnee Library. The Norman Arts Council awarded the Library System a grant of \$10,825.00 to help fund the various cultural festivals at the Norman Public Library. In addition, they provided \$6,825.00 in funding for the 2011 Big Read. The Oklahoma Arts Council provided \$7,000.00 in funding for the System's Summer Reading Program.

The general fund balance increased by \$931,622 or 16.1% from fiscal year 2010. The increase in the general fund balance was due to the fact the Library System received more Ad Valorem tax revenue and more fine revenue than was budgeted. In addition, there was less money spent out of current year funds for the Southwest Oklahoma City library than was budgeted. \$2,417,806 has been designated for service upgrades and improvements of library services at present and future libraries within the system including the Southwest Oklahoma City Library which will open in the fall of 2011.

Overview of the Financial Statement

The Pioneer Library System's basic financial statements consist of fund financial statements, notes to financial statements, and required supplementary information.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Library's finances, in a manner similar to a private-sector business.

The statement of net assets represents information on all of the Library's assets and liabilities, with the difference between assets and liabilities reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Library is improving or deteriorating.

The statement of activities presents information showing how the Library's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future periods (e.g. uncollected taxes and earned but unused vacation leave).

The government-wide financial statements can be found on pages 11 and 12 of this report.

Fund Financial Statements

The Library System has two kinds of funds – Governmental Funds and Fiduciary Funds:

Governmental Funds encompass two types: General Fund and Other Governmental Funds:

General Fund represents unrestricted resources that are available for on-going general library operations. This is the Library System's primary operating fund.

Other Governmental Funds include Gift/Grant Funds.

Gifts/Grant Funds include funds provided by intergovernmental grants and other third parties' gifts and grants. All those funds are generally restricted as to use. Therefore, each fund accounts for its receipts and disbursements of the restricted functions.

Fiduciary Funds are reported in the fiduciary fund financial statements but are excluded from government-wide reporting. They include the Pioneer Library System Pension Plan. Fiduciary fund financial statements report resources that are not available to fund Library System general operations.

Notes to the Financial Statements

The accompanying notes to the financial statements provide information essential to a full understanding of the Library System's fund financial statements.

Supplemental Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information, such as comparative statement between budget and actual expenditures, and combined financial statements for other governmental funds.

Financial Analysis of Library System's Funds

As financial information is accumulated on a continuous and consistent basis, financial statements and expenditure reports for governmental funds are presented to the Pioneer Library System Board of Trustees.

For fiscal year 2010-11 governmental fund balances changed as follows:

	General Fund Funds	Other Governmental Funds	Total Governmental Funds
Revenues	\$13,731,457	\$ 326,346	\$14,057,803
Expenditures	\$12,799,835	\$ 298,165	\$13,098,000
Net Increase	\$ 931,622	\$ 28,181	\$ 959,803

For fiscal year 2009-10 governmental fund balances changed as follows:

	General Fund Funds	Other Governmental Funds	Total Governmental Funds
Revenues	\$13,070,311	\$ 575,224	\$13,645,535
Expenditures	\$11,546,143	\$ 492,376	\$12,038,519
Net Increase	\$ 1,524,168	\$ 82,848	\$ 1,607,016

General Fund:

The Library System is primarily (or 96%) funded by Ad Valorem (property) tax. For the 2010-11 financial year the tax rates were; a 6.06 mill Ad Valorem (property) tax in Pottawatomie County, a 6.11 mill Ad Valorem (property) tax in McClain County and a 6.11 mill Ad Valorem (property) tax in Cleveland County. For fiscal year 2010-11, the Counties' assessed property value had an increase of 4.4% versus 8% for 2009-10. Actual tax collections increased by 5% versus 9% for the prior year. The smaller increase was due to the slowed growth of the economy. Fine and other charges for services revenue for 2010-11 increased by \$45,992 from 2009-10. This increase was due to an increase in collection effort by the continued use of a library collection service and the increased size of the collection with the opening of the new Blanchard Library. State Aid increased by \$1,266 over the prior year. Interest income decreased by \$5,267 over the prior year. This decrease is attributed to the downturn in the economy.

The expense category Personnel Services increased from 2010 to 2011 due to a large increase in hospitalization expense, the 3% graduated COLA that was given to the staff, the addition of staff for the Southwest Oklahoma City branch, an increase in contract labor due to phase three of the pay compensation study and the installation and training on new accounting software modules and the market segmentation study that was completed by CIVICTechnologies. The expense category of Materials was increased to cover the cost of the opening day collection for the Southwest Oklahoma City library.

The System Services and General and Administrative expense categories were different in 2011 than in 2010 because of the following:

- The increase in development expenses was due to the fact that the foundation began operation in July of 2010.
- The increase in literacy expense was necessary to cover the costs of the Prime Time family literacy program.
- The increase in system signage supported phase one of an ongoing project to install new interior signage throughout the system.
- The decrease in equipment is due to the fact that the Blanchard library opened last year and the City of Oklahoma City is funding many of the equipment purchases for the Southwest Oklahoma City library.
- The Outreach expense category decreased because not as many items were purchased for outreach this year.

- The Public Information expenses increased to pay for the costs associated with a new library card signup campaign and to pay for increased advertising and promotion for the system
- The Reprographics expenses increased because the PIO department created more in house materials this year than last year.
- The audit expenses increased because the auditor increased their contract price.
- Supplies increased because additional supplies were purchased and the cost of supplies increased.
- System facilities increased because the library rented some additional office space for administrative and development staff.

Other Governmental Funds:

Gifts/Grants Funds – In FY11, Pioneer Library System received \$322,148 in gifts and grants. Outright gifts to PLS totaled \$104,724, over one third of which was provided by Friends groups throughout the library system (\$37,764). This past year, Pioneer Library System received \$217,424 in grants. In addition to the grants mentioned in the financial highlights section there were several other grants received this year. A \$79,115 award was granted by the Oklahoma Department of Libraries for Pottawatomie County’s ongoing TANF program. With a combined gift of \$17,611, the Oklahoma Department of Libraries continued to support adult literacy in all three counties. The Oklahoma Department of Libraries also provided continuing education grants to the library system for \$2,405. The Oklahoma Department of Libraries awarded a professional youth services speaker grant for \$5,000 to the library system. The Oklahoma Arts Council continued their support for PLS summer reading programs with a gift of \$3,200. The National Endowment for the Humanities awarded a \$2,500 grant for the Louisa May Alcott programs. The Robert and Ruby Priddy Charitable Trust awarded a grant for the AMO LEER/I Love to Read Project. All of the grantors and donors have not only provided financial support, but also been active partners providing excellent library services to the community.

Fiduciary Funds:

The investments of the System Pension Plan increased due to the increase in the stock market. The Pioneer Library System Board of Trustees froze the defined benefit pension plan as of December 31, 2008 and instituted a defined contribution retirement plan.

The Library System as a Whole

	<u>2010-11</u>	<u>2009-10</u>
Assets		
Current and Other Assets	7,682,125	6,916,097
Capital Assets	<u>5,985,690</u>	<u>5,056,697</u>
Total Assets	13,667,814	11,972,794
Liabilities		
Accounts Payable and Accrued Expenses	81,495	95,200
Other Liabilities	<u>279,582</u>	<u>273,747</u>
Total Liabilities	361,077	368,947
Net Assets		
Invested in Capital Assets	5,985,690	5,056,697
Unreserved/Unrestricted Net Assets	6,986,265	6,240,549
Restricted Net Assets	<u>334,782</u>	<u>306,601</u>
Total Assets	13,306,737	11,603,847
Change in Net Assets:		
Beginning Net Assets	11,603,848	9,050,401
Revenues		

Property Taxes	12,921,337	12,374,641
Charges for Services	391,578	345,586
Operating Grants	322,148	480,776
Capital Grants	28,925	38,417
State Aid	186,033	184,767
Investment Earnings	50,801	146,319
Loss on Disposal	<u>(2,095)</u>	<u>(7,284)</u>
Total Revenues	13,898,727	13,563,222
Expenses		
Public Library Services	8,407,166	7,916,435
Administrative Services	1,937,689	1,667,285
Depreciation – unallocated	<u>1,850,983</u>	<u>1,426,056</u>
Total Expenses	<u>12,195,838</u>	<u>11,009,776</u>
Increase in Net Assets	1,702,889	2,553,446
Ending Net Assets	<u>13,306,737</u>	<u>11,603,847</u>

General Fund Budgetary Highlights

The General Fund budget for fiscal year 2010-11 was \$13,289,324. This was a 4.4% increase over the previous year. The highlights of the budget include:

- A 3% cost of living increased averaged over the pay grades was awarded to all staff.
- Salary adjustments were made for 84 employees whose positions were designated for change under Phase Two of the Singer Group Pay Compensation study. In addition, in January \$625,000 was moved from the designated fund balance to establish a personnel budget for the Southwest Oklahoma City library.
- The Materials budget was reduced by \$345,000 and this amount was moved to the designated fund balance and was designated for future use for materials purchases in Cleveland and McClain Counties. In January \$1,440,000 was moved from the designated fund balance to establish a materials budget for the Southwest Oklahoma City library.
- Health insurance cost increased 32.38%.
- The Continuing Education budget was increased by \$3,000 to provide system-wide program coverage and training for new staff.
- Retirement was increased to \$548,000 to cover contributions to both retirement plans.
- Employee assistance programs were increased to cover the costs for a full year contract and to fund the healthy workplace task force.
- Contract Labor was increased by \$23,000 to cover a market segmentation study by CIVICTechnologies, phase three of the pay compensation study, purchase order implementation and digitization of board records.
- Equipment was increased \$15,000 to cover several projects including a new phone system for the Norman Library and a video surveillance system for the Southwest OKC Library.
- Travel was increased \$3,000 to cover board retreat costs and mileage increases.
- Vehicles was increased \$10,000 to cover the replacement cost of the technology van and the Pottawatomie County vehicle.
- In January \$235,000 was moved from the designated fund balance to establish a technology budget for the Southwest Oklahoma City library.
- Audit expenses were increased \$2,600 to cover the new contract price.
- Interest expense was decreased by \$5,500.00. The growing reserve and the implementation of the Income Investment policy by the board are responsible for this change.
- Reprographics was increased by \$3,500 to cover the increased amount of in-house generated public information items.
- Data processing was increased \$10,000 to cover the payroll processing costs and to study the implementation of on-line timesheets and other potential changes.
- Fine Collection was increased to cover actual use.

- The System Services budget was increased to cover the costs of standardizing branch signage, to cover the Library card sign-up promotion and other marketing and other marketing and publicity, and to cover family literacy projects.
- The Designated fund balance was increased to cover salary, materials, technology, equipment and other expenditures for the Southwest Oklahoma City Library and to cover future materials costs in Cleveland and McClain County.
- The Library Automation Services Agreement with the Norman Public Schools was renewed and the funds received were classified as general funds.

Capital Asset and Long-Term Debt

The Library System's investment in capital assets, net of accumulated depreciation, as of June 30, 2011 was \$5,985,690 and on June 30, 2010 was \$5,056,697. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2011, 14% are furniture, equipment and vehicles; the remaining 86% are books and materials. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2010 17% are furniture, equipment, and vehicles; the remaining 83% are books and materials.

The Library System has no long-term liabilities. The Board limits borrowing to short-term, usually in the fall in anticipation of ad valorem receipts beginning in December. The note is usually paid off in mid-January. This year the library system didn't need to borrow any money.

Economic Environment and Next Year's Budget

The Library System's primary revenue is Ad Valorem (property) tax. The annual growth in the Cleveland, McClain and Pottawatomie County's property value is the most important factor for the Library System's revenue outlook. For the most recent fiscal year the System collected 6.11, 6.11 and 6.06 mills of the assessed property value from the respective counties. The voters in all three counties approved a two mill increase in May of 2008 that went into effect for the previous budget year. The millage increase was much needed, especially since there had been no increase in millage since the voters approved the 4 mill increase in 1990 for Cleveland County and in 1992 for the other two counties. The fractional part of the millage is due to the abolishment of the personal property tax in two of the counties. The system is now at the millage cap allowed by state law.

Cleveland County in particular is one of the fastest growing areas in the state. Low mortgage rates, new industry, and expansion of the commercial sector have been very favorable to growth in Cleveland County. The presence of interstate traffic in all three counties has accounted for some of the continued growth as well as being in the middle of the State and near the State Capitol. The dramatic growth in facilities and related commercial services emanating from the University of Oklahoma has made a favorable climate around the Norman area. Moore has grown dramatically as more shopping centers along I-35 have been and continue to be developed. This growth continues in Norman as well with the implementation of a TIF district along I-35.

The growth did continue this past year but at a slower rate than previous years due to the downturn in the economy.

In general, the Library System still expects a continued growth in the tax revenue for the next year.. The Cleveland County Assessor has certified a 4.18% growth in property value for 2011; the Pottawatomie County Assessor has certified a 2.44% growth and the McClain County Assessor has certified a 2.21% growth.

For fiscal year 2011-12, the Library Board approved a general fund budget of \$14,175,156 versus \$13,289,324 for 2010-11.

- A 2.5% cost of living increased averaged over the pay grades will be awarded to all staff.
- Health insurance costs increased 34% this year.
- Contract labor was increased \$20,000 to cover branch re-design projects in Purcell and Tecumseh, Pay Compensation Phase Three, services contracts for system video surveillance, and other anticipated outsourced projects.

- The materials budget remained the same. However, the Southwest Oklahoma City materials budget was decreased because a majority of the opening day collections for this library was purchased from the previous year's budget.
- Continuing Education was increased \$15,000 to cover system-wide program coverage and innovative, interactive training for new staff, especially those twenty-two to be added to the Southwest Oklahoma City library.
- Supplies was increased by \$13,000 and is responsive to the addition of two new locations, both the Southwest Oklahoma City library and the Gray Street annex.
- Employee assistance programs were increased to cover the costs of a full year contract and to fund the healthy workplace taskforce.
- Vehicles was decreased \$25,000 because only one vehicle needs to be replaced this year.
- The audit was increased \$7,000 to cover the new contract price and the audit needed for the operation of the Pioneer Library System Foundation.
- Reprographics was increased by \$7,000 in anticipation of additional in-house generation of public information items and for the addition of services and the Southwest Oklahoma City library and possibly the Gray Street annex.
- The Fine Collection item was decreased to reflect actual costs.
- Revaluation was increased by \$5,000 to reflect actual and estimated costs.
- The Technology budget remained the same. However, the Southwest Oklahoma City technology budget was decreased by \$135,000 because most of the technology for the opening of the library was purchased from the previous year's budget.
- System signage was increased by \$5,000 to cover the cost of completing the standardizing of branch signage.
- Public Information was increased \$5,000 for use of Business Services promotion and marketing.
- Programming was increased \$3,000 and is earmarked for Business Services.
- Literacy was decreased \$4,000 now that the Prime Time program has ended.
- System Facilities was increased to reflect the cost of leasing and operatin both the McGee and Gray Street offices.
- The Designated fund balance reserved for encumbrances is a new line items which reflects outstanding purchase orders as of June 30, 2011.
- Designated fund balance reflects several items: Cleveland County, \$495,000; McClain County, \$173,996; Pottawatomie County, \$50,000; and Southwest Oklahoma City, \$1,290,281.

Contacting the Library System's Financial Management

This financial report is designed to provide a general overview of the Pioneer Library System, comply with finance-related laws and regulations, and demonstrate the Library System's commitment to public accountability. If you have any questions about this report or would like to request additional information, contact the Library System's Business Office at 225 North Webster, Norman, OK 73069.

PIONEER LIBRARY SYSTEM
Statement of Net Assets
June 30, 2011

	<u>Primary Government Governmental Activities</u>	<u>Component Unit Library Foundation</u>
Assets		
Cash and Cash Equivalents	\$ 6,903,526	\$ 41,754
Ad Valorem Tax Receivable, net of Allowance for Uncollectible Taxes	349,329	-
Pledges Receivable	-	1,325
Accrued Interest Receivable	3,277	5
Other Current Assets	337,820	-
Note Receivable	88,172	-
Depreciable Capital Assets, Net	<u>5,985,690</u>	<u>-</u>
 Total Assets	 <u>\$ 13,667,814</u>	 <u>\$ 43,084</u>
Liabilities		
Accounts Payable and Accrued Expenses	\$ 81,495	\$ -
Compensated Absences Payable	<u>279,582</u>	<u>-</u>
 Total Liabilities	 <u>\$ 361,077</u>	 <u>\$ -</u>
Net Assets		
Invested in Capital Assets	\$ 5,985,690	\$ -
Unrestricted Net Assets	6,986,265	25,418
Restricted Net Assets	<u>334,782</u>	<u>17,666</u>
 Total Net Assets	 <u>\$ 13,306,737</u>	 <u>\$ 43,084</u>

PIONEER LIBRARY SYSTEM
Statement of Activities
For the Year Ended June 30, 2011

	Program Revenues				Net (Expense) Revenue and Changes in Net Assets	(Expense) Revenue and Changes in Net Assets
Functions/Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government Governmental Activities	Component Unit Library Foundation
Governmental Activities:						
Public Library Services	\$ 8,407,166	\$ 391,578	\$ 322,148	\$ 28,925	\$ (7,664,515)	
Administrative Services	1,937,689	-	-	-	(1,937,689)	
Depreciation - unallocated	1,850,983	-	-	-	(1,850,983)	
Total Primary Government	\$ 12,195,838	\$ 391,578	\$ 322,148	\$ 28,925	\$ (11,453,187)	
 Component Unit						
Library Foundation	\$ 39,346	\$	\$ 81,741			\$ 42,395
 General Revenues:						
Property taxes, levied for general purposes					\$ 12,921,337	-
State Aid					186,033	-
Book Sales					-	659
Investment earnings					50,801	30
Loss on Disposals					(2,095)	-
Total General Revenues					\$ 13,156,076	\$ 689
 Change in net assets					\$ 1,702,889	\$ 43,084
 Net assets - beginning					11,603,848	-
Net assets - ending					\$ 13,306,737	\$ 43,084

PIONEER LIBRARY SYSTEM
Balance Sheet
Governmental Funds
June 30, 2011

ASSETS	General Fund	Gifts and Grants Fund	Total Governmental Funds
Cash	\$ 6,764,142	\$ 139,384	\$ 6,903,526
Receivable from General Fund	--	67,877	67,877
Ad Valorem Tax Receivable	349,329	--	349,329
Accrued Interest Receivable	3,277	--	3,277
Grants Receivable	--	33,199	33,199
Note Receivable	--	88,172	88,172
Foundation Receivable	--	6,150	6,150
Prepaid Expenses	298,471	--	298,471
Total Assets	\$ 7,415,219	\$ 334,782	\$ 7,750,001

LIABILITIES AND FUND BALANCES

Liabilities			
Accrued Salaries and Employee Benefits	\$ 81,495	\$ --	\$ 81,495
Compensated Absences Payable	279,582	--	279,582
Payable to Special Revenue	67,877	--	67,877
Deferred Revenue	242,449	--	242,449
Total Liabilities	\$ 671,403	\$ --	\$ 671,403

Fund Balances			
Reserved for Encumbrances	\$ 753,281	\$ --	\$ 753,281
Designated for Service Upgrades/Improvements For			
Cleveland County Libraries	495,000	--	495,000
McClain County Libraries	173,996	--	173,996
Pottawatomie County Libraries	50,000	--	50,000
South OKC Libraries	1,698,810	--	1,698,810
Undesignated reported in :			
General Fund	3,572,729	--	3,572,729
Special Revenue Funds	--	334,782	334,782
Fund Balances, End of Year	\$ 6,743,816	\$ 334,782	\$ 7,078,598
Total Liabilities and Fund Balances	\$ 7,415,219	\$ 334,782	

Amounts reported for governmental activities in the statement of net assets are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds. The cost of the assets is \$14,391,984 and the accumulated depreciation is \$8,406,294. 5,985,690

Property taxes receivable will be collected this year, but are not available soon enough to pay for the current period's expenditures, and therefore are deferred in the funds 242,449

Total Net Assets - Governmental Activities **\$ 13,306,737**

PIONEER LIBRARY SYSTEM
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2011

	General Fund	Gifts and Grants Fund	Total Governmental Funds
Revenues:			
Property Taxes	\$ 13,107,244	\$ --	\$ 13,107,244
Collections on Book Fines and Copy Services	364,576	--	364,576
Gifts and Grants	--	322,148	322,148
State Revenue	186,033	--	186,033
Other Contracts	27,000	--	27,000
Interest	46,604	4,198	50,802
Total Revenues	\$ 13,731,457	\$ 326,346	\$ 14,057,803
Expenditures			
Personal Services	\$ 7,808,551	\$ --	\$ 7,808,551
Materials	2,875,744	298,165	3,173,909
General and Administrative	929,468	--	929,468
Technology and Automation	920,860	--	920,860
System Services	265,212	--	265,212
Total Expenditures	\$ 12,799,835	\$ 298,165	\$ 13,098,000
Net Change in Fund Balance	\$ 931,622	\$ 28,181	\$ 959,803
Beginning Fund Balance	5,812,194	306,601	6,118,795
Ending Fund Balances	\$ 6,743,816	\$ 334,782	\$ 7,078,598
Total net changes in fund balances - governmental funds			\$ 959,803

The change in nets assets reported in the statement of activities is different because:

Capital outlays to purchase or build capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are shown in the statement allocated over their estimated useful lives as annual depreciation expenses in the statement of activities. This is the amount by which capital outlays exceeds depreciation during the period.

Depreciation Expense	\$ (1,850,983)	
Capital Outlay	2,782,071	931,088

Because some property taxes will not be collected for several months after the Library's fiscal year ends, they are not considered as "available" revenues in the governmental funds and are, instead counted as deferred revenues. They are however, recorded as revenues in the statement of activities.

(185,907)

Disposals of capital assets are not considered to be expenditures in the governmental funds. They are however, recoded as a loss in the statement of activities.

(2,095)

Change in net assets of governmental activities

\$ 1,702,889

PIONEER LIBRARY SYSTEM
Statement of Fiduciary Net Assets
Fiduciary Fund
June 30, 2011

	Pension Fund
ASSETS	
Current Assets	
Cash	\$ 115,314
Receivables	3,449
Investments	2,947,700
Payable	--
Total Assets	\$ 3,066,463

NET ASSETS	
Net Assets	
Held in Trust for Pension	
Benefits and Other Purposes	\$ 3,066,463

PIONEER LIBRARY SYSTEM
Statement of Changes in Fiduciary Net Assets
Fiduciary Fund
For the Year Ended June 30, 2011

	Pension Fund
Additions	
Contributions	
Employer	\$ 155,750
Interest and Dividend Income	76,314
Net Decrease in the Fair Value of Investments	335,032
Realized Gain	88,750
Total Additions	\$ 655,846
Deductions	
Benefits Paid	\$ 139,561
Trustee and Management Fees	15,242
Total Deductions	\$ 154,803
Net Increase	\$ 501,043
Net Assets, Beginning of Year	2,565,420
Net Assets, End of Year	\$ 3,066,463

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 1 – Summary of Significant Accounting Policies

The Reporting Entity – Pioneer Library System (The Library) is a corporate body for public purposes created under Title 65 of the Oklahoma Statutes and accordingly is a separate entity for operating and financial reporting purposes.

The Library is governed by trustees composed of 16 voting members. The Library operations are conducted by a librarian appointed by the trustees. Trustees include voting members who are appointees of the various cities in which the Library has locations.

The Library's financial statements are prepared in accordance with generally accepted accounting principles in the United States of America (U.S. GAAP). The Library's reporting entity applies all relevant Governmental Accounting Standards Board (GASB) pronouncements and applicable Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless they conflict with GASB pronouncements. The Library's reporting entity does not apply FASB pronouncements or APB opinions issued after November 30, 1989.

Financial Statement Presentation – The financial statements are presented in accordance with Financial Accounting Standards Board Accounting Standards Codification 958 (FASB ASC 958), formerly Statement of Financial Accounting Standards No. 117, Financial Statements of Not-for-Profit Organizations, which requires the Organization to report net assets based on the existence or absence of donor-imposed restrictions.

In evaluating how to define the Library, for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria established by the Governmental Accounting Standards Board (GASB). The basic -- but not the only -- criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the Library and/or its citizens, or whether the activity is conducted within the geographic boundaries of the Library and is generally available to its patrons. A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the Library is able to exercise oversight responsibilities. Based upon the application of these criteria, the Pioneer Library System Foundation meets the criteria which require a component unit to be presented discretely and included in the Library System's reporting entity.

Complete financial statements for the Foundation are available from the Foundation administrative office.

Basic Financial Statements – Government-Wide Statements

The Library's basic financial statements include both government-wide (reporting the Library as a whole) and fund financial statements (reporting the Library's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business type. The Library

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 1 – Summary of Significant Accounting Policies (continued)

does not have any activities classified as business-type activities. Internal service fund activity is eliminated to avoid “doubling up” revenues and expenses. Fiduciary funds are excluded.

In the government-wide Statement of Net Assets, the Library’s governmental activities are reported using the accrual basis of accounting. The Library’s net assets are reported in three parts – invested in capital assets, net of related debt; restricted net assets; and unrestricted net assets. Revenues are recognized when earned and expenses are recognized when incurred.

The government-wide Statement of Activities reports both the gross and net cost of each of the Library’s programs and functions. The functions are also supported by general government revenues. The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants. Program revenues must be directly associated with the function. Operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants.

The pension trust fund recognizes employer and participant contributions in the period in which contributions are due and the Library has made a formal commitment to provide the contributions. Retirement benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. See Note 9.

The net costs are normally covered by general revenue (property taxes, State aid, other taxes etc.).

The government-wide focus is more on the sustainability of the Library as an entity and the change in the Library’s net assets resulting from the current year’s activities.

Basic Financial Statements – Fund Financial Statements

Fund financial statements report detailed information about the Library. The focus of governmental fund financial statements is on major funds rather than reporting funds by type. Nonmajor funds are aggregated and presented in a single column.

All governmental funds are accounted for using the current financial resources measurement focus and the modified accrual basis of accounting. Under this basis revenues are recorded when susceptible to accrual; i.e. both measurable and available. “Available” means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

The Library reports the following major governmental funds:

General Fund is the primary operating fund of the Library. It is used to account for all financial resources except those required to be accounted for in another fund.

Gifts and Grants Fund is used to account for all gifts and grants made to the Library, which are to be used for specific purposes. In accordance with FASB ASC 958, formerly SFAS No. 116, Accounting for Contributions Received and Contributions Made, contributions, including unconditional promised to give, are recorded as made.

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 1 – Summary of Significant Accounting Policies (continued)

Basis of Accounting - Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Capital Assets: Capital assets purchased or acquired with an original cost of \$1,000 or more are reported at historical cost or estimated historical cost. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Furniture and Fixtures	7 years
Computer Equipment	4 years
Vehicles	5 years
Books and Materials	5 years

Compensated Absences: The Library accrues accumulated unpaid annual leave when earned by the employee. Generally, annual leave must be taken during the calendar year earned. Eligible employees who end their employment with the Library are reimbursed for each day of accumulated annual leave.

Budgets and Budgetary Accounting - The Library is required by state law to prepare an annual budget. The various County Excise Boards formally approve an annual budget for the general fund.

Budgets generally assume the expenditure of all available resources. Therefore, when the legal budget is prepared, it is assumed these funds will not have a carryover balance to a subsequent year. Program revenue received but not spent is restricted and deferred to the subsequent fiscal year. Amounts reported as program revenue includes (1) charges to customers, (2) operating grants and contributions, and (3) capital grants and contributions.

Encumbrances - Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditures of resources are recorded as expenditures of the applicable funds, is used. This is an extension of the formal budgetary integration in the general fund. Encumbrances outstanding at year-end are reported as reservations of fund balances since they do not constitute expenditures or liabilities.

Cash and Cash Equivalents - The Library considers all cash on hand, demand deposits, money market checking and certificates of deposit, held at an individual bank which are subject to early withdrawal penalties no matter what the maturity period, to be cash. All short-term cash surpluses are maintained in a cash pool, the earnings from which are allocated to each fund based on month-end deposit balances.

Receivables – All taxes receivable are expected to be collected in one year.

Property Tax Revenues - The Library is authorized by state law to levy property taxes which consist of advalorem taxes on real and personal property within the County. The County Assessor, upon receipt of the certification of tax levies from the county excise board, extends the tax levies on the tax roll for submission to the county treasurer prior to October 1. The county treasurer must commence tax collection

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 1 – Summary of Significant Accounting Policies (continued)

within fifteen days of receipt of the tax rolls. The first half of the taxes is due prior to January 1. The second half is due prior to April 1.

If the first payment is not made timely, the entire tax becomes due and payable on January 1. Second half taxes become delinquent on April 1 of the year following the year of assessment. If not paid by the following October 1, the property is offered for sale for the amount of taxes due. The owner has two years to redeem the property by paying the taxes and penalty owed. If at the end of two years the owner has not done so, the purchaser is issued a deed to the property. The Offices of Cleveland, McClain and Pottawatomie Counties bill and collect the property taxes and remit its share to the Library.

Property taxes receivable by the Library include uncollected taxes assessed as of October 1, 2005 and earlier. Provision for uncollectible taxes of \$4,850 has been recorded. No provision has been made in the other funds for uncollectible amounts. All property taxes earned at year-end but not yet received are included in receivables reported on the government-wide statements. In the fund financial statements, property taxes are recorded as revenue in the period levied to the extent they are collected within 60 days of year-end. Any remaining property taxes due are deferred until they become available.

State Revenues - The Library receives revenue from the state to administer certain categorical library programs. The board of trustees has designated these funds to be used in technology.

Interfund Balances - During the course of normal operations, the Library has transactions between funds including expenditures and transfers of resources to provide services, purchase assets and service debt. Transactions that are normal and recurring between funds are recorded as operating transfers.

Contributed Facilities and Services - The Library operates several branches located in government-owned buildings and receives certain services without charge. The estimated fair rental value of the premises and service is not reported in the accompanying statement of revenues, expenditures, and changes in fund balance.

Grants - The Library records income from grants in the period received or to the extent of expenses paid prior to reimbursement by a grant.

Income Taxes - The Library was established under the provisions of the Oklahoma Constitution and as such is exempt from income taxes under the Internal Revenue Code as a unit of government. The Library is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The Library has also been classified as an entity that is not a private foundation within the meaning of Section 509(a) and qualifies for deductible contributions. No provision for federal or state income taxes has been recorded. There was no interest or penalties to the Internal Revenue Service included in these financial statements. The 2008, 2009, and 2010 tax years remain open and are subject to examination by the Internal Revenue Service and the State of Oklahoma.

Prepaid Expenses - The Library records prepaid insurance, subscriptions and maintenance agreements for that portion of payments which have not been used at year-end for government-wide financial statement purposes. Prepaid expense is included in other current assets in the statement of net assets.

Restricted Resources - The Library records gifts and grants as restricted when the donor specifies a restriction on the timing or use of the gift or grant. Expenses are allocated first to the restricted resource.

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 1 – Summary of Significant Accounting Policies (continued)

If additional expense is incurred, the expense is allocated to unrestricted funds when the restriction has been depleted.

Use of Estimates - The preparation of financial statements requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Note 2 – Cash and Investments

The Library's investment policies are governed by state statute. Permissible investments include direct obligations of the United States Government and Agencies; certificates of deposit of savings and loan associations and bank and trust companies; and savings accounts or savings certificates of savings and loan associations and trust companies.

Custodial Credit Risk - Deposits – Custodial credit risk is the risk that in the event of a bank failure, the Library's deposits may not be returned to it. At June 30, 2011, none of the Library's bank balance of \$6,901,274 was exposed to custodial credit risk because it was all insured and collateralized. The balance is collateralized with securities held by First Fidelity Bank in the Library's name. The market value of these securities as of June 30, 2011 was \$12,334,220.

Investment Interest Rate Risk - The investments of the Pension Plan (see also Note 9) are invested in various mutual funds with the Bank of Oklahoma, and may be used only for the payment of benefits to the members of the Plan. The composition of the pension trust fund at fair value is shown in the following table.

	Market Value	Credit Exposure as a Percentage of Total Investments
Pension Fund		
Pooled Equity Funds	\$ 1,721,876	56.21%
Pooled Fixed Income Funds	1,116,424	36.45%
Alternative Investments	224,713	7.34%
Total Pension Fund Investments	\$ 3,063,013	100.00%

Pension Fund Policy

The Pioneer Library System Pension Plan and Trust provides for investment managers who have full discretion of assets allocated to them subject to the overall investment guidelines set out in the policy. Manager performance is reviewed by a consultant who provides reports to the newly established

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

retirement plans investment and administrative committee and to the board. Any changes in the investment management firm must be reported as they occur. Overall investment guidelines provide for diversification and allow investment in domestic and international common stocks, fixed income securities, cash equivalents, index funds, collective trust funds and mutual funds. The Plan addresses custodial credit risk with policy providing for the engagement of a custodian who accepts possession of securities for safekeeping; collects and disburses income; collects principal of sold, matured, or called items; and provides periodic accounting to the board. The pension trust fund holds \$2,676,870 in investments. This amount is held by the investment counterparty, not in the name of the pension fund or the Library.

Pension Trust investing is restricted by Oklahoma Statutes to the Prudent Investor Rule.

Note 3 – Note Receivable

The Library received a note receivable included in the settlement of an estate during the year ended June 30, 2005. The original note is \$100,000 at zero interest, and is due in 2014. The note has been discounted to \$88,172.19 to report it at its fair market value at June 30, 2011.

Note 4 – Collections

The Library has not capitalized existing inexhaustible collections, including research books, because the values are not readily determinable.

Note 5 – Short-Term Borrowing

On an annual basis, the Library utilizes short-term unsecured promissory notes in anticipation of the collection of ad valorem taxes. In accordance with Title 65 Section 4-105 of the Oklahoma Statutes, the term of the loan may not exceed one year. As of June 30, 2011, no balance was owed. No interest expense was paid or incurred during the year ended June 30, 2011.

Note 6 – Long-term Liabilities

The long-term liability balance and activity for the year were as follows:

	<u>Beginning</u>			<u>Ending</u>	<u>Amounts Due</u>
	<u>Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Balance</u>	<u>Within One Year</u>
Compensated Absences	273,734	389,170	383,322	279,582	279,582

The general fund will be used to settle the compensated absences liability.

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 7 – Capital Assets

Capital assets of the Library at June 30, 2011 are as follows:

	<u>Beginning</u> <u>Balances</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending</u> <u>Balances</u>
Depreciable Capital Assets:				
Library Books	9,707,417	2,423,762	833,886	11,297,293
Furniture and Fixtures	826,003	202,809	37,688	991,124
Computer Equipment	1,916,204	130,414	81,311	1,965,307
Vehicles	129,885	25,086	16,711	138,260
Total Capital Assets	<u>12,579,509</u>	<u>2,782,071</u>	<u>969,596</u>	<u>14,391,984</u>
Less Accumulated				
Depreciation for:				
Library Books	5,497,791	1,495,269	833,886	6,159,174
Furniture and Fixtures	568,594	71,814	35,593	604,815
Computer Equipment	1,396,673	247,660	81,311	1,563,022
Vehicles	59,754	36,240	16,711	79,283
Total Accumulated				
Depreciation	<u>7,522,812</u>	<u>1,850,983</u>	<u>967,501</u>	<u>8,406,294</u>
Total Depreciable Capital				
Assets, Net	<u>5,056,697</u>	<u>931,088</u>	<u>2,095</u>	<u>5,985,690</u>

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 8 – Operating Lease Commitments

The Library leases a building for the service center, a building for the development office, telephone equipment, a postage machine and copiers for its branch facilities and for administration under operating leases. The copier leases expire in March 2013. The other leases are renewed on an annual basis. Lease expense under these leases for 2011 was \$133,265.23 Future minimum annual lease expense for these lease are as follows:

2011	\$ 6,220
2012	\$ 18,664
2013	\$ 18,664
2014	\$ 18,664
2015	\$ 18,664
Thereafter	\$ 12,440
	\$ 93,316

Note 9 – Defined Benefit Retirement Plan

Plan Description - The Pioneer Library System Pension Plan and Trust (The Plan) is a single-employer public employees retirement system (PERS) plan that covers all full-time employees of the Library. This plan was frozen as of December 31, 2008. Retirement benefits are based on length of service and salary. Normal retirement for the new plan is 65 years of age. Death and deferred vested benefits are also available under the plan. All benefits vest after 10 years of credited service. Pioneer employees who retire after age sixty-five with more than four years of credited service are entitled to an annual retirement benefit, payable monthly, in an amount equal to one percent of their averages salary based on their highest five consecutive years within 10 years of retirement. If an employee has less than 10 years of vesting service, the amount of the benefit is reduced by 1/10th for each vesting year of service fewer than ten. Actuarial valuations are performed annually on January 1.

Funding Policy - Employees of the library are not required to contribute to the plan. The library is required to make annual contributions based on an actuarially computed percentage of covered wages in amounts sufficient to cover normal cost of benefits and amortize the prior service liabilities. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Contributions for the year ending June 30, 2011 to the defined benefit plan were \$155,750

Net Pension Obligation and Annual Pension Cost – The required contribution was determined as part of the January 1, 2011 actuarial valuation using the aggregate salary method, which does not identify and separately amortize unfunded actuarial liabilities. The amortization method used was the level percent of compensation method. The most recent actuarial valuation was for the calendar year 2011 and the period is closed. The actuarial assumptions included

- (a) 6% investment rate of return,
- (b) projected salary increases of 5% and
- (c) post-retirement increases of 5%.

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 10 – Retirement Plan

The annual net pension obligation and annual pension cost for the current year were as follows:

Net Pension Obligation, Beginning of Year	\$ 1,546,991
Earning from Investments	76,314
Unrealized Depreciation	335,032
Realized Gain	88,750
Contribution	155,750
Distributions	(139,561)
Fees and Commissions	(15,242)
Change in Valuation	(766,041)
Net Pension Obligation, End of Year	<u>\$ 1,281,993</u>

Present Value of Future Benefits	\$ 4,348,456
Valuation of Assets	<u>3,066,463</u>
Net Pension Obligation	<u>\$ 1,281,993</u>

Components of Annual Pension Cost:	
Normal Cost	\$ 141,747
Interest at 6%	8,505
Annual Contribution Necessary to Avoid a Funding Deficiency	<u>\$ 150,252</u>

Three year trend information is as follows:

Three- Year Trend Information				
Fiscal Year <u>Ending</u>	Annual Pension Cost (APC)	Percentage of APC <u>Contributed</u>	Net Pension <u>Obligation</u>	Actual Contrib
6/30/2009	\$ 205,063	107.7%	\$1,867,623	\$220,820
6/30/2010	\$ 163,645	109.5%	\$1,546,991	\$179,130
6/30/2011	\$ 150,252	103.7%	\$1,281,993	\$155,750

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 10 – Retirement Plan (continued)

Multi-year trend information for the plan is as follows:

Schedule of Funding Progress for Pioneer Library System Pension Plan and Trust						
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll [(b-a)/c]
6/30/2009	\$2,093,150	\$3,960,773	\$1,867,623	52.8%	\$3,537,158	52.8%
6/30/2010	\$2,565,420	\$4,112,411	\$1,546,991	62.4%	\$ -	N/A
6/30/2011	\$3,066,463	\$4,348,456	\$1,281,993	70.5%	\$ -	N/A

The Plan's annual financial report is available from the Business Office of the Pioneer Library System, 225 North Webster, Norman, Oklahoma 73069.

Note 11 – Defined Contribution Retirement Plan

Plan Description - On January 1, 2009 the library implemented this plan. Normal retirement age for this plan is 65 years of age. Death and deferred vested benefits are also available under this plan. All benefits vest after 5 years of credited service. Employees who retire after age sixty-five will receive their vested benefits in one of the following manners out of the amount accumulated in their accounts: (i) by lump sum payments, or (ii) in equal monthly, quarterly, semi-annual or annual installment payments; provided an installment election must be for a period less than their life expectancy or the life expectancy of their beneficiaries.

Funding Policy - Employees of the library are not required to contribute to the plan. The library makes an annual contribution based on a percentage of an employee's salary. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Benefits paid for 2011 to the plan were \$360,583.

Note 12 – Endowment Fund

The library is the beneficiary of investment income on three endowment funds that are under the control of the Communities Foundation of Oklahoma. The value of the funds as of June 30, 2011 was \$294,946. and the value as of June 30, 2010 was \$263,570.

Note 13 – Risk Management

The Library is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions and natural disasters for which the Library carries commercial insurance. There have been no significant reductions in coverage from the prior year and settlements have not exceeded coverage in the past three years.

PIONEER LIBRARY SYSTEM
Notes to Financial Statements
June 30, 2011

Note 14 – Commitments

In the year ended June 30, 2005, the Library received a distribution from an estate that was to be used for the Noble Public Library. Construction commenced on an addition to the Noble library building in 2006. During 2007 construction was completed. Costs incurred during the year ended June 30, 2007 were approximately \$639,000, for a total of \$1,096,000. These costs have been expensed since the building will be owned by the City of Noble. As of June 30, 2011, the City of Noble has not signed the Inter-local agreement taking ownership of the building.

Note 15 – Subsequent Events

Oklahoma City broke ground on a new library in May of 2010. The building should be complete in the fall of 2011 and at that time it will become part of the Pioneer Library System since it will be located in Cleveland County.

Subsequent events have been evaluated through the issuance date of this report and no significant events were noted, except those mentioned above.

PIONEER LIBRARY SYSTEM
Budgetary Comparison Schedule – General Fund (Unaudited)
For the Year Ended June 30, 2011

	Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts GAAP Basis	Budget to GAAP Differences Over(Under)	Actual Amounts Budgetary Basis	Variance with Final Budget Positive (Negative)
Designated Fund Balance, July 1	\$ 2,456,000	868,996				
Undesignated Fund Balance July 1	\$ 1,832,022	3,356,194				
Budgetary Fund Balance, July 1	\$ 4,288,022	\$ 4,225,190	\$ 5,812,194	2 \$ --	\$ 5,812,194	\$ 1,587,004
Resources (inflows)						
Property Taxes	12,518,330	12,739,633	13,107,244	24,000	13,083,244	343,611
State Revenue	166,291	166,291	186,033	18,476	167,557	1,266
Interest	--	--	46,604	(3,476)	50,080	50,080
Other	353,600	383,400	391,576	(2)	391,578	8,178
Use of Designated Fund Balance	--	1,587,004	--	--	751,190	(835,814)
Amounts Available for Appropriat	\$ 17,326,243	\$ 19,101,518	\$ 19,543,651	\$ 38,998	\$ 20,255,843	\$ 1,154,325
Charges to Appropriations (outflows)						
Personnel Services	\$ 7,237,660	\$ 8,106,503	\$ 7,752,675	\$ (27,201)	\$ 7,725,474	\$ 381,029
Personnel Services SOKC	--	625,000	55,876	--	55,876	569,124
Materials	2,525,000	2,180,000	2,206,414	193,940	2,400,354	(220,354)
Materials-SOKC	--	1,440,000	669,330	--	669,330	770,670
General and Administrative	876,861	890,825	929,468	(203,218)	726,250	164,575
Technology	825,000	825,000	733,436	32,058	765,494	59,506
Technology-SOKC	--	235,000	25,984	--	25,984	209,016
Virtual Library	200,000	200,000	161,440	--	161,440	38,560
System Services	367,700	374,000	265,212	37,593	302,805	71,195
Total Charges to Appropriations	\$ 12,032,221	\$ 14,876,328	\$ 12,799,835	1 \$ 33,172	\$ 12,833,007	\$ 2,043,321
Designated Fund Balance-Current	\$ 1,006,000	--	--	468,996	468,996	(468,996)
Budgetary Fund Balance, June 30	\$ 4,288,022	\$ 4,225,190	\$ 6,743,816	\$ 5,826	\$ 6,953,840	\$ 2,728,650

Budget to Actual Reconciliation:

Revenues on a budgetary basis are based on cash received rather than the modified accrual basis used for financial reporting 38,998

Encumbrances for supplies and equipment ordered but not received are reported in the year the order is placed for budgetary purposes but in the year the supplies are received for financial reporting 1 (33,172)

The amount reported as "fund balance" on the budgetary basis of accounting derives from the basis of accounting used in preparing the District's budget. This amount differs from the fund balance reported in the statement of revenues, expenditures and changes in fund balances because of the cumulative effect of transactions such as those described above. 2 -
5,826

Notes to required Supplementary Information

Note Budgeting and Budgetary Control

Oklahoma Statute requires the Library to prepare an annual budget. The various excise County Excise Boards formally approve the annual budget for the general fund. The Library adopts its budget at the fund level.

Budgetary Basis of Accounting

Under the budgetary basis of accounting revenues are recognized when they are received rather than earned. Purchases of materials, outside services and capital outlay are recognized as expenditures when the commitment to purchase is made (encumbered).



Gray, Blodgett & Company, PLLC

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

September 20, 2011

To the Board of Directors
Pioneer Library System

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System as of and for the years ended June 30, 2011, which collectively comprise the Library's basic financial statements and have issued our report thereon dated September 20, 2011. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audits, we considered Pioneer Library System's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Pioneer Library System's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Library's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above. However, we identified certain deficiencies in internal control over financial reporting, described in the accompanying schedule of findings and questioned costs as item #2011-1 that we consider to be significant deficiencies in internal control over financial reporting. A significant deficiency is a deficiency or a combination of deficiencies in internal control that is less severe than a material weakness in internal control over financial reporting or a material weakness in internal control over compliance yet important enough to merit attention by those charged with governance.

Pioneer Library System's response to the significant deficiency identified in our audit is described in the accompanying schedule of findings. We did not audit Pioneer Library System's responses, and, accordingly, we express no opinion on it.



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MEMBER

10-30

To the Board of Directors
Pioneer Library System
September 20, 2011
Page Two

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Pioneer Library System's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended for the information of the Board of Directors, management, and federal and state awarding agencies and pass-through entities, and is not intended to be and should not be used by anyone other than these specified parties.

GRAY, BLODGETT & COMPANY, PLLC

Gray, Blodgett & Company, PLLC

PIONEER LIBRARY SYSTEM
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
JUNE 30, 2011

#2011-01

Statement of Condition: Adjusting journal entries were necessary due to formula errors found within excel spreadsheets that are used by management to reconcile the books. The accounts affected were grants receivables and depreciation expense.

Criteria: Spreadsheets are relied upon to reconcile specific accounts.

Effect: The Library's financial statements could have been materially misstated from the errors in these excel spreadsheets.

Cause: Personnel did not realize that specific cells within the excel spreadsheet were not included in the formulas.

Recommendation: Management should verify formulas in excel spreadsheets and calculations should be reviewed.

Questioned costs: None

PIONEER LIBRARY SYSTEM
CORRECTIVE ACTION PLAN
JUNE 30, 2011

Name: Pioneer Library System

Auditing Firm: Gray, Blodgett & Company, PLLC

Audit Period: For the year ended June 30, 2011

Comments on Findings and Recommendations

Pioneer Library System agrees with the findings and recommendations as set out in the Auditors' report as of September 20, 2011.

Actions taken or planned

#2011-01

Management will verify and review formulas.



City of Norman, OK

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

Master

File Number: BID-1112-11

File ID: BID-1112-11

Type: Bid

Status: Consent item

Version: 1

Reference: Item No. 11

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 09/13/2011

File Name: Bid -1112-11 AGGREGATE AND STONE

Final Action:

Title: CONSIDERATION AND AWARDING OF BID NO. 1112-11 FOR AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

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

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 3, and 8; and, if accepted, award the bid to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the Alternate Bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 6; and, if accepted, award the bid to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 9; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 10, 11, and 13; and, if accepted, award the bid to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the Alternate Bidder

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 12(B); and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 11

Attachments: Bid Tabulation Bid 1112-11

Project Manager: Greg Hall, Street Superintendent

Entered by: patsy.sayers@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File BID-1112-11

Body

BACKGROUND: The City of Norman's Street and Drainage Maintenance Programs utilize the following aggregate and stone:

1. 3/8-inch Screenings are used as bedding material and backfill for storm sewer pipe.
2. 3/4-inch Washed Chips are used as the cover aggregate for bituminous surface treatments (i.e., chip sealing). This is the base course for a double bituminous application.
3. Concrete Sand is used in the snow and ice control program.
4. 1 1/2-inch Aggregate Base, Type A is used as base material for pavement construction. It is also used to stabilize an unimproved section line road.
5. Traffic Bound Surface Course; Type A is used as the surface course of a gravel roadway. It provides a suitable gradation or blend of coarse, medium and fine aggregates for the construction of a gravel roadway surface.
6. Kiln Dust is used in Subgrade stabilization operations.
7. Select borrow Subgrade material is used as embankment and causeway fill in roadway reconstruction operations.
8. 3-inch Surge Rock is used to stabilize unimproved rural section line roads comprised of sand and fine silt. It is also used as a component of a filter blanket beneath riprap for stream bank and channel erosion control.
9. Riprap is used for stream bank stabilization, erosion control in drainage ways and flood damage control. It is purchased in 8-inch, 12-inch, and 18-inch diameters.
10. Topsoil is used when the right-of-way is damaged during construction and grass

replacement is required.

11. Manufactured Sand is coarse sand for winter ice control and job site concrete mixing.

Quantities of aggregate materials purchased annually will vary depending on individual project scope, unscheduled repairs and maintenance activities. A total of 5,019.85 tons of a combination of these products were purchased with the FYE 2011 bid prices.

DISCUSSION: Bid Number 1112-11 was opened on September 22, 2011, with seven (7) vendor bids received for aggregate and stone. Of the bids received, one (1) vendor bid did not meet specifications. Dolese Brothers' bid was substantially lower than the other bids but it was based on the City of Norman picking up loads from the quarry in Davis, Oklahoma. The bid specifications called for materials to be delivered which saves fuel as well as time spent driving back and forth from Davis which is 60 miles from Norman. The average unit price of these materials decreased over the 2010 bid price by 6% due to the decreased manufacturing and fuel related costs. The purchase contract for these materials is effective through October 31, 2012. Funding for the purchase of the various aggregate and stone materials is provided in various accounts in the General Fund for maintenance and operations uses and the Capital Fund for scheduled capital projects.

Funding for the materials is available in the following account numbers:

Street Maintenance Division

(010-5021-431.32-17) Weatherization - \$17,224

(010-5021-431.33-03) Rock/Sand Materials - \$28,600

Storm Water Division

(010-5022-431.33-03) Rock/Sand Materials - \$15,000

Capital Improvement Projects FYE 2011

(050-9906-451.63-01) Force Account Drainage Materials - \$10,000

(050-9696-431.63-01) Rural Road Improvements - \$10,000

RECOMMENDATION: Staff recommends Bid No. 1112-11 be awarded to the low bidders which are listed below. We further recommend that the bid also be awarded to an alternate bidder so that the materials will be available when the primary bidder cannot deliver it.

Sections 1, 3, and 8 awarded to Kudron Trucking, Inc. with Bernie Mathes Trucking as the Alternate Bidder

Section 2 awarded to Dale Brown, Inc., with Bernie Mathes Trucking as the Alternate Bidder

Section 4 awarded to Bernie Mathes Trucking with Kudron Trucking, Inc., as the Alternate Bidder

Section 5 awarded to Kudron Trucking, Inc. with T.J. Campbell Construction Company as the

Alternate Bidder

Section 6 awarded to Silver Star Construction Company - only bidder

Section 7 awarded to Dale Brown, Inc. with T.J. Campbell Construction Company as the Alternate Bidder

Section 9 awarded to Dale Brown, Inc., with Kudron Trucking, Inc., as the Alternate Bidder

Section 10, 11 and 13 awarded to Kudron Trucking, Inc., with Dale Brown, Inc., as the alternate bidder

Section 12(A) (no bid received)

Section 12 (B) awarded to Dale Brown, Inc., only bidder

STREETS DIVISION -- AGGREGATE AND STONE - BID NO. 1112-11
 BIDS OPENED SEPTEMBER 22, 2011 -- TABULATION OF BIDS

BID TABULATION		Dolese Bros Co., Oklahoma City, OK F O B DAVIS, OK QUARRY	Bernic Mathes Trucking, Wheatland, OK	Martin Marietta Moore, OK	Dale Brown, Inc. Ardmore, OK	Silver Star Construction Co., Norman, OK	T. J. Campbell Construction Co., Oklahoma City, OK	Kudron Trucking, Inc., Piedmont, OK
SECTION	DESCRIPTION	\$ Per Ton	\$ Per Ton	\$ Per Ton	\$ Per Ton	\$ Per Ton	\$ Per Ton	\$ Per Ton
SECTION I	3/8" Screenings							
	Delivered	\$ 4.50	\$ 12.65	\$ 15.50	\$ 13.90	No Bid	No Bid	\$ 12.25
SECTION II	3/4" Washed Chips							
	Delivered	No Bid	\$ 17.50	No Bid	\$ 17.40	No Bid	No Bid	\$ 17.55
SECTION III	Concrete Sand							
	Delivered	\$ 9.70	\$ 15.65	No Bid	\$ 16.50	No Bid	No Bid	\$ 14.75
SECTION IV	1 1/2" Aggregate Base, Type A							
	Delivered	\$ 6.55	\$ 11.95	\$ 17.25	\$ 16.10	No Bid	\$ 15.49	\$ 12.25
SECTION V	Traffic Bound Traffic Course, Type A							
	Delivered	\$ 7.30	\$ 15.96	\$ 17.25	\$ 15.90	No Bid	\$ 15.49	\$ 14.00
SECTION VI	Kiln Dust							
	Delivered	No Bid	No Bid	No Bid	No Bid	\$ 43.67	No Bid	No Bid
SECTION VII	Select Borrow Subgrade Mat'l							
	Delivered	No Bid	No Bid	No Bid	\$ 9.40	No Bid	\$ 9.99	No Bid
SECTION VIII	3" Surge Rock, Minimum Fines							
	Delivered	\$ 7.05	\$ 15.95	No Bid	\$ 16.50	No Bid	No Bid	\$ 15.90
SECTION IX	8" Riprap							
	Delivered	\$ 17.00	\$ 28.95	No Bid	\$ 16.50	No Bid	No Bid	\$ 26.00
SECTION X	12" Riprap							
	Delivered	\$ 17.00	\$ 28.95	\$ 27.75	\$ 26.50	No Bid	No Bid	\$ 24.00
SECTION XI	18" Riprap							
	Delivered	\$ 15.00	\$ 27.95	\$ 26.75	\$ 25.50	No Bid	No Bid	\$ 24.00
SECTION XII	Topsoil							
a.) Pickup		No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
b.) Delivered		No Bid	No Bid	No Bid	\$ 10.50	No Bid	No Bid	No Bid
SECTION XIII	Manufactured Sand							
	Delivered	\$ 6.25	\$ 16.00	\$ 17.00	\$ 15.80	No Bid	No Bid	\$ 14.50

STREETS DIVISION -- AGGREGATE AND STONE - BID NO. 1112-11
 BIDS OPENED SEPTEMBER 22, 2011 -- TABULATION OF BIDS

BID TABULATION	Dolese Bros Co., Oklahoma City, OK F O B DAVIS, OK QUARRY	Bernie Mathes Trucking, Wheatland, OK	Martin Marietta Moore, OK	Dale Brown, Inc. Ardmore, OK	Silver Star Construction Co., Norman, OK	T. J. Campbell Construction Co., Oklahoma City, OK	Kudron Trucking, Inc., Piedmont, OK
VENDOR:	Dolese Bros Co	Bid F.O.B. at Davis, OK Quarry	Does not meet specifications				
VENDOR:	BBLW Trucking	No Response					
VENDOR:	Bob Cunningham, Inc.	No Response					
VENDOR:	Joe Brown Co., Inc.	No Response					
RECOMMENDATION - Bid Number 1112-11 be awarded as follows:							
SECTION I	Kudron Trucking, Inc., Lowest bidder		Bernie Mathes Trucking, Alternate bidder				
SECTION II	Dale Brown, Inc., Lowest bidder		Bernie Mathes Trucking, Alternate bidder				
SECTION III	Kudron Trucking, Inc., Lowest bidder		Bernie Mathes Trucking, Alternate bidder				
SECTION IV	Bernie Mathes, Inc., Lowest bidder		Kudron Trucking, Inc., Alternate bidder				
SECTION V	Kudron Trucking, Inc., Lowest bidder		T. J. Campbell Construction Co., Alternate bidder				
SECTION VI	Silver Star Construction Co., Only bidder						
SECTION VII	Dale Brown, Inc., Lowest bidder		T. J. Campbell Construction Co., Alternate bidder				
SECTION VIII	Kudron Trucking, Inc., Lowest bidder		Bernie Mathes Trucking, Alternate bidder				
SECTION IX	Dale Brown, Inc., Lowest bidder		Kudron Trucking, Inc., Alternate bidder				
SECTION X	Kudron Trucking, Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder				
SECTION XI	Kudron Trucking, Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder				
SECTION XII A	No Bid						
SECTION XII B	Dale Brown, Inc., Only bidder						
SECTION XIII	Kudron Trucking, Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder				



City of Norman, OK

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

Master

File Number: BID-1112-12

File ID: BID-1112-12	Type: Bid	Status: Consent Item
Version: 1	Reference: Item No. 12	In Control: City Council
Department: Public Works Department	Cost:	File Created: 09/13/2011
File Name: Bid 1112-12 INLET FRAMES, GRATES CURB HOODS	Final Action:	

Title: CONSIDERATION AND AWARDING OF BID NO. 1112-12 FOR INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE DIVISION.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAME
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAME WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON TYPE L GRATE
5. HEAVY-DUTY CAST IRON TYPE V GRATE
6. (A) 6-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
(B) 8-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME, 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 2, 3, 6-A and 6-B; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications, Ferguson Water Works as the first alternate bidder; and Water Products of Oklahoma, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Water

Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications, East Jordon Iron Works, Inc., as the first alternate bidder; and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Ferguson Water Works as the lowest and best bidder meeting specifications; Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Maxwell Supply Company as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractors Supply as the second alternate bidder.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 12

Attachments: Bid 1112-12 Bid Tabulation

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File BID-1112-12

Body

BACKGROUND: The City of Norman's Street and Drainage Maintenance Program utilizes on a frequent basis inlet frames, grates and curb hoods in storm sewer installation and drainage improvements. Quantities of the materials purchased annually vary depending on individual project scope and unscheduled repairs and maintenance activities.

DISCUSSION: Bids were sent to eleven vendors and Bid No. 1112-12 was opened on

September 22, 2011 with five (5) vendors bids received for inlet frames, grates and curb hoods. The average unit price of the materials has decreased over the 2010 bid price by 6%. The purchase contract for the materials is effective through October 31, 2012. Funding for inlet frames, grates and curb hoods is provided in General Fund accounts for regular maintenance and operation and in capital Fund accounts for capital projects.

Funding for the materials is available as follows:

Street Division: (010-5021-431.33-99) Other Construction Materials \$53,000

Storm Water Division: (010-5022-431.33-99) Other Construction Materials \$29,000

Capital Improvement Projects FYE 2010: (050-9906-451.63-01) Force Account Drainage \$15,000

RECOMMENDATION: Typically, materials are ordered well in advance of a project; however, short notice and/or emergency projects sometime make it difficult to obtain materials in a timely manner. Therefore, Staff further recommends the bid also be awarded to an alternate bidder so that the material will be available when the primary bidder cannot deliver in a timely manner.

Staff recommends Bid No. 1112-12 be awarded as follows:

Sections 1, 2, 3, 6A and 6B - Oklahoma Contractors Supply - low bidder
Ferguson Water Works - first alternate bidder
Water Products of Oklahoma, Inc., second alternate bidder

Section 4 - Water Products of Oklahoma - low bidder
East Jordon Iron Works Inc. first alternate bidder
Oklahoma Contractors Supply - second alternate bidder

Section 5 - Ferguson Water Works - low bidder
Water Products of Oklahoma, Inc., first alternate bidder
Oklahoma Contractors Supply - second alternate bidder

Section 7 - Maxwell Supply Company - low bidder
Water Products of Oklahoma, Inc., first alternate bidder
Oklahoma Contractors Supply - second alternate bidder

STREET DIVISION
 INLET, FRAMES, GRATES AND CURB HOODS -- BID NUMBER 1112-12
 Bid Opening: September 22, 2011
 BID TABULATION

	BID TABULATION	WATER PRODUCTS OF OKLA. INC. Owasso, OK	MAXWELL SUPPLY CO Oklahoma City, OK	FERGUSON WATER WORKS Oklahoma City, OK	EAST JORDON IRON WORKS INC. Ardmore, OK	OKLAHOMA CONTRACTORS SUPPLY Oklahoma City, OK
SECTION I	Heavy-duty cast iron 3 flange inlet frame.	\$ 142.30	No Bid	\$ 138.16	\$ 164.06	\$ 125.00
SECTION II	Heavy-duty cast iron double unit (left & right) inlet frames; with fastening hardware.	\$ 299.70	No Bid	\$ 291.84	\$ 346.56	\$ 125.00
SECTION III	Heavy-duty cast iron center section inlet frame; with fastening hardware.	\$ 153.50	No Bid	\$ 145.26	\$ 172.50	\$ 125.00
SECTION IV	Heavy-duty cast iron Type L grate.	\$ 94.00	No Bid	\$ 140.00	\$ 106.25	\$ 138.00
SECTION V	Heavy-duty cast iron Type V grate.	\$ 94.00	No Bid	\$ 92.39	\$ 106.25	\$ 95.00
SECTION VI-A	6" mountable cast iron curb hood; with fastening hardware	\$ 133.00	No Bid	\$ 129.47	\$ 153.75	\$ 115.00
SECTION VI-B	8" barrier cast iron curb hood; with fastening hardware	\$ 145.00	No Bid	\$ 142.11	\$ 168.75	\$ 140.00
SECTION VII	Detectable Warning Surface/ADA Truncated Dome 2'x4' tile cast in place brick red	\$ 141.45	\$ 86.80	\$ 169.57	No Bid	\$ 145.00

Recommendation - Bid Number 1112-12 be awarded as follows:

SECTION I, II, III, VI A and VI B	Oklahoma Contractors Supply, Lowest bidder	
	Ferguson Water Works, First alternate bidder	
	Water Products of Oklahoma Inc., Second alternate bidder	
SECTION IV	Water Products of Oklahoma Inc., Lowest bidder	
	East Jordon Iron Works Inc., First alternate bidder	
	Oklahoma Contractors Supply, Second alternate bidder	
SECTION V	Ferguson Water Works, Lowest bidder	
	Water Products of Oklahoma Inc., First alternate bidder	
	Oklahoma Contractors Supply, Second alternate bidder	
SECTION VII	Maxwell Supply Co, Lowest bidder	
	Water Products of Oklahoma Inc., First alternate bidder	
	Oklahoma Contractors Supply, Second alternate bidder	



City of Norman, OK

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

Master

File Number: BID-1112-13

File ID: BID-1112-13	Type: Bid	Status: Consent Item
Version: 1	Reference: Item No. 13	In Control: City Council
Department: Public Works Department	Cost:	File Created: 09/09/2011
File Name: Bid 1112-13 PORTLAND CEMENT CONCRETE	Final Action:	

Title: CONSIDERATION AND AWARDING OF BID NO. 1112-13 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE DIVISION.

1. (A) CLASS A
(B) CLASS A WITH ONE PERCENT CALCIUM CHLORIDE
(C) CLASS A WITH TWO PERCENT CALCIUM CHLORIDE
2. CLASS B
3. HIGH EARLY STRENGTH CONCRETE
4. FAST-TRACK CONCRETE
5. 5-SACK GROUT MIX
6. FLOWABLE FILL

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1-A, 1-B, 1-C, and 3; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 4; and, if accepted, award the bid to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications, Kudron Ready Mix, Inc., as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 6; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications and Kudron Ready Mix, Inc., and Metheny Concrete Products, Inc., as the alternate bidders.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 13

Attachments: Bid Tabulation Portland Cement

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File BID-1112-13

Body

BACKGROUND: The City of Norman's Street and Drainage Maintenance Programs utilize on a frequent basis the following types of Portland Cement Concrete:

1. Class A Concrete is used in pavement slabs, sidewalks, retaining walls, culverts, and all areas where reinforced concrete is needed. Calcium is used as an accelerating admixture to increase the strength of the concrete more quickly during curing. It is used in cold weather application; however, it is not an anti-freezing agent.
2. Class B Concrete is used for drainage flumes.
3. High Early Strength (H.E.S.) Concrete is used for driveway and pavement

replacement.

4. Fast Track Concrete is used for emergency panel replacement in high traffic areas the PSI is 3000 on 8 hour strength test.

5. Grout Mix is used with riprap, for bedding drainage pipe, and stabilizing plastic Subgrade.

6. Flowable Fill is used as a liquid concrete mix in bedding and backfilling culvert pipe and storm sewers where 100% compaction is required.

Quantities of each material purchased annually will vary depending on individual project scopes for scheduled projects and unscheduled repairs and maintenance activities.

DISCUSSION: Bid information was sent to five (5) vendors and Bid No. 1112-13 opened on September 22, 2011, with three (3) vendors bids received for Portland Cement Concrete. The price of concrete materials has increased an average of 0.1% over the 2010 bid price. Funding for Portland Cement Concrete is provided in several maintenance and operation accounts in the General Fund and in the Force Drainage account in the Capital Fund. The purchase contract for the materials will be effective through October 31, 2012.

Funding for the materials is available in the following accounts:

Street Division (010-5021-431.32-15) Street/Sidewalk Materials \$61,685 and (010-5021-431.33-01) Concrete Materials \$65,500

Storm Water Division (010-5022-431.32-15) Street/Sidewalk Materials \$40,000

Capital Improvement Projects FYE 2011 (050-9906-451.63-01) Force Account Drainage \$95,000

RECOMMENDATION: We recommend the bid also be awarded to a first alternate bidder and a second alternate bidder so that the material will be available when the primary bidder cannot deliver it. Staff recommends Bid No. 1112-13 be awarded to the low bidder as follows:

Sections 1-A, 1-B, 1-C, and 3 - Kudron Ready Mix, Inc. - low bidder
First Alternate Bidder - Dolese Brothers Company
Second Alternate Bidder - Metheny Concrete Products, Inc.

Section 2 - Kudron Ready Mix, Inc. - low bidder
Alternate Bidder - Metheny Concrete Products, Inc.

Section 4 - Kudron Ready Mix, Inc., (only bid)

Section 5 - Dolese Brothers Company - low bidder

First Alternate Bidder - Kudron Ready Mix, Inc.

Second Alternate Bidder - Metheny Concrete Products, Inc.

Section 6 - Dolese Brothers Company - low bidder

Alternate Bidders Kudron Ready Mix, Inc. & Metheny Concrete Products, Inc. (tie bid for first alternate)

STREET DIVISION
PORTLAND CEMENT CONCRETE -- BID NUMBER 1112-13
BID TABULATION
Bid Opening September 22, 2011

DESCRIPTION	KUDRON READY MIX Oklahoma City, OK 73172 With Norman Plant	METHENY CONCRETE PRODUCTS, INC. Oklahoma City, OK 73129 With Norman Plant	DOLESE BROS. CO. Oklahoma City, OK 73101 With Norman Plant
	PER CUBIC YARD	PER CUBIC YARD	PER CUBIC YARD
SECTION I-A CLASS A CONCRETE	\$80.50	\$84.50	\$81.10
SECTION I -B CLASS A 1% CALCIUM	\$82.50	\$88.00	\$83.60
SECTION I-C CLASS A 2% CALCIUM	\$84.50	\$90.50	\$86.10
SECTION II CLASS B CONCRETE	\$79.50	\$82.50	No Bid
SECTION III HIGH EARLY CONCRETE	\$85.50	\$94.50	\$87.20
SECTION VI FAST-TRACK CONCRETE	\$170.00	No Bid	No Bid
SECTION V 5-SACK GROUT MIX	\$90.00	\$135.00	\$77.55
SECTION VI FLOWABLE FILL	\$72.00	\$72.00	\$71.50

Vendor	Schwarz Ready Mix	No Response	
Vendor	Van Eaton Ready Mix	No Response	

Recommendation: Bid Number 1112-13 be awarded as follows:

Sections I-A, I-B, I-C, II, III and IV	Kudron Ready Mix, Lowest bidder
Sections I-A, I-B, I-C, III	Dolese Bros., First alternate bidder
Sections I-A, I-B, I-C, III and V	Metheny Concrete, Second alternate bidder
Section V and VI	Dolese Bros., Lowest bidder
Section V and VI	Kudron Ready Mix, First alternate bidder
Section V	Metheny Concrete, Second alternate bidder
Section II and VI	Metheny Concrete, First alternate bidder



City of Norman, OK

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

Master

File Number: BID-1112-14

File ID: BID-1112-14	Type: Bid	Status: Consent Item
Version: 1	Reference: Item No. 14	In Control: City Council
Department: Public Works Department	Cost:	File Created: 09/13/2011
File Name: Bid 1112-14 TYPE II BARRICADE RENTAL		Final Action:

Title: CONSIDERATION AND AWARDDING OF BID NO. 1112-14 FOR TYPE II BARRICADE RENTAL FOR THE STREET/STORM WATER DIVISIONS AS FOLLOWS:

1. (A) 200 BARRICADES PER MONTH
2. (A) 20 BARRICADES PER SEVEN DAYS
(B) 40 BARRICADES FOR SEVEN DAYS
(C) 60 BARRICADES PER SEVEN DAYS

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications; and, if accepted, award the bid to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 14

Attachments: Bid 1112-14 Bid Tabulation, Type II Barricade

Project Manager: Greg Hall, Street Superintendent

Entered by: patsy.sayers@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File BID-1112-14

Body

BACKGROUND: TYPE II barricades are used by Street/Storm Water Division to establish work zone safety during construction and maintenance projects. Federal and State statutes

and City ordinances require work zone traffic control.

DISCUSSION: Bid No. 1112-14 was opened on September 22, 2011, with one (1) vendor bid received. Street Division utilizes 200 barricades per month. There are only three (3) companies in the local area which rent barricades. All vendors were invited to bid with only the Advanced Workzone Services, LLC, bid being received. The two vendors that did not provide bids this year were contacted and neither provided a response as to why they did not turn in bids. During emergencies created by flooding or storm damage from high winds, additional barricades are required until the flooding subsides or the damage is removed or repaired. Staff evaluated purchasing barricades or renting barricades prior to taking bids. The bid includes repair or replacement of the barricades should they become damaged or unserviceable as well as replacement of stolen barricades. 50-60% of the barricades are damaged and un-serviceable or stolen during an average year. Current funding is sufficient for twelve (12) monthly rental periods with a balance of \$3,529.60 for emergency barricade rental if required. The contract for rental of TYPE II barricades will be effective through October 31, 2012. Funding for Type II barricade rental is provided in General Fund accounts for regular maintenance and operation. The price for barricade rental has decreased from the FYE 2011 bid by 1%.

The following street Barricade Rental accounts provide funding for barricades:

TYPE II Barricade Rental

Street Division (010-5021-431.45-09) Barricade Rental -\$15,000

Storm Water Division (010-5022-431.45-09) Barricade Rental - \$15,000

All bids were within the budgeted amounts.

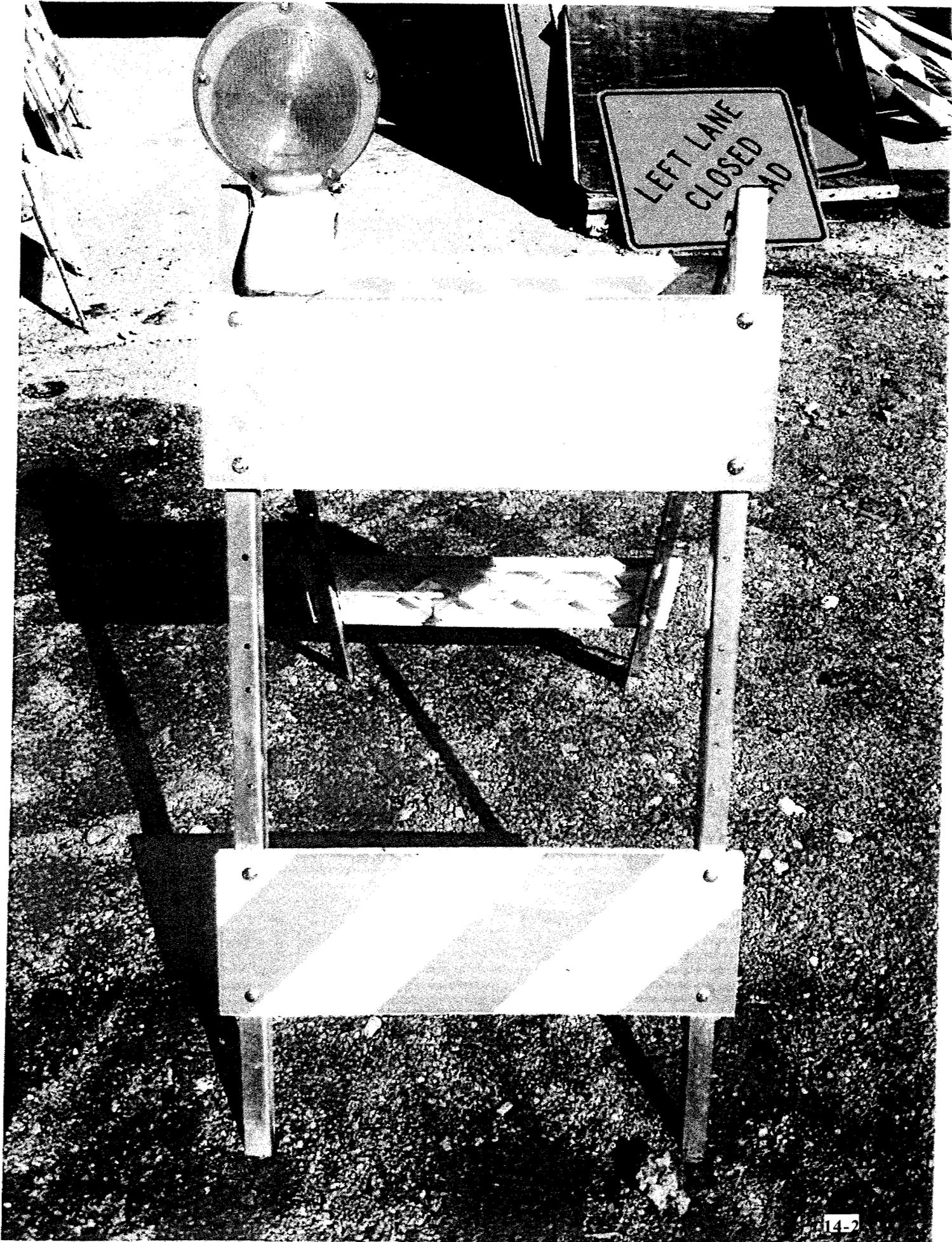
RECOMMENDATION: Staff recommends that all sections of Bid No. 1112-14 be awarded to Advanced Workzone Services, LLC, Inc., as per attached bid tabulation as the lowest and best bidder meeting specifications.

**STREET DIVISION
 TYPE II BARRICADE RENTAL -- BID No. 1112-14
 Bid Opening: September 22 2011
 BID TABULATION**

SECTION	NO. OF BARRICADES	RENTAL PERIOD	ACTION SAFETY SUPPLY COMPANY Oklahoma City, OK	ROADSAFE TRAFFIC SYSTEMS, INC. Oklahoma City, OK	ADVANCED WORKZONE SAFETY Muskogee, OK
I-A	200	One Month	No Response	No Response	\$ 2,200.00
II-A.	20	Seven Days	No Response	No Response	\$ 56.00
II-B.	40	Seven Days	No Response	No Response	\$ 112.00
II-C.	60	Seven Days	No Response	No Response	\$ 168.00

Recommendation - Bid Number 1112-14 be awarded as follows:

All Sections to be awarded to Advanced Workzone Services, LLC, as the Only bidder.





City of Norman, OK

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

Master

File Number: K-1112-52

File ID: K-1112-52	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 15	In Control: City Council
Department: City Clerk Department	Cost: \$299,840.00	File Created: 10/10/2011
File Name: K-1112-52 WTP and WWTP Roofs		Final Action:

Title: CONSIDERATION OF BID NO. 1112-25; CONTRACT NO. K-1112-52 WITH STANDARD ROOFING COMPANY, INC., IN THE AMOUNT OF \$299,840; PERFORMANCE BOND NO. B-1112-11; STATUTORY BOND NO. B-1112-12; AND MAINTENANCE BOND NO. MB-1112-11 FOR THE ROOF REPLACEMENT PROJECT AT THE WATER TREATMENT PLANT LAB/FILTER, AND CHEMICAL BUILDINGS AND THE WASTEWATER TREATMENT PLANT NORTH PRIMARY CLARIFIER PUMP STATIONS AND STORM WATER HOLDING PONDS BLOWER BUILDING.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$299,840 to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-52 and the performance, statutory, and maintenance bonds; authorize execution of the contract; and direct the filing of the bonds.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 15

Attachments: WTP & WWTP Roofs Bid Tab.pdf, K-1112-52, Perf B-1112-11, Stat B-1112-12, MB-1112-11, Purchase Requisition.pdf

Project Manager: Matthew Smith, Facility Maintenance Superintendent

Entered by: Brenda.Hall@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-52

Body

BACKGROUND: The FYE 2012 Capital Budget included funds in the amount of \$330,000 in the Water Fund for replacement of the Water Treatment Plant Lab/Filter and Chemical Buildings roofs and \$70,000 in the Wastewater Fund for replacement of the roofs on the Wastewater Treatment Plant North PC Pump Station and Storm Holding Buildings.

DISCUSSION: This contract includes the replacement of various roofs at the Water Treatment Plant and Wastewater Treatment Plant as stated above.

Water Treatment Plant Lab/Filter and Chemical Buildings - The project scope includes removal of the existing 15,082 square foot roofs down to the concrete decks and replacing them with cold process built up asphalt roofs. The current roofs are over 30 years old and the overall condition is poor. The base flashing has open lap seams and holes that allow water to enter as well as large areas of exposed felt and split roofing membrane.

Wastewater Treatment Plant Storm Water Holding Building - The project scope includes removal of the existing 672 square foot roof down to the concrete deck and replacing it with a cold process built up asphalt roof. The current roof is over 10 years old and its overall condition is poor with visible defects including exposed roofing felts, holes in base flashings, and deteriorated mastic in the pitch pan.

Wastewater Treatment Plant North Primary Clarifier Sludge Pump Stations - The project scope includes removal of two existing 576 square foot roofs down to the concrete deck and replacing it with a cold process built up asphalt roofs. The current roofs are over 10 years old and have failed due to exposed roofing felts, holes in base flashings, and vegetation growing through the roofing membranes.

All the new roofs will include a 20-year manufacturer's warranty on materials and two years on labor. The manufacturer will inspect and provide written executive summaries in years two, five, 10, and 15.

Bid packets were mailed to six contractors as well as solicited through a legal notice published in the Norman Transcript. The contractors attended a mandatory site visit and pre-bid conference on September 27, 2011, prior to submittal of their bids. Bids were opened on October 6, 2011, and four bids were received ranging from \$299,840 to \$387,400. The low bid in the amount of \$299,840 was received from Standard Roofing Company, Inc., from Oklahoma City.

If awarded this contract, Standard Roofing Company, Inc., will begin the roofs in November 2011, and be completed within 120 days. No interruption of City services is anticipated during the projects.

The FYE 2012, Capital Budget - Water Fund, Project No. WA0303, WTP Laboratory and Chemical Building Roof, Construction (031-9939-462.61-01) includes \$325,000 for the replacement of the roofs at the Water Treatment Plant facility. The FYE 2012, Capital Budget - Wastewater Fund, Project No. WW0066, WWTP North PC Pump Stations Roofs, Construction (032-9677-432.61-01) includes \$39,000 and Project No. WW0067, Storm Holding Blower Bldg., Construction (032-9677-432.61-01) includes \$24,000 for the replacement of the roofs at the Wastewater Treatment Plant facility.

STAFF RECOMMENDATION: Staff recommends all bids submitted under Bid No. 1112-25 be accepted, Contract No. K-1112-52 with Standard Roofing Company, Inc., in the amount of \$299,840 and the subsequent performance, statutory, and maintenance bonds be approved.

Bid No. 1112-25
Water Treatment Plant - Lab/Filter and Chemical Buildings
Wastewater Treatment Plant – North Primary Clarifier Pump Stations
and Storm Water Holding Ponds Blower Buildings
October 6, 2011

The following is a tabulation of bids received by the City of Norman for the replacement of Water Treatment Plant Lab/Filter and Chemical Buildings Roofs and the Wastewater Treatment Plant – North Primary Clarifier Pump Stations Roofs.

BIDDER	Water Treatment Plant Roofs Lab/Filter and Chemical Buildings	Wastewater Treatment Plant Roofs - North Primary Clarifier Pump Stations Storm Water Holding Ponds Blower Buildings	TOTAL
Alva Roofing Co. Edmond, OK	\$275,539	\$52,498	\$328,037
Crawford Roofing, Inc. Chickasha, OK	\$318,500	\$68,900	\$387,400
Standard Roofing Company, Inc. Oklahoma City, OK	\$252,610	\$47,230	\$299,840
Universal Roofing and Sheet Metal, Inc. Moore, OK	\$295,200	\$56,600	\$351,600

RECOMMENDATION: Staff recommends Standard Roofing Company, Inc., be awarded the bid for the above-described project. Funds for the Water Treatment Plant roofs are budgeted in Project No. WA0303, WTP Laboratory and Chemical Building Roof, Construction (031-9939-462.61-01) and funds for the Wastewater Treatment Plant Facility roofs are budgeted in Project No. WW0066, WWTP North PC Pump Stations Roofs, Construction (032-9677-432.61-01) and WW0067, Storm Holding Blower Bldg., Construction (032-9677-432.61-01).

Forwarded by:

Matthew Smith
Facility Maintenance Superintendent

CONTRACT

THIS CONTRACT made and entered into this _____ day of _____, 2011, by and between **Standard Roofing Co., Inc.**, as Party of the First Part, hereinafter designated as the CONTRACTOR, and the Norman Utilities Authority, a municipal corporation, hereinafter designated as the NUA, Party of the Second Part.

WITNESSETH

WHEREAS, the NUA has caused to be prepared in accordance with law, specifications, and other 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:

**Water Treatment Plant Lab, Filter, and Chemical Building
Waste Water Plant NPC Pump Stations and Storm Holding
ROOF REPLACEMENT 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 NUA on 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 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: Two hundred ninety nine Dollars (\$ 299,840.00);
thousand eight hundred forty dollars and no/100

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

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

Contract No. K-1112-52

Page 1 of 5

- 2) Contractor shall receive payment for 100% completed and accepted work at each location. Completion is to be determined by the project manager who has sole authority in this matter.

Each invoice for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the NUA, 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 NUA.

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

- 3) It is further agreed that the CONTRACTOR will commence said work within ___ days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same _____ calendar days following receipt of said NOTICE-TO-PROCEED.
- 4) That the NUA 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 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 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 NUA; and that in the event any additional work are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.
- 7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the NUA, 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 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 therefor by the NUA.
- 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 NUA prior to issuance of the Work Order and commencement of work on the project.
- 11) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in three (3) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the NUA to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the NUA or in any way to restrict the freedom of the NUA to exercise full discretion in its dealing with the Contractor.

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

STATE OF Oklahoma)
COUNTY OF Oklahoma)

Danny Webb, 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.

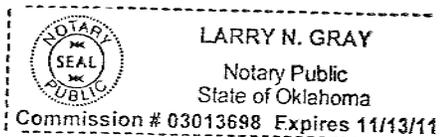
Danny Webb

Submitted and sworn to before me this 10th day of October, 2011.

Larry N Gray
Notary Public

My Commission Expires:

11-13-2011



IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 10th day of October, 2011, and the ___ day of _____, 2011.

(Corporate Seal) (Where applicable)

Standard Roofing Co., Inc.
Principal

ATTEST:

Jackie Gray
Corporate Secretary (where applicable)

Signed: [Signature]
Authorized Representative
Vice President
Title

Address: 19 N.W. 16th St.

Oklahoma City, OK 73103

Telephone: 405-236-8401

NORMAN UTILITIES AUTHORITY

Approved as to form and legality this 17th day of October, 2011.

[Signature]
City Attorney

Approved by the Norman Utilities Authority this _____ day of _____, 2011.

ATTEST:

Secretary

Chairman

PERFORMANCE BOND

Know all men by these presents, that Standard Roofing Co., Inc. as PRINCIPAL, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto THE NORMAN UTILITIES AUTHORITY, a Municipal Corporation of the State of Oklahoma, herein called NUA, in the sum of Two Hundred Ninety Nine Thousand Eight Hundred Forty & NO/100 DOLLARS, (\$299,840.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best Bidder on the following project:

**Water Treatment Plant Lab, Filter, and Chemical Building
Waste Water Plant NPC Pump Stations and Storm Holding
ROOF REPLACEMENT PROJECT**

has entered into a written CONTRACT (K-1112-52) with THE NORMAN UTILITIES AUTHORITY, dated _____, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by said CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the NUA from all loss, damage, and expenses to life or property suffered or sustained by any person, firm, or corporation caused by PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence carelessness or misconduct in guarding and protecting the same, or from any act or omission of PRINCIPAL of his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the NUA harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), and the 10th day of OCTOBER, 2011, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the ___ day of _____, 2011.

(Corporate Seal) (where applicable)

Standard Roofing Co., Inc.
Principal

ATTEST:

Jackie Gray
Corporate Secretary (where applicable)

Signed: Danny Webb
Authorized Representative
DANNY WEBB, VICE PRESIDENT
Title

Address: 19 NW 16th St, Oklahoma City, OK 73103
Telephone: 405-236-8401

(Corporate Seal) (where applicable)

The Ohio Casualty Insurance Company
Surety

ATTEST:

Pats L. Payne
Corporate Secretary (where applicable)

Signed: Carey L. Payne
Authorized Representative

Carey L. Payne, Attorney-in-Fact
Title

Address: P.O. Box 22127, Oklahoma City, OK 73123
Telephone: 405-843-9481

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2011, by _____ (Name & Title) of _____, a _____ corporation, on behalf of the corporation.

WITNESS my hand and seal this ___ day of _____, 2011.

Notary Public

My Commission Expires: _____

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ of _____, (Name and Title) of _____.

WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ partner (agent) on behalf of _____, a partnership.

WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

Approved as to form and legality this 17th day of October, 2011.

RBM
CITY Attorney

Approved by the NORMAN UTILITIES AUTHORITY this ____ day of _____, 2011.

ATTEST:

Secretary

Chairman

STATUTORY BOND

Know all men by these presents that Standard Roofing Co., Inc., as PRINCIPAL, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the sum of ^{Two Hundred Ninety Nine Thousand} ~~Eight Hundred Forty & NO/100~~ DOLLARS (\$ 299,840.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

**Water Treatment Plant, Lab Filter, and Chemical Building
Waste Water Plant NPC Pump Stations and Storm Holding
ROOF REPLACEMENT PROJECT**

has entered into a written CONTRACT (K-1112-52) with THE NORMAN UTILITIES AUTHORITY, dated _____, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to an parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any material men, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after the same becomes and due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. 1981 S2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 16th day of OCTOBER, 2011, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the ___ day of _____, 2011.

(Corporate Seal) (where applicable)

Standard Roofing Co., Inc.
Principal

ATTEST:

Jackie Gray
Corporate Secretary (where applicable)

Signed: Danny Webb
Authorized Representative
DANNY WEBB, VICE PRESIDENT
Title

Address: 19 NW 16th St, Oklahoma City, OK 73103
Telephone: 405-236-8401

(Corporate Seal) (where applicable)

The Ohio Casualty Insurance Company
Surety

ATTEST:

Patsy L. Payne
Corporate Secretary (where applicable)

Signed: Carey L. Payne
Authorized Representative

Carey L. Payne, Attorney-in-Fact
Title

Address: PO Box 22127, Oklahoma City, OK 73123
Telephone: 405-843-9481

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2011, by _____ (Name and Title) of _____, a _____ corporation, on behalf of the corporation.

WITNESS my hand and seal this ___ day of _____, 2011.

Notary Public

My Commission Expires: _____

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, By _____ of _____, (Name and Title) of _____.

WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ partner (agent) on behalf of _____, a partnership.

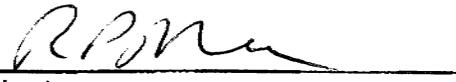
WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

Approved as to form and legality this 17th day of October, 2011.


City Attorney

Approved by the NORMAN UTILITIES AUTHORITY this ____ day of _____, 2011.

ATTEST:

Secretary

Chairman

**NORMAN UTILITIES AUTHORITY
MAINTENANCE BOND**

Know all men by these present that Standard Roofing Co., Inc., as Principal, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto the NORMAN UTILITIES AUTHORITY, a Municipal Corporation of the State of Oklahoma, herein called NUA, in the sum of ~~Two Hundred Ninety Nine Thousand Eight~~ Hundred Forty & NO/100 DOLLARS (\$ 299,840.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best bidder on the following project: ROOF REPLACEMENT PROJECT:

**Water Treatment Plant Lab, Filter, and Chemical Building
Waste Water Plant NPC Pump Stations and Storm Holding
ROOF REPLACEMENT PROJECT**

has entered into a written CONTRACT (K-1112-52) with THE NORMAN UTILITIES AUTHORITY, dated _____, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth; and,

WHEREAS, under the ordinances of the NUA, the PRINCIPAL is required to furnish to the NUA a maintenance bond covering said construction of this PROJECT, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the NUA any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of one (1) year from the date of the written final acceptance by the NUA, then this obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction on the PROJECT, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the NUA for the cost and expense for making such repair, or otherwise maintaining the said construction.

If is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the day 10th of OCTOBER, 2011, and the SURETY has caused these presents to be executed in its name its corporate seal to be hereunto affixed by its authorized representative(s) on the day of _____, 2011.

(Corporate Seal) (where applicable)

Standard Roofing Co., Inc.
Principal

ATTEST:

Jackie Gray
Corporate Secretary (where applicable)

Signed: Danny Webb
Authorized Representative
DANNY WEBB, VICE PRESIDENT
Title

Address: 19 NW 16th St, Oklahoma City, OK 73103
Telephone: 405-236-8401

(Corporate Seal) (where applicable)

The Ohio Casualty Insurance Company
Surety

ATTEST:

Carey L. Payne
Corporate Secretary (where applicable)

Signed: Carey L. Payne
Authorized Representative

Carey L. Payne, Attorney-in-Fact
Title
Address: P.O. Box 22127, Oklahoma City, OK 73123
Telephone: 405-843-9481

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by _____ (Name & Title) of _____, a _____ corporation, on behalf of the corporation.

WITNESS my hand and seal this _____ day of _____, 2011.

Notary Public

My Commission Expires: _____

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ of _____, (Name and Title) of _____.

WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ partner (agent) on behalf of _____, a partnership.

WITNESS my hand and seal this ____ day of _____, 2011.

Notary Public

My Commission Expires: _____

NORMAN UTILITIES AUTHORITY

Approved as to form and legality this 17th day of October, 2011.

R. B. [Signature]
City Attorney

Approved by the NORMAN UTILITIES AUTHORITY this ____ day of _____, 2011.

ATTEST:

Secretary

Chairman

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

4784867

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

THE OHIO CASUALTY INSURANCE COMPANY
FAIRFIELD, OHIO
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company (the "Company"), an Ohio corporation, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint RICK D. WEBB, RANDY D. WEBB, DONNA STEVENS, CAREY L. PAYNE, PATSY A. PAYNE, DIANE DOWDY, TERRI HESTAND, TOM R. WEBB, BOBBY J. YOUNG, ALL OF THE CITY OF OKLAHOMA CITY, STATE OF OKLAHOMA.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIVE MILLION AND 00/100***** DOLLARS (\$ 5,000,000.00*****) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the President and attested by the Secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE IV - Officers: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bond, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary.

Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

By the following instrument the Chairman or the President has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article IV, Section 12 of the By-laws, David M. Carey, Assistant Secretary of The Ohio Casualty Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of The Ohio Casualty Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania, this 17th day of August, 2011.



THE OHIO CASUALTY INSURANCE COMPANY

By David M. Carey
David M. Carey, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA SS
COUNTY OF MONTGOMERY

On this 17th day of August, 2011, before me, a Notary Public, personally came David M. Carey, to me known, and acknowledged that he is an Assistant Secretary of The Ohio Casualty Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of The Ohio Casualty Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Notary Seal of
Teresa Pastella, Notary Public
Plymouth Meeting, Montgomery County
My Commission Expires Mar. 23, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article IV, Section 12 of the By-Laws of The Ohio Casualty Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of The Ohio Casualty Insurance Company at a meeting duly called and held on the 15th day of February, 2011:

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this _____ day of _____, _____.



Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

NOT VALID FOR MORTGAGE, NOTE, LOAN, LETTER OF CREDIT, BANK DEPOSIT, CURRENCY RATE, INTEREST RATE OR RESIDUAL VALUE GUARANTEES.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

PURCHASE REQUISITION NBR: 0000192731

REQUISITION BY: SRUNYON

STATUS: DIVISION APPROVAL

DATE: 10/11/11

REASON: ROOF CONSTRUCTION PROJECTS

SHIP TO LOCATION: BUILDING MAINTENANCE

SUGGESTED VENDOR: 10349 STANDARD ROOFING CO INC

DELIVER BY DATE: 10/31/11

LINE NBR	DESCRIPTION	QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
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1	WATER TREATMENT PLANT ROOFS (LAE/FILTER AND CHEMICAL BUILDINGS) COMMODITY: ROOFING SUBCOMMOD: ROOFING SUPPLIES (NOT OTH)	1.00 EA	252610.0000	252610.00	
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2	WASTEWATER TREATMENT PLANT ROOFS (NORTH PRIMARY CLARIFIER PUMP STATION BUILDING) COMMODITY: ROOFING SUBCOMMOD: ROOFING SUPPLIES (NOT OTH)	1.00 EA	29000.0000	29000.00	
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3	WASTEWATER TREATMENT PLANT ROOFS (STORM WATER HOLDING PONDS BLOWER BUILDINGS) CONTRACT NO. K-1112-52 CONTINGENT UPON CITY COUNCIL APPROVAL 10/25/11 COMMODITY: ROOFING SUBCOMMOD: ROOFING SUPPLIES (NOT OTH)	1.00 EA	18230.0000	18230.00	
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REQUISITION TOTAL: 299840.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	031939394626101	Capital Projects Construction WTP Lab Roof & HVAC	100.00	252610.00
2	03296774326101	Capital Projects Construction WWTP N PC Pump Sta Roof	100.00	29000.00
3	03296774326101	Capital Projects Construction WWTP StrmHoldingBlowf Roof	100.00	18230.00
				299840.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.



City of Norman, OK

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

Master

File Number: GID-1112-28

File ID: GID-1112-28 **Type:** Authorization for Purchase **Status:** Consent Item

Version: 2 **Reference:** Item No. 16 **In Control:** City Council

Department: Parks and Recreation Department **Cost:** \$29,460.00 **File Created:** 10/11/2011

File Name: Purchase of Stage Materials for Sooner Theatre **Final Action:**

Title: CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF FIRE-RESISTANT STAGE MATERIALS FROM ROSE BRAND WIPERS, INC., IN THE AMOUNT OF \$29,460 IN CONNECTION WITH THE SOONER THEATRE STAGE MATERIALS REPLACEMENT PROJECT.

ACTION NEEDED: Motion to approve or reject authorization for the purchase of fire resistant stage materials from Rose Brand Wipers, Inc., in the amount of \$29,460 in connection with the Sooner Theatre Stage Materials Replacement Project.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 16

Attachments: Stage Materials Quotes, Bidder number 2, Bidder number 3

Project Manager: James Briggs, Park Planner

Entered by: james.briggs@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File GID-1112-28

Body

BACKGROUND: During the FYE 2012 Capital Budget process, City Council approved funding for several facility maintenance projects for the Parks and Recreation Department. One such project was the Sooner Theatre Improvements Project, which included replacing all of the hanging material on the stage with new material. The full scope of work for this fiscal

year's budget also includes making improvements to the lighting systems in the facility, upgrading the accessibility of the stage, the seating areas, and re-creating some of the historic artwork in the facility. These projects will be done via separate contracts.

The existing curtains, borders, legs, and drops do not meet the requirements of fire resistance, and they have been tagged as such in the annual fire inspection of the facility. The material was originally within specifications, but it has worn out over several years of heavy use by the Sooner Theatre productions on the stage.

This item addresses the bid quotations required to purchase the materials needed for these replacements. Separate quotations for installation of these materials will be obtained from local bidders.

DESCRIPTION: A complete list of stage materials was created and distributed for quotations. The Base Bid included the cost of materials necessary to replace the Red Velour Traveler Front Curtain (a curtain that opens by splitting in the middle and "traveling" to each side of the stage); the matching Main Valance (a ¼-curtain that frames the top of the front of the stage); all of the legs (the black material that blocks the audience's view of everything at the sides of the stage); and all of the borders (the black material that blocks the audience's view of everything above the stage); the Midstage Traveler (a curtain in the middle of the stage that allows the show to continue while the scenery and actors are changing behind it); and the Upstage Traveler (a curtain at the back of the stage that blocks the audience's view of everything behind the stage). All materials were bid as FR (Fire Rated) to meet local fire code. The legs and borders were bid as 16 oz. Duvetyn, which is a lightweight canvas-like material.

We also asked our bidders to provide pricing for two Add-Alternates. The first one includes a line item to replace the Traveler Front Curtain with a Tableau Front Curtain (a curtain that opens by rising above the stage via a series of pick lines and motors hung on specialized rigging); and an option to replace the Upstage Traveler with a Fiber Optic Drop and two additional Legs (the Drop Curtain has light filaments sewn throughout its fabric which give the effect of a starry sky when lit, and it's raised or lowered as-needed; and since it doesn't "travel" to the edge of the stage, additional legs are needed to block the view beyond the Drop). Add-Alternate #2 is the cost associated with upgrading all of the 16 oz. Duvetyn material used for the legs and borders to 25 oz. Velour material. This is a more durable fabric than Duvetyn which will retain its FR rating longer and resist snags and tears better, which are prone to occur in a tight space like the Sooner Theatre.

The best pricing for these materials is obtained by purchasing directly from the manufacturers; however, there are no local companies that produce these materials. The two lowest quotes were from companies in New Jersey. Staff did obtain one quote from a local staging company. As expected, this company would act as a middleman in the process, and their bid was substantially higher than the low bidder. However, as stated earlier, staff does intend to

hire local labor to install the equipment once it arrives at the theatre. The lowest and best quotation was received from Rose Brand Wipers, Inc. After reviewing the base bid and add-alternates on our bid form, a final purchase price was determined in the amount of \$29,460. The final materials purchase will include all of the items in Base Bid I, except for the Upstage Traveler Curtain. This purchase will also include the new Fiber Optic Drop and additional Legs from Add-Alternate #1 which will be bought instead of the Upstage Traveler, and the additional cost from Add-Alternate #2 to upgrade all of the Legs and Borders from 16 oz. Duvetyn to 25 oz. Velour.

This is a materials-only purchase, and thus will not require any Contract, bonds or Resolution. Staff has obtained all the necessary affidavits for the purchase and will notify Rose Brand to proceed upon approval by Council.

RECOMMENDATION: It is recommended that City Council accept the quotation from Rose Brand Wipers, Inc., for the Sooner Theatre Stage Materials Replacement Project for the Parks and Recreation Department.

SOONER THEATRE STAGE MATERIALS REPLACEMENT PROJECT

Award to: Rose Brand Wipers, Inc.

Award amount: \$29,460

Account: Maintenance of Existing Facilities; Sooner Theatre Improvements
(#050-9677-419.61-01) Project No. EF0128

Estimated Budget: \$175,000 (Total Project Budget)

CITY OF NORMAN
Parks and Recreation Department
Norman, Oklahoma
12 October 2011

TABULATION OF BID QUOTES

The following is a tabulation of quotes received by the City of Norman for the Sooner Theatre Stage Materials Replacement Project. Funding for this project is available in the Maintenance of Existing Facilities, Account Number 050-9677-419.6101, Project Number EF0128.

<u>Bidders</u>	<u>Base Bid I*</u>	<u>Base Bid I Plus All add-alternates</u>	<u>Final Bid Amount (Base Bid I plus Selected alternates)</u>
Rose Brand Wipers, Inc. (Secaucus, New Jersey)	\$14,800	\$33,550	\$29,460
I. Weiss & Sons, Inc. (Fairview, New Jersey)	\$18,920	\$58,446	\$33,446
Tull Rigging Company (Yukon, Ok)	\$26,474	\$52,851	\$46,971

RECOMMENDATION: That the project be awarded to Rose Brand Wipers, Inc., in the amount of \$29,460, as the lowest and best bidder to meet specifications.

City of Norman

Jud Foster
Director of Parks and Recreation

*Only Base Bid I is being awarded via this Council Item. Base Bid II was for labor to install the materials being purchased in Base Bid I. The low bid for that work was from Tull Rigging Company in Yukon (see attached quote sheets) in the amount of \$8,000. No council action is required for purchases below \$25,000; and Tull will be notified of their successful bid by Parks and Recreation staff.

DATE: 9/9/11
PROJECT: SOONER THEATRE CURTAIN
REPLACEMENT PROJECT

LOCATION: 101 East Main Street, Norman, Oklahoma

Proposal of ROSE BRAND WIPERS Inc.
(hereinafter called "Bidder") a corporation/partnership/an individual (strike out inapplicable terms)
doing business in the state of New Jersey

To: The City of Norman, Oklahoma

Gentlemen:

The undersigned, as the Bidder, declares that before preparing his/her bid, (s)he read carefully the instructions to bidders, examined the form of the bid and the information blanks to be submitted, and that (s)he is familiar with all the provisions of the same and with all the requirements of the complete project; that (s)he has carefully examined the itemization for the proposed work on file with the City Clerk and Director of Parks and Recreation, that (s)he has examined carefully all local conditions, has informed himself/herself by his/her independent research and soundings of all the difficulties to be encountered, has judged for himself/herself of the accessibility of the work, and the quantities and character of the materials to be encountered or excavated and all attending circumstances affecting the cost of doing the work and the time required for its completion and that this bid is made with full knowledge of the difficulties that may be encountered and the kinds, quantity and quality of the work, and materials required or to be encountered, and with full knowledge of all specifications and estimates and all provisions of the contract and bonds, gained by the independent research of the Bidder.

Said Bidder proposes and agrees that if his/her proposal is accepted, (s)he will begin work on fulfilling their proposal within ten (10) days after the acceptance of his/her bid, in the manner and under conditions required by the contract and by the specifications therefore, on file in the Office of the City Clerk and Director of Parks and Recreation, Norman, Oklahoma for the following amounts:

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) calendar days after submission of bid.

Upon receipt of written notice of the acceptance of this bid, Bidder will consider the project awarded and begin filling the material order within ten (10) days and shall honor all applicable manufacturer guarantees and warranty offers as supplied with the material as required by the General Conditions.

BID PROPOSAL—Page 2 of 4
Base Bid I:

Qty.	Item	Size	Price
1	Traveler Front Curtain [Red Velour*]	36'W X 18'H [i.e., Two-18'W X 18'H panels]	\$3,050-
1	Main Valance (Match Curtain) w/14" Antique Gold Fringe	34'W X 9'-4"H	\$2,895-
6	Black Duvetyn* Legs	8'W X 22'H	\$1,350-
1	Black Duvetyn Border	36'W X 9'-4"H	\$435-
2	Black Duvetyn Borders	36'W X 7'H	\$780-
1	Black Duvetyn Border	36'W X 6'-10" H	\$390-
1	Black Velour Traveler (2 panels) (Mid-stage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	\$2,950-
1	Black Velour Traveler (2 panels) (Upstage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	\$2,950-
1	Freight for all above to Norman, OK (zip code 73069)		Included
BASE BID I TOTAL (including freight)			\$ 14,800-

Add-Alternate #1:

2 Additional Legs; and **Replace** first item and last item, above with the following:

1	Tableau Front Curtain (which must also travel)	36'W X 18'H	\$4,090- * see note Attached re: Aardvark
1	Black Velour Fibre Optic Drop [(with 1 additional line set) — <u>not included</u>]	36'W X 22'H	Opt #1: \$10,455- Opt #2: \$13,480-
2	Black Duvetyn Leg	8'W X 22'H	\$450-
1	Additional Freight (if any) to Norman, OK for these items		Included
ALTERNATE TOTAL BID (including freight)			\$ Items Are Itemized

* All Velour curtain material—25 oz.; sewn with 100% fullness with pinch pleats
 All Duvetyn material—16 oz.; sewn flat
 All materials to be FR

* See ROSE Brand Notes on page

GA

Opt. # 2 \$6,705 Additional cost including legs in ADD ALT # 1

Add-Alternate #2:

Additional Cost to Supply all Legs and Borders listed above as black velour (25 oz. sewn with 100% fullness with knife pleat) instead of Duvetyn

\$5,765 - ADDITIONAL

BASE BID II:

Opt # 1 cost not including two ADDITIONAL legs in ADD ALT. # 1

- 1 Remove all existing stage materials and replace With new material itemized above at Sooner Theatre (101 East Main St./Norman, OK) [This is a Labor-Only Bid, and will be considered Separately from the Base Bid I pricing, above]

Lump Sum

\$13,750 -

TOTAL FOR ALL ACCEPTED ITEMS CIRCLED ABOVE \$29,460

* See ROSE BRAND notes on page 6A

If partnership, give name and address of each member.

SIGNED: Rose Brand Wipeas Inc.
Contractor

BY: Josh Jacobstein MS
Representative

ADDRESS: 4 Emerson Ln
Secaucus NJ 07094

Incorporated under the laws of:

NEW YORK
State

STATE OF NEW YORK)

COUNTY OF ORANGE)

JOSH JACOBSTEIN of lawful age, being first duly sworn, upon his oath deposes and says: That he executed the accompanying bid on behalf of the bidder therein named for the supply of the above materials and/or labor in the City of Norman, Oklahoma, and that he had lawful authority to do so and said bidder has not directly nor indirectly entered into any agreement, expressed or implied, with any bidder or bidders, having for its object the controlling of the price or amount of such bid or bids, the paying to anyone any money for promotion to any bidder or bidders or other persons of any part of the contract or any part of the subject matter the bid or bids of the profits thereof, and that he has not and will not divulge the sealed bid on such public improvements to any persons whatsoever, except those having partnership or other financial interest with him in said bid or bids, until after the said sealed bid or bids are opened.

SIGNED: [Signature]

Subscribed and sworn to before me, a Notary Public, in and for the State of

NEW YORK, County of ORANGE this 9th day of
SEPTEMBER, 2011.

My Commission Expires: _____
Commission Number: _____

MITCHELL GOTTLIEB
Notary Public, State of New York
No. 01GO6086429
Qualified in Orange County
Commission Expires January 21, 2015



(page 6A)

September 13, 2011

Rose Brand Notes re: Sooner Theatre Curtain Replacement

Notes re: Add-Alternate #1:

- Pricing shown is PER ITEM and is NOT in addition to items in Base Bid 1.
- Pricing for the Tableau Front Curtain is for the CURTAIN ONLY. Pricing does not include all of the potential track, truss, motors, and onsite rigging needed to configure the curtain to tab and travel. If you were to go this route we would estimate the cost in the range of \$30,000.00 to \$50,000.00. Rose Brand installed a system like this in 2010 at the Armstrong Center in Edmond, OK. If you were interested in more detail or going down this road we could discuss an onsite visit to the Sooner Theatre for a site survey along with setting a visit for you to the Armstrong Center.
- I've provided two options for the Fiber Optic. Please note that for both options pricing DOES NOT include pricing for the additional line set. **Option #1** is for a 1 zone/2 circuit Fiber Optic Curtain sewn flat. Pricing includes 2 illuminators and would have a fiber density of 2.25 points per square foot. **Option #2** is for a 2 zone/2 circuit Fiber Optic Curtain sewn flat. Pricing includes 4 illuminators. Re: the additional line set we could price this once provided with the following information: 1) What is the batten length? 2) What is the grid height? 3) How many lift lines? 4) Do you need wire guides and locking rails? 5) Who is the manufacturer of your existing line sets? 6) Do you have photos you can provide so we can price this accurately? Along with the rigging system needed for the Tableau Front Curtain as described above, this would most likely require a site survey.

Notes re: Base Bid II.

- Pricing is for the following scope of work: Disposal and replacement of drapes as specified in Base Bid I. Upon receipt of order for Base Bid II, pricing also includes Rose Brand coming out to do a site survey to verify drape size. Pricing DOES NOT include any work on, alteration to, or replacement of existing rigging in place at the Sooner Theatre. Pricing is for removal of old drapery and installation of new drapery only.

Please contact me with any questions regarding your bid at 800.223.1624 x296 or at josh.jacobstein@rosebrand.com.

Look forward to working with your team on this project.

Sincerely,

Josh Jacobstein
Executive Vice President

ROSE BRAND

DATE: September , 2011

PROJECT: SOONER THEATRE CURTAIN
REPLACEMENT PROJECT

LOCATION: 101 East Main Street; Norman, Oklahoma

Proposal of I. Weiss & Sons, Inc.
(hereinafter called "Bidder") a corporation/partnership/an individual (strike out inapplicable terms)
doing business in the state of New Jersey

To: The City of Norman, Oklahoma

Gentlemen:

The undersigned, as the Bidder, declares that before preparing his/her bid, (s)he read carefully the instructions to bidders, examined the form of the bid and the information blanks to be submitted, and that (s)he is familiar with all the provisions of the same and with all the requirements of the complete project; that (s)he has carefully examined the itemization for the proposed work on file with the City Clerk and Director of Parks and Recreation, that (s)he has examined carefully all local conditions, has informed himself/herself by his/her independent research and soundings of all the difficulties to be encountered, has judged for himself/herself of the accessibility of the work, and the quantities and character of the materials to be encountered or excavated and all attending circumstances affecting the cost of doing the work and the time required for its completion and that this bid is made with full knowledge of the difficulties that may be encountered and the kinds, quantity and quality of the work, and materials required or to be encountered, and with full knowledge of all specifications and estimates and all provisions of the contract and bonds, gained by the independent research of the Bidder.

Said Bidder proposes and agrees that if his/her proposal is accepted, (s)he will begin work on fulfilling their proposal within ten (10) days after the acceptance of his/her bid, in the manner and under conditions required by the contract and by the specifications therefore, on file in the Office of the City Clerk and Director of Parks and Recreation, Norman, Oklahoma for the following amounts:

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) calendar days after submission of bid.

Upon receipt of written notice of the acceptance of this bid, Bidder will consider the project awarded and begin filling the material order within ten (10) days and shall honor all applicable manufacturer guarantees and warranty offers as supplied with the material as required by the General Conditions.

BID PROPOSAL—Page 2 of 4**Base Bid I:**

<u>Qty.</u>	<u>Item</u>	<u>Size</u>	<u>Price</u>
1	Traveler Front Curtain [Red Velour*]	36'W X 18'H [i.e., Two-18'W X 18'H panels]	<u>\$3394.00</u>
1	Main Valance (Match Curtain) w/14" Antique Gold Fringe	34'W X 9'-4"H	<u>\$4122.00</u>
6	Black Duvetyn* Legs	8'W X 22'H	<u>\$1440.00</u>
1	Black Duvetyn Border	36'W X 9'-4"H	<u>\$619.00</u>
2	Black Duvetyn Borders	36'W X 7'H	<u>\$1134.00</u>
1	Black Duvetyn Border	36'W X 6'-10" H	<u>\$567.00</u>
1	Black Velour Traveler (2 panels) (Mid-stage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	<u>\$3538.00</u>
1	Black Velour Traveler (2 panels) (Upstage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	<u>\$3666.00</u>
1	Freight for all above to Norman, OK (zip code 73069)		<u>\$440.00</u>
BASE BID I TOTAL (including freight)			<u>\$ 18,920.00</u>

Add-Alternate #1:**2 Additional** Legs; and **Replace** first item and last item. above with the following:

1	Tableau Front Curtain (which must also travel)	36'W X 18'H	<u>SEE NOTE/\$25,000.00</u>
1	Black Velour Fibre Optic Drop (with 1 additional line set) Fiber Optic Density *w/standard flat removable lining	36'W X 22'H	<u>\$11,090.00</u>
2	Black Duvetyn Leg	8'W X 22'H	<u>\$480.00</u>
1	Additional Freight (if any) to Norman, OK for these items		<u>\$125.00</u>
ALTERNATE TOTAL BID (including freight)			<u>\$36,695.00</u>

* All Velour curtain material—25 oz.; sewn with 100% fullness with pinch pleats
 All Duvetyn material—16 oz.; sewn flat
 All materials to be **FR**

BID PROPOSAL—Page 3 of 4

Add-Alternate #2:

Additional Cost to Supply all Legs and Borders listed
above as black velour (25 oz. sewn with 100% fullness with knife pleat)
instead of Duvetyn

\$ 6,347.00 + \$150.00 shipping

BASE BID II:

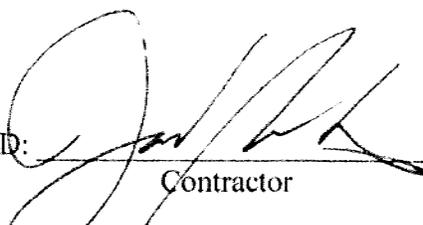
- 1 Remove all existing stage materials and replace
With new material itemized above at Sooner
Theatre (101 East Main St./Norman, OK)
[This is a Labor-Only Bid, and will be considered
Separately from the Base Bid I pricing, above]

Lump Sum

\$ NO BID

If partnership, give name and address of each member.

SIGNED:



Contractor

BY: David Rosenberg

Representative

ADDRESS: 815 Fairview Avenue Unit 10

Fairview, NJ 07022

Incorporated under the laws of:

New York

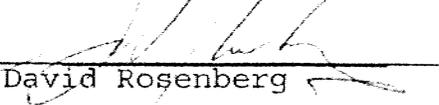
State

STATE OF New Jersey)

COUNTY OF Bergen)

Davis Rosenberg of lawful age, being first duly sworn, upon his oath deposes and says: That he executed the accompanying bid on behalf of the bidder therein named for the supply of the above materials and/or labor in the City of Norman, Oklahoma, and that he had lawful authority to do so and said bidder has not directly nor indirectly entered into any agreement, expressed or implied, with any bidder or bidders, having for its object the controlling of the price or amount of such bid or bids, the paying to anyone any money for promotion to any bidder or bidders or other persons of any part of the contract or any part of the subject matter the bid or bids of the profits thereof, and that he has not and will not divulge the sealed bid on such public improvements to any persons whatsoever, except those having partnership or other financial interest with him in said bid or bids, until after the said sealed bid or bids are opened.

SIGNED:



David Rosenberg

Subscribed and sworn to before me, a Notary Public, in and for the State of

New York, County of Westchester this 10th day of

September, 20 11.

My Commission Expires: _____

Commission Number: LAUREN A. DUFFY

NOTARY PUBLIC, STATE OF NEW YORK

NO. 01-DU6184542

QUALIFIED IN WESTCHESTER COUNTY

COMMISSION EXPIRES OCTOBER 6, 2012



DATE: 10-3-11
PROJECT: SOONER THEATRE CURTAIN
REPLACEMENT PROJECT

LOCATION: 101 East Main Street; Norman, Oklahoma

Proposal of Tull Rigging
(hereinafter called "Bidder") ~~a corporation/partnership~~/an individual (strike out inapplicable terms)
doing business in the state of Oklahoma

To: The City of Norman, Oklahoma

Gentlemen:

The undersigned, as the Bidder, declares that before preparing his/her bid, (s)he read carefully the instructions to bidders, examined the form of the bid and the information blanks to be submitted, and that (s)he is familiar with all the provisions of the same and with all the requirements of the complete project; that (s)he has carefully examined the itemization for the proposed work on file with the City Clerk and Director of Parks and Recreation, that (s)he has examined carefully all local conditions, has informed himself/herself by his/her independent research and soundings of all the difficulties to be encountered, has judged for himself/herself of the accessibility of the work, and the quantities and character of the materials to be encountered or excavated and all attending circumstances affecting the cost of doing the work and the time required for its completion and that this bid is made with full knowledge of the difficulties that may be encountered and the kinds, quantity and quality of the work, and materials required or to be encountered, and with full knowledge of all specifications and estimates and all provisions of the contract and bonds, gained by the independent research of the Bidder.

Said Bidder proposes and agrees that if his/her proposal is accepted, (s)he will begin work on fulfilling their proposal within ten (10) days after the acceptance of his/her bid, in the manner and under conditions required by the contract and by the specifications therefore, on file in the Office of the City Clerk and Director of Parks and Recreation, Norman, Oklahoma for the following amounts:

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) calendar days after submission of bid.

Upon receipt of written notice of the acceptance of this bid, Bidder will consider the project awarded and begin filling the material order within ten (10) days and shall honor all applicable manufacturer guarantees and warranty offers as supplied with the material as required by the General Conditions.

BID PROPOSAL—Page 2 of 4

Base Bid 1:

Qty.	Item	Size	Price
1	Traveler Front Curtain [Red Velour*]	36'W X 18'H [i.e., Two-18'W X 18'H panels]	5160
1	Main Valance (Match Curtain) w/14" Antique Gold Fringe	34'W X 9'-4"H	1488
6	Black Duvetyn* Legs	8'W X 22'H	2466
1	Black Duvetyn Border	36'W X 9'-4"H	1008
2	Black Duvetyn Borders	36'W X 7'H	1680
1	Black Duvetyn Border	36'W X 6'-10" H	672
1	Black Velour Traveler (2 panels) (Mid-stage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	6000
1	Black Velour Traveler (2 panels) (Upstage Traveler)	36'W X 22'H [i.e., Two-18'W X 22'H panels]	6000
1	Freight for all above to Norman, OK (zip code 73069)		2000
BASE BID 1 TOTAL (including freight)			\$ 26,474

Add-Alternate #1:

2 Additional Legs; and **Replace** first item and last item, above with the following:

1	Tableau Front Curtain (which must also travel)	36'W X 18'H	5880
1	Black Velour Fibre Optic Drop (with 1 additional line set)	36'W X 22'H	22,375
2	Black Duvetyn Leg	8'W X 22'H	872
1	Additional Freight (if any) to Norman, OK for these items		1000
ALTERNATE TOTAL BID (including freight)			\$ 45,391

* All Velour curtain material—25 oz.; sewn with 100% fullness with pinch pleats
 All Duvetyn material—16 oz.; sewn flat
 All materials to be **FR**

BID PROPOSAL—Page 3 of 4

Add-Alternate #2:

Additional Cost to Supply all Legs and Borders listed
above as black velour (25 oz. sewn with 100% fullness with knife pleat)
instead of Duvetyn

\$ 2300

BASE BID II:

- 1 Remove all existing stage materials and replace
With new material itemized above at Sooner
Theatre (101 East Main St./Norman, OK)
[This is a Labor-Only Bid, and will be considered
Separately from the Base Bid I pricing, above]

Lump Sum

\$ 7000

If partnership, give name and address of each member.

Tull Rigging

SIGNED: John P Tull D&A
Contractor

BY: _____
Representative

ADDRESS: 4308 ABICALE DR
Yukon OK 73099

Incorporated under the laws of:

Oklahoma
State

STATE OF Oklahoma)

COUNTY OF Canadian)

John P Tull of lawful age, being first duly sworn, upon his oath deposes and says: That he executed the accompanying bid on behalf of the bidder therein named for the supply of the above materials and/or labor in the City of Norman, Oklahoma, and that he had lawful authority to do so and said bidder has not directly nor indirectly entered into any agreement, expressed or implied, with any bidder or bidders, having for its object the controlling of the price or amount of such bid or bids, the paying to anyone any money for promotion to any bidder or bidders or other persons of any part of the contract or any part of the subject matter the bid or bids of the profits thereof, and that he has not and will not divulge the sealed bid on such public improvements to any persons whatsoever, except those having partnership or other financial interest with him in said bid or bids, until after the said sealed bid or bids are opened.

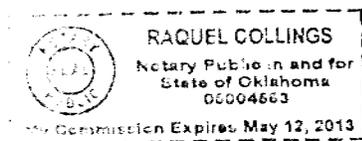
SIGNED: John P Tull

Subscribed and sworn to before me, a Notary Public, in and for the State of

Oklahoma, County of Canadian this 5th day of
October, 20 11.

My Commission Expires: 05-12-13
Commission Number: 05004563

Raquel Collings





City of Norman, OK

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

Master

File Number: E-1112-07

File ID: E-1112-07	Type: Easement	Status: Consent Item
Version: 1	Reference: Item No. 17	In Control: City Council
Department: Utilities Department	Cost:	File Created: 09/12/2011
File Name: E-1112-07 Donated Easement Selmon		Final Action:

Title: EASEMENT NO. E-1112-07: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY DEWEY W. AND KATHRYN SELMON FOR THE FYE09 SEWER MAINTENANCE PROJECT, PHASE 2.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-07; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 17

Attachments: Summary of SS Replacement Projects, E-1112-07

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File E-1112-07

Body

BACKGROUND: The Sewer Maintenance Program replaces aged and deteriorated sewer lines in Norman and is funded by the \$5 per month sewer maintenance fee. The fee is collected from all sewer customers and was initiated in 2001 following a citizen vote with revenues deposited in the Sewer Maintenance Fund (322). Approximately \$2 million is expended annually by the Norman Utilities Authority (NUA) to repair or replace sewers; replacement began in the oldest areas of Norman first and is slowly moving outward, typically mimicking Norman's original development. Attached is Summary of Sewer Replacement Projects which details past projects, the completion date and construction cost.

The Fiscal Year Ending 2009 (FYE09) Sewer Maintenance Project was awarded to Urban Contractors, Inc. in two separate phases. The first phase is complete and the second phase is nearing completion. Staff has identified additional work that may be included in the Phase 2 project if approved by the NUA.

DISCUSSION: The existing 8-inch diameter vitrified clay pipe (VCP) sewer line along the east side of South Berry Road, north of Imhoff Road, is in need of immediate attention. The sewer line is about 600 feet long and is approximately 3 to 8 feet deep; it was constructed in the 1950's and is in poor condition. Staff will soon request NUA approval of a change order to replace this sewer.

Many homes along this sewer alignment are in very close proximity to the existing sewer. The new alignment requires acquisition of a new sewer easement from three of the six affected property owners. All three of the property owners have verbally agreed to donate the required sewer easement.

This item requests City Council approval of the Easement E-1112-07, a 15-foot wide permanent sewer easement donated by Dewey W. Selmon and Kathryn Selmon.

RECOMMENDATION: Staff recommends that the City of Norman approve acquisition of the above easement.

Norman Utilities Authority
Summary of Sewer Replacement Projects

	<u>Feet</u>	<u>Date</u>	<u>Construction Cost</u>
FYE00 SS Replacement	4,544	02/05/03	\$690,364
FYE01 SS Replacement	3,929	03/02/03	\$403,543
FYE03 Sewer Maintenance Plan	55,001	04/14/05	\$3,419,162
FYE04 Sewer Maintenance Plan	18,541	02/28/06	\$1,684,636
FYE05 Sewer Maintenance Plan	57,645	09/15/06	\$3,168,188
FYE06 Sewer Maintenance Plan	22,459	10/02/07	\$1,996,012
FYE07 Sewer Maintenance Plan	38,253	08/15/08	\$3,039,721
FYE08 Sewer Maintenance Plan	22,901	08/30/09	\$1,810,918
FYE09 Sewer Maintenance Plan Phase 1	26,012	04/13/11	\$1,264,509
FYE09 Sewer Maintenance Plan Phase 2			
Subtotal	249,285	feet	\$17,477,053
		47.2	miles

Sewer Rehab

GRANT OF EASEMENT

City of Norman

KNOW ALL MEN BY THESE PRESENTS:

THAT Dewey W. Selmon and Kathryn Selmon (GRANTOR), in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman (CITY), a municipal corporation, a public sewer easement over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A tract of land being a part of Lot Three (3), Replat of Lakewood Park, being a subdivision of the West 693 feet of Lot Seven (7), in the Southwest Quarter (SW/4) of Section Six (6), Township Eight (8) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, according to the recorded plat thereof, said tract being more particularly described as being 7.5 feet each side of a center line described as follows:

Commencing at the Southwest Corner (SW/c) of said Lot Three (3); Thence North 65°14'21" East, along the South line of said Lot Three (3), a distance of 205.09 feet to the point of beginning;

Thence North 24°45'39" West, a distance of 7.20 feet; Thence North 00°25'33" East, a distance of 102.55 feet to a point on the North line of said Lot Three (3), said point being 202.91 feet North 65°14'21" East of the Northwest Corner (NW/c) of said Lot Three (3), being the point of ending.

The basis of bearing for this description is the recorded plat of Replat of Lakewood Park.

Said tract of land contains an area of approximately 1,646 square feet or 0.0378 acres, more or less.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public sanitary sewer line.

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

SIGNED and delivered this 5th day of Oct, 2017.

BY: Dewey Selmon
GRANTOR

BY: Kathryn Selmon
GRANTOR

REPRESENTATIVE ACKNOWLEDGMENT

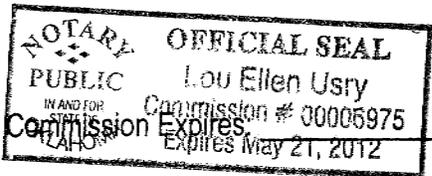
STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 5th day of October, 20 11 personally appeared Dewey W. Selmon and Kathryn Selmon 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.

Lou Ellen Ustry

Notary Public



My Commission Expires

Approved as to form and legality this 12th day of October 20 11.

RBM

City Attorney

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

Mayor

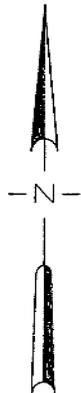
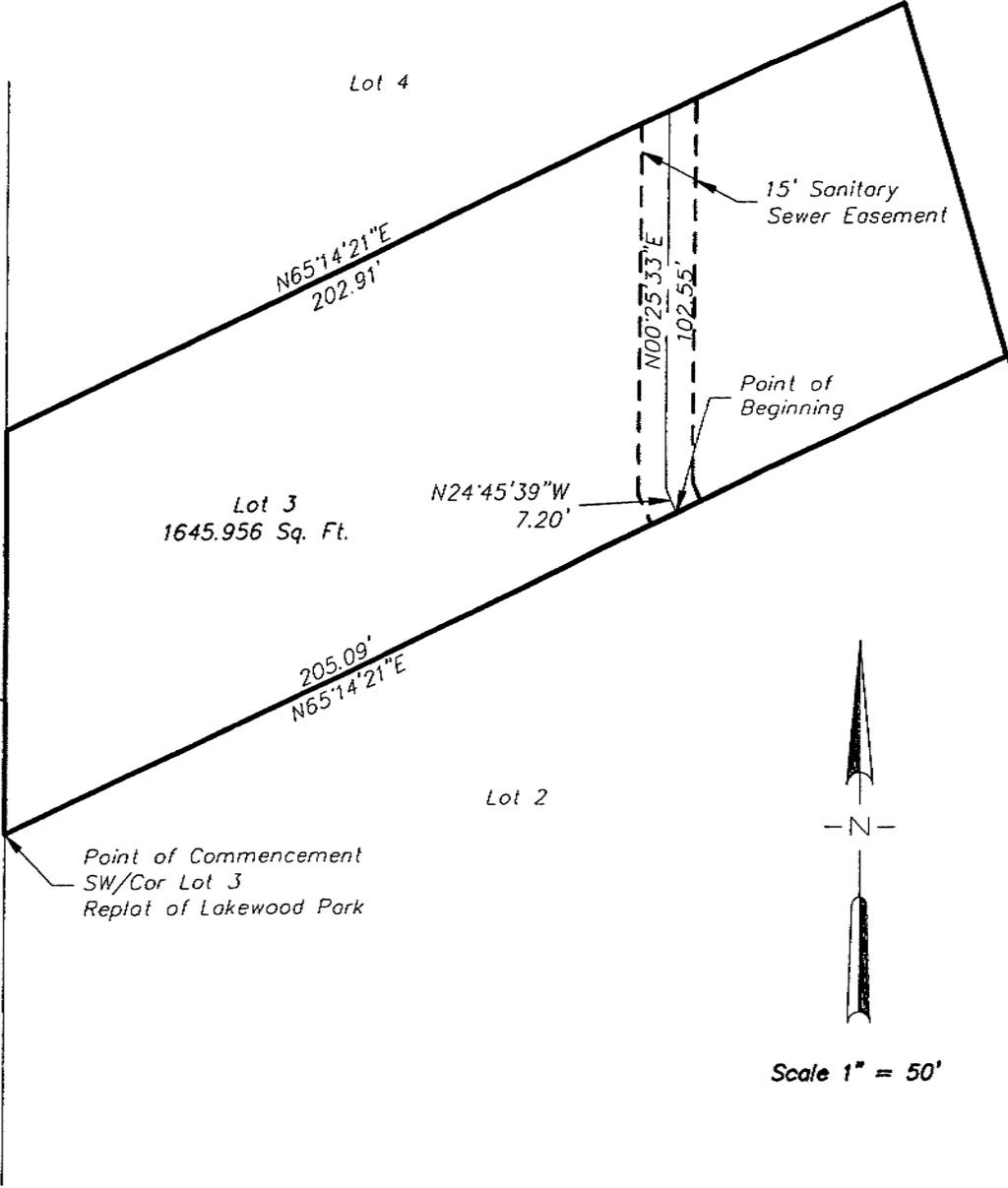
ATTEST:

City Clerk

EXHIBIT A

BERRY ROAD

33'



Scale 1" = 50'

H:\10042\LLS-Data\Final\User Directory\ss\Easement Exhibits.dwg 9/1/2011 10:27:37 AM

LENKE LAND SURVEYING, Inc.



3220 BART CONNER DRIVE, NORMAN, OK 73072
 PH(405)388-8541 FAX(405)388-8540
 CA # 2084
<http://www.lenke-lls.com>

Surveyed By:	N/A
Drawn By:	SS
Approved By:	MD
Date:	08-25-2011
Scale:	1" = 50'
Project No:	10042

Project:	15' SANITARY SEWER EASEMENT
Project Location:	LOT THREE REPLAT OF LAKEWOOD PARK
Client:	CITY OF NORMAN, OKLAHOMA

Sheet Number	1
Sheet 1 of 1	



City of Norman, OK

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

Master

File Number: SC-1112-2 SUPP 1

File ID: SC-1112-2 SUPP 1	Type: Special Claim	Status: Consent Item
Version: 1	Reference: Item No. 18	In Control: City Council
Department: Legal Department	Cost: \$1,694.26	File Created: 10/10/2011
File Name: Supplement to Special Claim Wade		Final Action:

<p>Title: <u>SUPPLEMENT A TO SPECIAL CLAIM NO. SC-1112-2: A SUPPLEMENTAL CLAIM IN THE AMOUNT OF \$1,694.26 SUBMITTED BY LACEY WADE FOR RENTAL CAR EXPENSES INCURRED WHEN A SANITATION VEHICLE STRUCK HER PARKED CAR AT 2500 MCGEE DRIVE.</u></p> <p>ACTION NEEDED: Motion to approve or reject Supplement A to Special Claim No. SC-1112-2; and, if approved, direct payment in the amount of \$1,694.26 contingent upon obtaining a Release and Covenant Not to Sue from Lacey Wade.</p> <p>ACTION TAKEN: _____</p>

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 18

Attachments: Staff Memo Lacey Wade, Special Claim Wade

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File SC-1112-2 SUPP 1

Body

BACKGROUND: A claim was filed by Lacey Wade for damages to her vehicle in the amount of \$6,353.52 and lost wages in the amount of \$200 due to an incident which occurred on July 28, 2011 when Ms. Wade's vehicle was struck by a City of Norman sanitation truck. The claim for Ms. Wade's vehicle repair was approved by City Council on August 23, 2011.

Ms. Wade has now filed a supplemental tort claim for her rental car expenses from the time of the accident until the repair process was complete. This supplemental tort claim is in the amount of \$1,694.26.

DISCUSSION: This incident was investigated by Gary L. Seal, Utilities Supervisor. According to his investigation, the sanitation truck was stopped on Rolling Hills Street. However, the parking brake of the sanitation truck failed to engage causing the truck to roll down the hill and strike Ms. Wade's parked, unoccupied vehicle.

As indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The amount of \$1,694.26 claimed by Ms. Wade for rental car expense during the time her vehicle was being repaired appears to be reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's Office that the supplemental claim of Lacey Wade for rental car expense during repair of the damages to her vehicle in the amount of \$1,694.26, as above set forth, be approved.



DATE: September 12, 2011

TO: Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

SUBJECT: Additional Claim from Lacey Wade

I am in receipt of an additional claim from Ms. Lacey Wade in the amount of \$1,694.26 for car rental due to her vehicle being struck by a Sanitation truck. Ms. Wade filed a claim on August 3, 2011, in the amount of \$6,553.52 for damages to her parked vehicle and lost wages. She alleged that a City of Norman sanitation truck struck her vehicle that was parked at her workplace located at 2500 S. McGee Drive. The sanitation truck rolled down Rolling Hill Street colliding into her co-workers vehicle, causing the co-workers vehicle to collide into her vehicle.

Ken, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:smr
attachments
cy: Ken Komiske, Director of Utilities

office memorandum

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/12/11

NOTICE OF TORT CLAIM

CLAIMANT: Lacey Wade DATE: _____
ADDRESS: 812 Winter Park CITY Blanchard
STATE: OK ZIP: 73010 PHONE: (H) 485-3021 (W) 623-9104 (cell)
DATE OF INCIDENT: 7/28/11
LOCATION OF INCIDENT: Rolling Hills

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

Rental car expenses incurred while my car was being fixed after a trash truck ran into it.

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

<u>rental car</u>	\$ <u>1694.26</u>	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

TOTAL AMOUNT CLAIMED: \$ _____

NAME AND ADDRESS OF INSURANCE COMPANY: _____

AGENT: _____

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

Lacey A. Wade
CLAIMANT'S SIGNATURE

EAN HOLDINGS, LLC, 103 MERKLE, NORMAN, OK 730696320 (405) 364-0123

RENTAL AGREEMENT REF# SUMMARY OF CHARGES

715826 13CWJB

	Charge Description	Date	Quantity	Per	Rate	Total
RENTER OLIGER, JUDY	TIME & DISTANCE	08/03 - 09/02	1	MONTH	\$862.99	\$862.99
	TIME & DISTANCE	09/02 - 09/07	5	DAY	\$53.99	\$269.95
ADDITIONAL DRIVER WADE, LACEY	ADDITIONAL DRIVER FEE	08/03 - 09/07	35	DAY	\$10.00	\$350.00
	REFUELING CHARGE	08/03 - 09/07				\$0.00
	Subtotal:					\$1,482.94
	Taxes & Surcharges					
DATE & TIME OUT 08/03/2011 05:17 PM	SALES TAX	08/03 - 09/07			8.25%	\$122.34
	VEHICLE RENTAL TAX	08/03 - 09/07			6%	\$88.98
DATE & TIME IN 09/07/2011 12:14 PM	Total Charges:					\$1,694.26
	Bill-To / Deposits					
BILLING CYCLE 24-HOUR	DEPOSITS					(\$1,694.26)
	Total Amount Due					\$0.00
VEH #1 2011 CHEV IMPA 1LT VIN# 2G1WG5EKXB1117582 LIC# 259HHH MILES DRIVEN1335	PAYMENT INFORMATION					
	AMOUNT PAID	TYPE	CREDIT CARD NUMBER			
	\$1,694.26	CHECK				



City of Norman, OK

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

Master

File Number: K-0607-148 Amd 2

File ID: K-0607-148 Amd 2	Type: Contract	Status: ATS Paused
Version: 2	Reference: Item No. 19	In Control: City Council
Department: Public Works Department	Cost:	File Created: 10/11/2011
File Name: K-0607-148 Amend 2 Clearwater	Final Action:	

Title: AMENDMENT NO. TWO CONTRACT NO. K-0607-148: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE CITY OF NORMAN, OKLAHOMA, AND CLEARWATER ENTERPRISES, L.L.C. TO ADD THE COMPRESSED NATURAL GAS FACILITY TO THE EXISTING CONTRACT FOR THE PURCHASE OF NATURAL GAS FOR CITY FACILITIES.

ACTION NEEDED: Acting as the City Council and Norman Utilities Authority, motion to approve or reject Amendment No. Two to Contract No. K-0607-148 with Clearwater Enterprises, LLC; and, if accepted authorize the execution thereof

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 19

Attachments: Clearwater Amendment

Project Manager: Shawn O'Leary, Director of Public Works

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-0607-148 Amd 2

Body

BACKGROUND: Dating back to 2004, the City has contracted with Clearwater Enterprises, LLC to purchase and receive natural gas from them for City facilities. Clearwater Enterprises, LLC provides bulk sales of natural gas on the wholesale market, which allows cost savings over the price of gas charged by Oklahoma Natural Gas (ONG).

After the initial 2004 contract for services to the Wastewater Treatment Plant was successful, other facilities were added to the contract. Contract No. K-0607-148 was for an initial three year term, with two subsequent terms. We are currently in Term 2 of the contract, which expires on June 30, 2013. Amendment No. 1 to K-0607-148 added the Norman Public Library facility to the contract in December 2007. Amendment No. Two to K-0607-148 adds the new Compressed Natural Gas (CNG) fueling facility to the contract with Clearwater Enterprises.

DESCRIPTION: The primary purpose of the amendment to the contract is to add the CNG facility to the natural gas supply contract with Clearwater Enterprises. The most common measure of natural gas is British Thermal Units (BTU) or dekatherms. One million British Thermal Units (MMBTU) equals one dekatherm. The price per MMBTU continues to be \$.10/MMBTU over the Inside Federal Energy Regulation Commission (FERC) Gas Market Report first of the month index posting for Oneok Gas Transportation. Exhibit B-1A to the contract allows the City to submit updated estimates of monthly usage, so as the CNG facility begins its operation, Staff will closely monitor usage to ensure the estimates provided are accurate. Exhibit D is also being amended to reflect appropriate staff contact information for contract related inquiries or billing.

RECOMMENDATION: Staff recommends approval of Amendment No. Two to Contract No. K-0607-148.

AMENDMENT NO. 2 TO CONTRACT NO. K-0607-148

This Amendment is made and entered into as of November 1, 2011 by and between Clearwater Enterprises, L.L.C. ("Seller") and Norman Utilities Authority and the City of Norman (collectively, "Buyer").

WITNESSETH:

WHEREAS, Seller and Buyer made and entered into that certain Gas Sales Agreement dated July 1, 2007, which was amended in December 1, 2007 by the execution of Amendment No. 1 to K-0607-148 (collectively, the "Agreement"); and

WHEREAS, Seller and Buyer wish to amend the Agreement in the manner set forth below;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein provided, the Parties hereby agree to amend the Agreement in the following respects only:

- The City of Norman, Oklahoma is added as a Buyer because an additional facility, not managed or funded by the Norman Utilities Authority, is going to receive compressed natural gas from Seller.
- Exhibit "B-1" is hereby deleted in its entirety and the attached exhibit "B-1A" is substituted therefore. All references in the Agreement to Exhibit "B-1" shall be amended to reference Exhibit "B-1A".
- Exhibit "D" is hereby deleted in its entirety and the attached exhibit "D-1" is substituted therefore. All references in the Agreement to Exhibit "D" shall be amended to reference Exhibit "D-1".

This Amendment is effective November 1, 2011. Except as expressly amended hereby, all terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.

As evidence of the Parties' agreement to the terms and conditions set forth above, this Amendment is executed by the appropriate representatives on the dates shown below.

Seller

Clearwater Enterprises, LLC.

By: _____
 Name: _____
 Title: _____
 Date: _____

Buyer

Norman Utilities Authority

By: _____
Name: _____
Title: _____
Date: _____

ATTEST

By: _____
Secretary

Buyer

City of Norman, Oklahoma

By: _____
Name: _____
Title: _____
Date: _____

ATTEST

By: _____
City Clerk

Approved as to form and legality this _____ day of October ____, 2011.

General Counsel/City Attorney

EXHIBIT B-1A
Facility Listing and Estimated Monthly Usage

Clearwater Enterprises, L.L.C. ("Seller") and the City of Norman and Norman Utilities Authority (collectively, "Buyer") agree to the purchase and sale of natural gas pursuant to any active Transaction Confirmation, this Exhibit B-1A, and the general terms and conditions contained in the Gas Sales Agreement dated July 1, 2007 and as thereafter amended, between Buyer and Seller as set forth below:

Facilities											
Account Name				ONG Account Number				Address			
<u>Estimated Monthly Usage (MMBtus)</u>											
Norman Utilities Authority				210216502				3500 S. Jenkins Norman, OK 73072			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
539	698	892	663	466	490	380	266	302	183	290	459
Norman Utilities Authority				211215161				3428 S. Jenkins Norman, OK 73072			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
136	177	192	171	128	136	135	105	122	96	128	135
Norman Utilities Authority				210222609				1301 DaVinci Norman, OK 73069			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
299	585	784	480	115	214	14	14	12	10	8	102
Norman Utilities Authority				210213111				201 W. Gray St., Bldg A Norman, OK 73069			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
120	204	188	191	185	165	125	118	49	7	98	165
Norman Utilities Authority				210222136				201 W. Gray St., Bldg D Norman, OK 73069			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
147	198	224	186	120	121	101	85	9	4	44	124
Norman Utilities Authority				211215162				201 E. Constitution St. Norman, OK 73072			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
136	267	344	252	83	75	4	5	4	5	6	50
City of Norman LB City Hall				211211784				225 Webster Norman, OK 73069			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
22	254	306	196	191	113	111	117	9	8	71	9
City of Norman - Fleet				212979476 2524561				2351 Goddard Avenue Norman, OK 73069			
Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct
1156	1156	1156	1156	1156	1156	1156	1156	1156	1156	1156	1156

Estimated Monthly Usage is defined as historical consumption as represented by Buyer's Utility provider or upon information supplied by Buyer. Furthermore, the Estimated Monthly Usage shall automatically be adjusted to an amount equal to the previous year's

usage for the month listed in the column heading. The Estimated Monthly Usage may be manually adjusted by Buyer by giving Seller a minimum of thirty (30) days written notice prior to month's flow.

As evidence of the Parties' agreement to the terms and conditions set forth above, this Agreement, effective as of the date first stated above is executed by the appropriate representatives on the dates shown below.

Seller

Clearwater Enterprises, LLC.

By: _____
Name: _____
Title: _____
Date: _____

Buyer

Norman Utilities Authority

By: _____
Name: _____
Title: _____
Date: _____

ATTEST

By: _____
Secretary

Buyer

City of Norman, Oklahoma

By: _____
Name: _____
Title: _____
Date: _____

ATTEST

By: _____
City Clerk

Approved as to form and legality this _____ day of October _____, 2011.

General Counsel/City Attorney

EXHIBIT D-1
Buyer Addresses and Contacts

Norman Utilities Authority

For correspondence:

Norman Utilities Authority
Attn: Ken Komiske, Utilities Director
P.O. Box 370
Norman, Oklahoma 73070
Phone: 405-366-5443
Facsimile: 405-366-5447

For invoices and payments:

Norman Utilities Authority
Attn: Finance Department
P.O. Box 370
Norman, OK 73070
Phone: 405-366-5413
Facsimile: 405-366-5417

City of Norman

For correspondence:

City of Norman
Attn: Shawn O'Leary, Public Works Director
P.O. Box 370
Norman, Oklahoma 73070
Phone: 405-366-5453
Facsimile: 405-366-5418

For invoices and payments:

City of Norman
Attn: Finance Department
P.O. Box 370
Norman, OK 73070
Phone: 405-366-5413
Facsimile: 405-366-5417



City of Norman, OK

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

Master

File Number: K-1112-64

File ID: K-1112-64	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 20	In Control: City Council
Department: City Manager Department	Cost: \$10,000.00	File Created: 10/07/2011
File Name: K-1112-64 SVSC HFF	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 AND ENTER INTO CONTRACT NO. K-1112-64 WITH HEALTH FOR FRIENDS, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,000 from Health for Friends, Inc.; and, if approved, authorize the execution of Contract No. K-1112-64.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 20

Attachments: SVSC Rqsts 2011, K-1112-64 HFF, SVSC Minutes, PO HFF

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-64

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

SVSC Funding Request 2011

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Partially Fund Dental Clinic	K-1112-64	\$10,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1112-65	\$6,850.00
Food and Shelter for Friends	Utilities and Insurance Costs	K-1112-66	\$15,000.00
Transition House	Partially Fund Drop In Center Expenses (Rent, Utilities, etc)	K-1112-67	\$10,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1112-68	\$2,160.00
Aging Services	ASI Special Assistance Program	K-1112-69	\$3,000.00
Mary Abbott Children's House	Porch Renovation	K-1112-70	\$5,390.00
Among Friends Activity Center, Inc.	Games, Puzzles, Ipads, Arts and Craft Supplies	K-1112-71	\$1,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1112-72	\$7,500.00
The Salvation Army	Utilities Assistance	K-1112-73	\$2,000.00
Central Oklahoma Community Action Agency	Rental Vouchers and Case Managers	K-1112-74	\$8,500.00
Bethesda, Inc.	Summer Therapeutic Camp	K-1112-75	\$4,000.00
Community After School Program	Tutoring Program	K-1112-76	\$5,700.00
Bridges	Utilities Assistance	K-1112-77	\$5,700.00
Community Services Building	Replace Exterior Doors on Facility	K-1112-78	\$10,500.00
American Red Cross	Vests, Ice Chests, and GPS Units	K-1112-79	\$2,000.00
East Main Place	Refrigerators, Washer/Dryer and Maintenance	K-1112-80	\$8,500.00
Kaleidoscope Grief Support, Inc.	Support Group Activities	K-1112-81	\$1,700.00
ABLE	Partially Fund Roof Replacement	K-1112-82	\$2,500.00
Total Amount			\$112,500.00

FUND DISBURSEMENT AGREEMENT

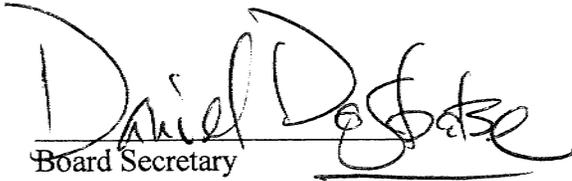
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Health for Friends**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

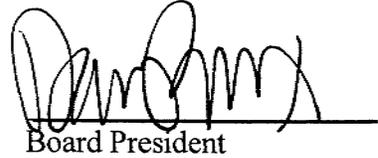
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$10,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Partially Fund Dental Clinic.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 3, 2011

The Social and Voluntary Services Commission met in the Council Chambers of the Municipal Building located at 201 W. Gray on the 3rd day of October, 2011, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT: Commissioners Teresa Capps, Basha Hartley, Golda Long, Pam Normile, Andy Paden and Cody Ponder

ABSENT: Peggy Ellis, Denise Millar and Amy Venable

OTHERS PRESENT: Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 3, 2011, MEETING.

Commissioner Ponder moved that the agenda of the October 3, 2011, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Normile; and the question being upon approving the agenda of the October 3, 2011, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile, Paden and Ponder

NAYES: None

The Chair declared the motion carried; and the agenda of the October 3, 2011, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 26, 2011.

Commissioner Long moved that the minutes of the September 26, 2011, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Normile;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 26, 2011

and the question being upon approving the minutes of the September 26, 2011, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile, Paden and Ponder

NAYES: None

The Chair declared the motion carried; and the minutes of the September 26, 2011, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS.

Commissioner Long moved that the application for funding from Norman Regional Health Foundation not be considered for funding, which motion was duly seconded by Commissioner Normile; and the question being upon not recommending funding for the Norman Regional Health foundation, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile and Ponder

NAYES: None

ABSTAIN: Commissioner Paden

The Chair declared the motion carried; and the application for funding from Norman Regional Health foundation will not be considered for funding.

Commissioner Paden moved that the applications for funding from Full Circle Senior Adult Day Care in the amount of \$2,160.00 and the American Red Cross in the amount of \$2,000.00 be recommended for funding, which motion was duly seconded by Commissioner Long; and the question being upon recommending funding for the Full Circle Senior Adult Day Care in the amount of \$2,160.00 and the American Red Cross in the amount of \$2,000.00, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile and Paden
NAYES: None
ABSTAIN: Commissioner Ponder

The Chair declared the motion carried; and the applications for funding from Full Circle Senior Adult Day Care in the amount of \$2,160.00 and the American Red Cross in the amount of \$2,000.00 will be forwarded to Norman City Council at the October 25th meeting with a recommendation for approval.

Commissioner Ponder moved that the applications for funding from Health for Friends in the amount of \$10,000.00; Women's Resource Center in the amount of \$6,850.00; Food and Shelter for Friends in the amount of \$15,000.00; Transition House in the amount of \$10,000.00; Aging Services in the amount of \$3,000.00; Mary Abbott Children's House in the amount of \$5,390.00; Among Friends Activity Center, Inc. in the amount of \$1,500.00; Center for Children and Families in the amount of \$7,500.00; Salvation Army in the amount of \$2,000.00; Central Oklahoma Community Action Agency in the amount of \$8,500.00; Bethesda, Inc. in the amount of \$4,000.00; Community After School Program in the amount of \$5,700.00; Bridges in the amount of \$5,700.00; Community Services Building in the amount of \$10,500.00; East Main Place in the amount of \$8,500.00; Kaleidoscope Grief Support, Inc. in the amount of \$1,700.00; and ABLE in the amount of \$2,500.00 be recommended for funding, which motion was duly seconded by Commissioner Normile; and the question being upon recommending funding for Health for Friends in the amount of \$10,000.00; Women's Resource Center in the amount of \$6,850.00; Food and Shelter for Friends in the amount of \$15,000.00; Transition House in the amount of \$10,000.00; Aging Services in the amount of \$3,000.00; Mary Abbott Children's House in the amount of \$5,390.00; Among Friends Activity Center, Inc. in the amount of \$1,500.00; Center for Children and Families in the amount of \$7,500.00; Salvation Army in the amount of \$2,000.00; Central Oklahoma Community Action Agency in the amount of \$8,500.00; Bethesda, Inc. in the amount of \$4,000.00; Community After School Program in the amount of \$5,700.00; Bridges in the amount of \$5,700.00; Community Services Building in the amount of \$10,500.00; East Main Place in the amount of \$8,500.00; Kaleidoscope Grief Support, Inc. in the amount of \$1,700.00; and ABLE in the amount of \$2,500.00, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile, Paden and Ponder
NAYES: None

The Chair declared the motion carried; and the applications for funding for Health for Friends in the amount of \$10,000.00; Women's Resource Center in the amount of \$6,850.00; Food and Shelter for Friends in the amount of \$15,000.00; Transition House in the amount of \$10,000.00; Aging Services in the amount of \$3,000.00; Mary Abbott Children's House in the amount of \$5,390.00; Among Friends Activity Center, Inc. in the amount of \$1,500.00; Center for Children and Families in the amount of \$7,500.00; Salvation Army in the amount of \$2,000.00; Central

Social and Voluntary Services Commission Minutes

October 3, 2011

Page 4

Oklahoma Community Action Agency in the amount of \$8,500.00; Bethesda, Inc. in the amount of \$4,000.00; Community After School Program in the amount of \$5,700.00; Bridges in the amount of \$5,700.00; Community Services Building in the amount of \$10,500.00; East Main Place in the amount of \$8,500.00; Kaleidoscope Grief Support, Inc. in the amount of \$1,700.00; and ABLE in the amount of \$2,500.00, will be forwarded to Norman City Council at the October 25th meeting with a recommendation for approval.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Long moved that the October 3, 2011, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Ponder; and the question being upon adjourning the October 3, 2011, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Long, Normile, Paden and Ponder

NAYES: None

The Chair declared the motion carried; and the October 3 2011, meeting of the Social and Voluntary Services Commission was adjourned at 7:00 p.m.

* * * * *



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207429

DATE: 10/05/11

VENDOR #
896

HEALTH FOR FRIENDS INC
P O BOX 1224
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

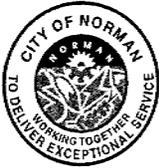
ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192476

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	10000.0000	10000.00
			SUB-TOTAL		10000.00
			TOTAL		10000.00



City of Norman, OK

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

Master

File Number: K-1112-65

File ID: K-1112-65	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 21	In Control: City Council
Department: City Manager Department	Cost: \$6,850.00	File Created: 10/07/2011
File Name: K-1112-65 SVSC WRC	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$6,850 AND ENTER INTO CONTRACT NO. K-1112-65 WITH THE WOMEN'S RESOURCE CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$6,850 from the Women's Resource Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-65.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 21

Attachments: SVSC Rqsts 2011, K-1112-65 WRC, SVSC Minutes, PO WRC

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-65

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

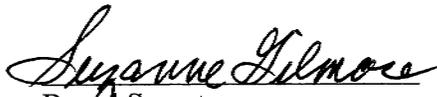
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Women's Resource Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$6,850.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Assistance with telephone, utilities and groceries.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207430

DATE: 10/05/11

VENDOR #
2257

WOMEN'S RESOURCE CENTER INC
PO BOX 5089
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192477

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	6850.0000	6850.00
				SUB-TOTAL	6850.00
				TOTAL	6850.00



City of Norman, OK

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

Master

File Number: K-1112-66

File ID: K-1112-66	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 22	In Control: City Council
Department: City Manager Department	Cost: \$15,000.00	File Created: 10/07/2011
File Name: K-1112-66 SVSC FFSF	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$15,000 AND ENTER INTO CONTRACT NO. K-1112-66 WITH FOOD AND SHELTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$15,000 from Food and Shelter, Inc.; and, if approved, authorize the execution of Contract No. K-1112-66.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 22

Attachments: SVSC Rqsts 2011, K-1112-66 FSFF, SVSC Minutes, PO FSFF

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-66

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

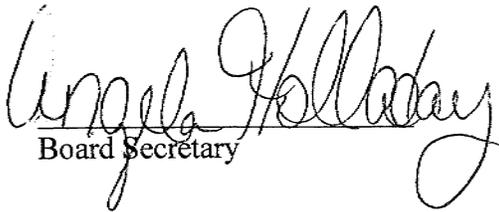
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Food and Shelter for Friends**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$15,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

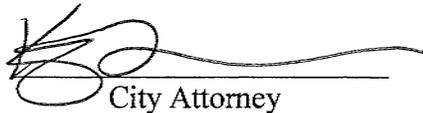
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utilities and Insurance Costs.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207431

DATE: 10/05/11

VENDOR #
751

FOOD AND SHELTER FOR FRIENDS
P O BOX 5537
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192478

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	15000.0000	15000.00
			SUB-TOTAL		15000.00
			TOTAL		15000.00



City of Norman, OK

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

Master

File Number: K-1112-67

File ID: K-1112-67	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 23	In Control: City Council
Department: City Manager Department	Cost: \$1,000.00	File Created: 10/07/2011
File Name: K-1112-67 SVSC Transition House		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$10,000 AND ENTER INTO CONTRACT NO. K-1112-67 WITH TRANSITION HOUSE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,000 from Transition House, Inc.; and, if approved, authorize the execution of Contract No. K-1112-67.

ACTION TAKEN: _____

Notes: October 25, 2011, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 23

Attachments: SVSC Rqsts 2011, K-1112-67 Transition, SVSC Minutes, PO Transition

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-67

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Transition House, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$10,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

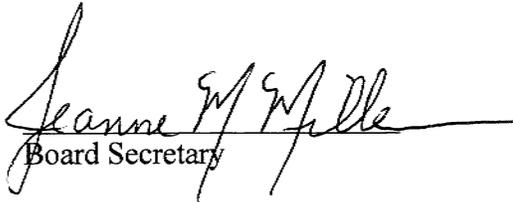
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

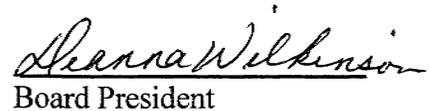
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Expenses Associated with Drop In Center.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207432

DATE: 10/05/11

VENDOR #
432

TRANSITION HOUSE INC
700 ASP SUITE 2
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11 SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET

CONFIRM BY
BONNIE DUNN
ACCOUNT NO.
01010874114741

FREIGHT

REQUISITIONED BY
COLES, C

REQ. NO.
192479

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	10000.0000	10000.00
				SUB-TOTAL	10000.00
				TOTAL	10000.00



City of Norman, OK

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

Master

File Number: K-1112-68

File ID: K-1112-68

Type: Contract

Status: Consent Item

Version: 1

Reference: Item No. 24

In Control: City Council

Department: City Manager
Department

Cost: \$2,160.00

File Created: 10/07/2011

File Name: K-1112-68 SVSC Full Circle

Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,160 AND ENTER INTO CONTRACT NO. K-1112-68 WITH FULL CIRCLE SENIOR ADULT DAY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,160 from Full Circle Senior Adult Day Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-68.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 24

Attachments: SVSC Rqsts 2011, K-1112-68 Full circle, SVSC Minutes, PO Full Circle

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-68

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Full Circle Senior Adult Day Center**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

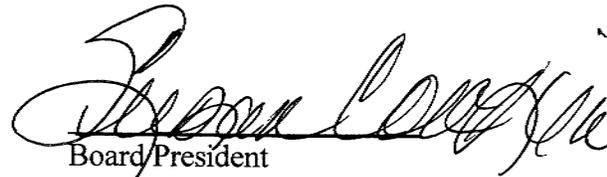
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$2,160.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

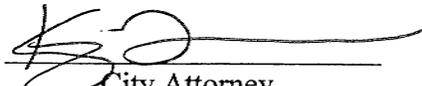
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Music Therapy Program.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor

P U R C H A S E O R D E R

PAGE: 1



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207433

DATE: 10/05/11

VENDOR #
6324

FULL CIRCLE SENIOR ADULT DAY
CENTER
1304 E LINDSAY PLAZA DR
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY
JUDY ADM ASST
ACCOUNT NO.
01010874114741

FREIGHT

REQUISITIONED BY
COLES,C

REQ. NO.
192480

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2160.0000	2160.00
				SUB-TOTAL	2160.00
				TOTAL	2160.00



City of Norman, OK

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

Master

File Number: K-1112-69

File ID: K-1112-69	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 25	In Control: City Council
Department: City Manager Department	Cost: \$3,000.00	File Created: 10/07/2011
File Name: K-1112-69 SVSC Aging Services		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$3,000 AND ENTER INTO CONTRACT NO. K-1112-69 WITH AGING SERVICES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$3,000 from Aging Services, Inc.; and, if approved, authorize the execution of Contract No. K-1112-69.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 25

Attachments: SVSC Rqsts 2011, K-1112-69 Aging, SVSC Minutes, PO Aging

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-69

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Aging Services Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

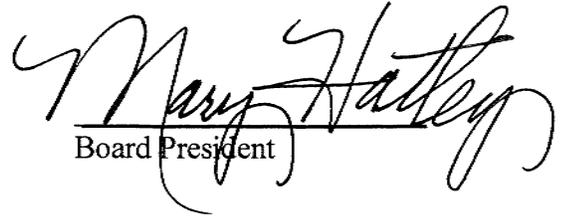
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$3,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

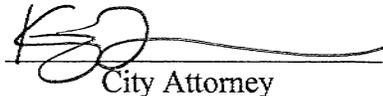
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Special Assistance Program.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207434

DATE: 10/05/11

VENDOR #
435

AGING SERVICES INC
1179 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET

CONFIRM BY
PAM MCINTOSH
ACCOUNT NO.
01010874114741

FREIGHT

REQUISITIONED BY
COLES, C

REQ. NO.
192482

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	3000.0000	3000.00
				SUB-TOTAL	3000.00
				TOTAL	3000.00



City of Norman, OK

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

Master

File Number: K-1112-70

File ID: K-1112-70	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 26	In Control: City Council
Department: City Manager Department	Cost: \$5,390.00	File Created: 10/07/2011
File Name: K-1112-70 SVSC Mary Abbott		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,390 AND ENTER INTO CONTRACT NO. K-1112-70 WITH MARY ABBOTT CHILDREN'S HOUSE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,390 from Mary Abbott Children's House; and, if approved, authorize the execution of Contract No. K-1112-70.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 26

Attachments: SVSC Rqsts 2011, K-1112-70 Mary Abbott, SVSC Minutes, PO Mary Abbott

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-70

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

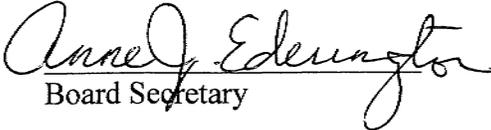
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Mary Abbott Children's House**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

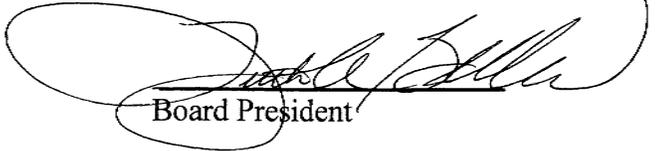
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$5,390.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

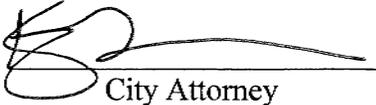
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Porch Renovation**.


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207435

DATE: 10/05/11

VENDOR #
1016

MARY ABBOTT CHILDREN'S HOUSE
PO BOX 6316
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11 SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192484

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	5390.0000	5390.00
			SUB-TOTAL		5390.00
			TOTAL		5390.00



City of Norman, OK

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

Master

File Number: K-1112-71

File ID: K-1112-71	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 27	In Control: City Council
Department: City Manager Department	Cost: \$1,500.00	File Created: 10/07/2011
File Name: K-1112-71 SVSC Among Friends		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$1,500 AND ENTER INTO CONTRACT NO. K-1112-71 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$1,500 from Among Friends Activity Center, Inc.; and, if approved, authorize the execution of Contract No. K-1112-71.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 27

Attachments: SVSC Rqsts 2011, K-1112-71 Among Friends, SVSC Minutes, PO Among Friends

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-71

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Among Friends Activity Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$1,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

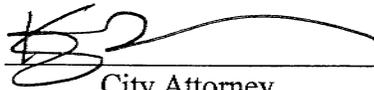
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Games, Puzzles, Ipads, Arts and Craft Supplies.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207436
DATE: 10/05/11

VENDOR #
8032

AMONG FRIENDS ACTIVITY CENTER
4101 HERITAGE PLACE DR
NORMAN, OK 73072

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192485

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	1500.0000	1500.00
				SUB-TOTAL	1500.00
				TOTAL	1500.00



City of Norman, OK

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

Master

File Number: K-1112-72

File ID: K-1112-72	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 28	In Control: City Council
Department: City Manager Department	Cost: \$7,500.00	File Created: 10/10/2011
File Name: K-1112-72 SVSC CCFI	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$7,500 AND ENTER INTO CONTRACT NO. K-1112-72 WITH THE CENTER FOR CHILDREN AND FAMILIES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$7,500 from Center for the Children and Families, Inc.; and, if approved, authorize the execution of Contract No. K-1112-72.

ACTION TAKEN: _____

Notes: October 25, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 28

Attachments: SVSC Rqsts 2011, K-1112-72 CCFI, SVSC Minutes, PO CCFI

Project Manager: Carol Coles, Administrative Assisant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-72

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Center for Children and Families, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$7,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

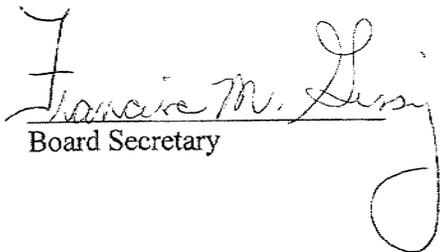
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:

Funds will be used for **Games, Sports Equipment, Food for Support Groups, Arts and Craft Supplies and Field Trip Fees.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207437

DATE: 10/05/11

VENDOR #
1335

CENTER FOR CHILDREN & FAMILIES
1151 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET

CONFIRM BY
LINDA

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO. 192487
REQ. DATE 10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	7500.0000	7500.00
				SUB-TOTAL	7500.00
				TOTAL	7500.00



City of Norman, OK

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

Master

File Number: K-1112-73

File ID: K-1112-73

Type: Contract

Status: Consent Item

Version: 1

Reference: Item No. 29

In Control: City Council

Department: City Manager
Department

Cost: \$2,000.00

File Created: 10/10/2011

File Name: K-1112-73 SVSC Salvation Army

Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,000 AND ENTER INTO CONTRACT NO. K-1112-73 WITH THE SALVATION ARMY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,000 from the Salvation Army; and, if approved, authorize the execution of Contract No. K-1112-73.

ACTION TAKEN: _____

Notes: October 25, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 29

Attachments: SVSC Rqsts 2011, K-1112-73 Salvation Army, SVSC Minutes, PO Salvation Army

Project Manager: Carol Coles, Administrative Assisant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-73

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **The Salvation Army**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

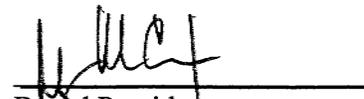
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utilities Assistance**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207438

DATE: 10/05/11

VENDOR #
3459

SALVATION ARMY, THE
318 EAST HAYES
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192489

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00



City of Norman, OK

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

Master

File Number: K-1112-74

File ID: K-1112-74	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 30	In Control: City Council
Department: City Manager Department	Cost: \$8,500.00	File Created: 10/10/2011
File Name: K-1112-74 SVSC COCAA	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$8,500 AND ENTER INTO CONTRACT NO. K-1112-74 WITH CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$8,500 from the Central Oklahoma Community Action Agency; and, if approved, authorize the execution of Contract No. K-1112-74.

ACTION TAKEN: _____

Notes: October 25, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 30

Attachments: SVSC Rqsts 2011, K-1112-74 COCAA, SVSC Minutes, PO COCA

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-74

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

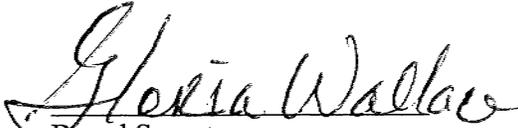
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Central Oklahoma Community Action Agency**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

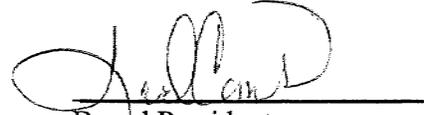
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$8,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

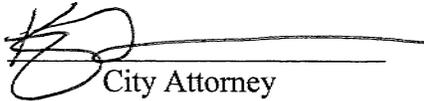
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Rental Vouchers and Case Management**.


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207439
DATE: 10/05/11

VENDOR #
360

CENTRAL OKLAHOMA COMMUNITY
ACTION INCORPORATED
P O BOX 486
SHAWNEE, OK 74802

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192490

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	8500.0000	8500.00
				SUB-TOTAL	8500.00
				TOTAL	8500.00



City of Norman, OK

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

Master

File Number: K-1112-75

File ID: K-1112-75	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 31	In Control: City Council
Department: City Manager Department	Cost: \$4,000.00	File Created: 10/10/2011
File Name: K-1112-75 SVSC Bethesda	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$4,000 AND ENTER INTO CONTRACT NO. K-1112-75 WITH BETHESDA, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$4,000 from Bethesda, Inc.; and, if approved, authorize the execution of Contract No. K-1112-75.

ACTION TAKEN: _____

Notes: October 25, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 31

Attachments: SVSC Rqsts 2011, K-1112-75 Bethesda, SVSC Minutes, PO Bethesda

Project Manager: Carol Coles, Administrative Assisant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-75

Title

CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$4,000 AND ENTER INTO CONTRACT NO. K-1112-75 WITH BETHESDA, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$4,000 from Bethesda, Inc.; and, if approved, authorize the execution of Contract No. K-1112-75.

ACTION TAKEN: _____

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bethesda, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$4,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

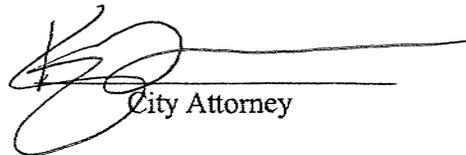
H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:

Funds will be used for **Summer Therapeutic Camp**.


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207440

DATE: 10/05/11

VENDOR #
4929

BETHESDA INC
1181 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY
JUDY RINGER
ACCOUNT NO.
01010874114741

FREIGHT

REQUISITIONED BY
COLES, C

REQ. NO. 192491
REQ. DATE 10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	4000.0000	4000.00
			SUB-TOTAL		4000.00
			TOTAL		4000.00



City of Norman, OK

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

Master

File Number: K-1112-76

File ID: K-1112-76	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 32	In Control: City Council
Department: City Manager Department	Cost: \$5,700.00	File Created: 10/10/2011
File Name: K-1112-76 SVSC Community After School		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,700 AND ENTER INTO CONTRACT NO. K-1112-76 WITH THE COMMUNITY AFTER SCHOOL PROGRAM.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,700 from the Community After School Program; and, if approved, authorize the execution of Contract No. K-1112-76.

ACTION TAKEN: _____

Notes: October 25, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 32

Attachments: SVSC Rqsts 2011, K-1112-76 Comm Af School, SVSC Minutes, PO Comm After School

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-76

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

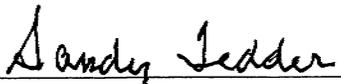
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community After School Program**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$5,700.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

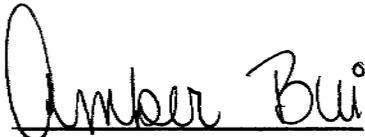
- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Tutoring Program.**

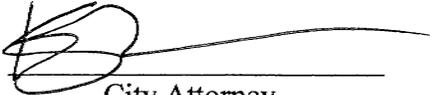


Board Secretary



Board President

Approved as to form and legality this 25th day of October, 2011.



City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207441

DATE: 10/05/11

VENDOR #
471

COMMUNITY AFTER SCHOOL PROGRAM
1023 N FLOOD
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192492

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO.	AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA		SOCIAL SERVICE FUNDING	5700.0000	5700.00
				SUB-TOTAL		5700.00
				TOTAL		5700.00



City of Norman, OK

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

Master

File Number: K-1112-77

File ID: K-1112-77	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 33	In Control: City Council
Department: City Manager Department	Cost: \$5,700.00	File Created: 10/10/2011
File Name: K-1112-77 SVSC Bridges	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$5,700 AND ENTER INTO CONTRACT NO. K-1112-77 WITH BRIDGES.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$5,700 from Bridges; and, if approved, authorize the execution of Contract No. K-1112-77.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 33

Attachments: SVSC Rqsts 2011, K-1112-77 Bridges, SVSC Minutes, PO Bridges

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-77

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

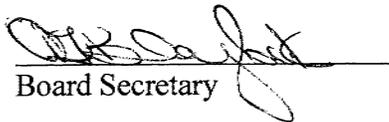
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bridges**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

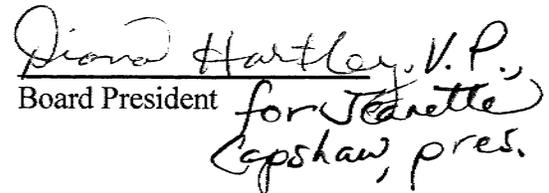
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$5,700.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

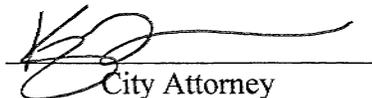
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utilities Assistance**.


Board Secretary


Board President *for Jeanette Capshaw, pres.*

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207442

DATE: 10/05/11

VENDOR #
602

BRIDGES
1672 N STUBBLEMAN
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192493

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	5700.0000	5700.00
			SUB-TOTAL		5700.00
			TOTAL		5700.00



City of Norman, OK

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

Master

File Number: K-1112-78

File ID: K-1112-78	Type: Contract	Status: Agenda Ready
Version: 1	Reference: Item No. 34	In Control: City Council
Department: City Manager Department	Cost: \$10,500.00	File Created: 10/10/2011
File Name: K-1112-78 SVSC CSBI	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$10,500 AND ENTER INTO CONTRACT NO. K-1112-78 WITH COMMUNITY SERVICES BUILDING, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$10,500 from Community Services Building, Inc.; and, if approved, authorize the execution of Contract No. K-1112-78.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 34

Attachments: SVSC Rqsts 2011, K-1112-78 CSBI, SVSC Minutes, PO CCFI

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-78

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community Services Building, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

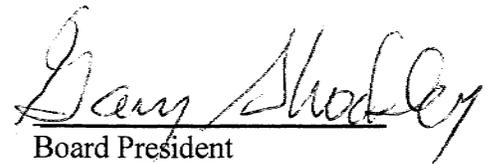
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$10,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Replace Exterior Doors on Facility.**


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207443

DATE: 10/05/11

VENDOR #
6323

COMMUNITY SERVICES BUILDING IN
1183 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES, C

REQ. NO.
192496

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	10500.0000	10500.00
			SUB-TOTAL		10500.00
			TOTAL		10500.00



City of Norman, OK

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

Master

File Number: K-1112-79

File ID: K-1112-79

Type: Contract

Status: Agenda Ready

Version: 1

Reference: Item No. 35

In Control: City Council

Department: City Manager
Department

Cost: \$2,000.00

File Created: 10/10/2011

File Name: K-1112-79 SVSC American Red Cross

Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,000 AND ENTER INTO CONTRACT NO. K-1112-79 WITH THE AMERICAN RED CROSS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,000 from the American Red Cross.; and, if approved, authorize the execution of Contract No. K-1112-79.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 35

Attachments: SVSC Rqsts 2011, K-1112-79 Red Cross, SVSC Minutes, PO Red Cross

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-79

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **American Red Cross**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Vests, Ice Chests and GPS Units.**


Board Secretary GLORIA BURRUS


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207444

DATE: 10/05/11

VENDOR #
2987

AMERICAN RED CROSS
1205 HALLEY AVENUE
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192498

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00



City of Norman, OK

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

Master

File Number: K-1112-80

File ID: K-1112-80	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 36	In Control: City Council
Department: City Manager Department	Cost: \$8,500.00	File Created: 10/10/2011
File Name: K-1112-80 SVSC East Main Place	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$8,500 AND ENTER INTO CONTRACT NO. K-1112-80 WITH EAST MAIN PLACE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$8,500 from East Main Place, Inc.; and, if approved, authorize the execution of Contract No. K-1112-80.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 36

Attachments: SVSC Rqsts 2011, K-1112-80 East Main Place, SVSC Minutes, PO East Main Place

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-80

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission (SVSC) heard presentations from 20 social service agencies who had submitted applications

for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

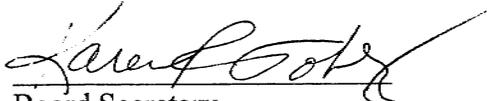
This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **East Main Place, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$8,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

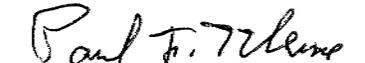
- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Refrigerators, Washer/Dryer and Maintenance.**

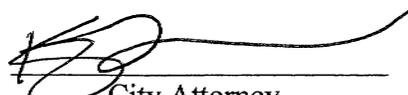


Board Secretary



Board President

Approved as to form and legality this 25th day of October, 2011.



City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207445

DATE: 10/05/11

VENDOR #
3410

EAST MAIN PLACE
1100 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11
SHIP VIA: BEST WAY

F.O.B.
DESTINATION

TERMS
NET/30

CONFIRM BY
THOMAS ROACH
ACCOUNT NO.
01010874114741

FREIGHT

REQUISITIONED BY
COLES, C

REQ. NO. 192499
REQ. DATE 10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	8500.0000	8500.00
				SUB-TOTAL	8500.00
				TOTAL	8500.00



City of Norman, OK

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

Master

File Number: K-1112-81

File ID: K-1112-81

Type: Contract

Status: Consent Item

Version: 1

Reference: Item No. 37

In Control: City Council

Department: City Manager
Department

Cost: \$1,700.00

File Created: 10/10/2011

File Name: K-1112-81 SVSC Kaleidoscope

Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$1,700 AND ENTER INTO CONTRACT NO. K-1112-81 WITH KALEIDOSCOPE GRIEF SUPPORT, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$1,700 from Kaleidoscope Grief Support, Inc.; and, if approved, authorize the execution of Contract No. K-1112-81.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 37

Attachments: SVSC Rqsts 2011, K-1112-81 Kaleidoscope, SVSC Minutes, PO Kaleidoscope

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-81

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Kaleidoscope Grief Support, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$1,700.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Support Group Activities**.


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor

P U R C H A S E O R D E R

PAGE: 1



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207513

DATE: 10/06/11

VENDOR #
11155

KALEIDOSCOPE GRIEF SUPPORT INC
ATTN: SUZIE PRICE
P O BOX 720314
NORMAN, OK 73072

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11 SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192503

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	1700.0000	1700.00
				SUB-TOTAL	1700.00
				TOTAL	1700.00



City of Norman, OK

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

Master

File Number: K-1112-82

File ID: K-1112-82	Type: Contract	Status: Consent Item
Version: 1	Reference: Item No. 38	In Control: City Council
Department: City Manager Department	Cost: \$2,500.00	File Created: 10/10/2011
File Name: K-1112-82 SVSC ABLE	Final Action:	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF \$2,500 AND ENTER INTO CONTRACT NO. K-1112-82 WITH THE COUNCIL FOR DEVELOPMENTAL DISABILITIES D/B/A ABLE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of \$2,500 from the Council for Developmental Disabilities d/b/a ABLE; and, if approved, authorize the execution of Contract No. K-1112-82.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 38

Attachments: SVSC Rqsts 2011, K-1112-82 ABLE, SVSC Minutes, PO ABLE

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1112-82

body

BACKGROUND: Funding for social service agencies of \$112,500 was established in the Fiscal Year 2011-2012 City of Norman budget adopted on June 14, 2011.

DISCUSSION: On September 26, 2011, the Social and Voluntary Services Commission

(SVSC) heard presentations from 20 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 19 of the agencies would be recommended for funding to the Norman City Council at the October 25, 2011 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 25th day of October, 2011, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **ABLE**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

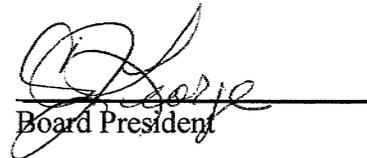
- A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;
- B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:
 - 1. To disperse upon the request of The Organization the sum of **\$2,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;
 - 2. To conduct a periodic review of the operations of The Organization;
 - (a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.
 - (b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.
 - (c) In making such reviews, the City shall include:
 - (1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

- C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:
1. To satisfactorily attain the performance goals as set forth in this contract;
 2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.
 3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.
- D. IT IS FURTHER UNDERSTOOD and agreed by both parties:
1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;
 3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.
 4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.
- E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

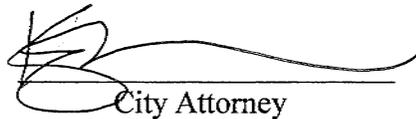
of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

- F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".
- G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.
- H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Replace Roof**.


Board Secretary


Board President

Approved as to form and legality this 25th day of October, 2011.


City Attorney

Approved by the City Council of the City of Norman this 25th day of October, 2011.

ATTEST:

City Clerk

Mayor



The City of
NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 207446
DATE: 10/05/11

VENDOR #
5205

ABLE - COUNCIL FOR DEVELOPMENT
DISABILITIES INC
300 NORTH CRAWFORD STREET
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY: 10/30/11 SHIP VIA: BEST WAY

F.O.B. DESTINATION

TERMS NET

CONFIRM BY

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
192501

REQ. DATE
10/04/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2500.0000	2500.00
				SUB-TOTAL	2500.00
				TOTAL	2500.00



City of Norman, OK

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

Master

File Number: GID-1112-29

File ID: GID-1112-29	Type: Settlement	Status: Consent Item
Version: 1	Reference: Item No. 39	In Control: City Council
Department: Legal Department	Cost: \$8,333.33	File Created: 10/17/2011
File Name: Subrogation Settlement Gilbert Scott		Final Action:

Title: CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SUBROGATION RECOVERY SETTLEMENT IN THE AMOUNT OF \$8,333.33 IN JAMES SCOTT V. THE CITY OF NORMAN, WORKERS COMPENSATION COURT CASE NO. WCC 2010-07704 R.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's office to effectuate the settlement in the amount of \$8,333.33.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 39

Attachments:

Project Manager: Blaine Nice, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File GID-1112-29

Body

BACKGROUND: This case arises out of a motor vehicle collision on March 18, 2010 while Mr. Scott was operating a Street Sweeper on Flood Avenue near Topeka Drive. He was rear-ended by a vehicle. Mr. Scott filed Workers' Compensation Case No. WCC 2010-07704 R seeking benefits from the City for his injuries arising out of the accident. The City provided temporary total disability benefits and medical treatment as required by the Workers' Compensation Act. On July 26, 2011, City Council approved the payment of the Workers'

Compensation Court Order in the amount of \$44,875.

Mr. Scott also pursued remedies against the driver of the vehicle. Through his attorney, Mr. Scott has secured the \$25,000 policy limits from the driver's insurance carrier. No additional recovery from the driver is anticipated. The City has remained an interested party to assert a subrogation claim against the driver for reimbursement of Workers' Compensation expenditures incurred on behalf of Mr. Scott. From the \$25,000 recovery, the City has been offered a reimbursement of \$8,333.33 for its out-of-pocket Workers' Compensation costs expended to date on behalf of its employee.

For the reasons outlined below, it is believed that the settlement of this subrogation claim is in the best interest of the City in this case and should be accepted.

DISCUSSION:

The Accident. James Scott is a Maintenance Worker II in the Streets Division of the Public Works Department. On March 18, 2010 he was operating a Street Sweeper on Flood Avenue near Topeka Drive when he was rear-ended by a vehicle. Negligence and liability on the part of the driver is clear.

Temporary Total Disability Payments. Since Mr. Scott was on the job at the time of the accident, there is no question that his injuries are covered by the Workers' Compensation Act. Mr. Scott received medical treatment and has reached maximum medical benefit. He has returned to work. To date, the expenditures by the City for medical treatment of Mr. Scott is approximately \$15,089.86.

Workers' Compensation Claim Award. Mr. Scott's claim was tried before the Workers' Compensation Court on July 12, 2011. Mr. Scott was awarded \$44,875 or 25% PPD for injuries to his spine. In addition, prior to the trial, Mr. Scott received \$8,468.24 (approximately 13 weeks) in temporary total disability benefits from the City.

Third Party Claim. Although Mr. Scott formally filed a Workers' Compensation claim against the City, it is not uncommon in these circumstances to also pursue a negligence claim against a third-party tortfeasor. The Workers' Compensation Act allows an employee who is injured on the job by one who is not an employee (a negligent third party), the option to elect from whom he will seek recovery. 85 O.S. §44; *Parkhill Truck Co. v. Wilson*, 1942 ok 68, 125 P.2d 203. Mr. Scott is represented in his negligence claim by Greg Barnard, who also represents him in his Workers' Compensation claim.

Investigation into the matter revealed that the collision was caused while the driver was "operating a motor vehicle while under the influence of intoxicating liquor." The driver was sentenced in Cleveland County District Court. An insurance policy providing coverage for the driver has tendered the policy limits of \$25,000 to settle the claim. Discussions with Mr.

Barnard and other due diligence indicates that there are no other significant resources from which to satisfy a greater liability claim from either Mr. Scott or from the City.

City Subrogation Rights under the Workers' Compensation Act. When a City employee seeks recovery for on-the-job injuries caused by the negligence of a third party, the City's subrogation rights are protected by 85 O.S. §44. If the employer pays benefits under the Workers' Compensation Act, then the City has a right of recovery to the extent of the benefits paid. This is particularly applicable when the recovery from the negligent third party *exceeds* the amount the injured employee may be entitled to under the Workers Compensation Act. *Prettyman v. Halliburton*, 1992 OK 63, 841 P.2d 573. The statute then provides some guidance on how the subrogated employer and successful plaintiff employee are to share in the costs and attorneys fees incurred to pursue the third party claim. That proportionate share may be established by agreement or by the Court under 85 O.S. §44. Under the statute, the proportionate share is established by the ratio between the amount of Compensation paid by the employer and the amount of recovery.

However, if the employee settles a claim against a third party in an amount that is *less* than what the injured employee may be entitled to under the Workers Compensation Act, there is a line of cases that indicates apportionment of monies recovered from a negligent third party between a successful plaintiff employee and a subrogating employer is left to the discretion of the District Court having jurisdiction over the third party action. *Kendrick v. Federal Express*, 1993 OK CIV APP 147; 868 P. 2d 748; *Tipton v. Okla. Property & Cas. Guaranty Asso.*, 859 P. 2d 527 (Okla. App. 1993); *Nichols RV World v. Crandall*, 2003 Ok CIV APP 96; 79 P.3d 1131. Just as the City may have an opportunity for reimbursement from funds collected against a negligent third party, the City also must bear a proportionate share of the costs and attorneys fees expended to effectuate the recovery. This is also left to the discretion of the District Court.

Additionally, once the subrogation issue is resolved, then the employer may still be liable for any deficiency between what the employee actually collected against the negligent third party and the amount of Compensation provided or estimated under the Workers' Compensation Act. *Caffey v. Soloray & Travelers Ins. Co.*, 2002 OK 82, 57 P.2d 870.

As stated above, the insurance carrier has agreed to tender the policy limits of \$25,000 for a release of all claims. Mr. Scott, through his attorney, has offered to settle the subrogation matter with the City by proposing the City accept one-third or \$8,333 and the balance paid to Mr. Scott and his attorney.

If Mr. Scott and the City were unable to come to an agreement on the subrogation claim, then the matter could be submitted to the District Court for apportionment in the discretion of the district court. Mr. Scott would undoubtedly argue that the settlement proceeds should be apportioned to elements of damage available in a district court action that are not available in a workers Compensation action, such as pain and suffering, or greater levels of lost wages. If

the District Court were sympathetic to this argument, then there would be risk the City would receive even less reimbursement than is being offered at this time. Experience in these types of cases with minimum coverage is that the Court will order that the City, the employee and the employee's attorney each get one-third of the settlement.

RECOMMENDATION: The offer to settle the City's subrogation claim for \$8,333.33 represents one-third of the negligent third party settlement proceeds available to satisfy the claim. The balance will be paid to Mr. Scott and his attorney. The settlement offer reimburses the City slightly more than one-half of its medical costs incurred to date for Workers' Compensation benefits paid on behalf of Mr. Scott.

For the reasons outlined above, it is believed this settlement offer is fair, reasonable and in the best interest of the City. It is recommended the settlement offer be accepted.



City of Norman, OK

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

Master

File Number: R-1112-50

File ID: R-1112-50	Type: Resolution	Status: Consent Item
Version: 1	Reference: Item No. 40	In Control: City Council
Department: Public Works Department	Cost: \$93,967.00	File Created: 10/11/2011
File Name: R-1112-50 Appropriation from Capital Fund		Final Action:

Title: RESOLUTION NO. R-1112-50: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$93,967 FROM THE CAPITAL FUND BALANCE TO INCREASE THE BALANCE OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) AUDIT ADJUSTMENT PROJECT ACCOUNT TO BE USED FOR FINAL PAYMENT ON AUDITED PROJECTS AND AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$39,623.41 TO ODOT FOR THE CITY'S 20% SHARE OF THE 24TH AVENUE N.W. AND BOARDWALK INTERSECTION PROJECT.

ACTION NEEDED: Motion to adopt or reject Resolution no. R-1112-50; and, if adopted, direct final payment in the amount of \$39,623.41 to ODOT for the City's share of the 24th Avenue N.W. and Boardwalk Intersection Project.

ACTION TAKEN: _____.

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 40

Attachments: Attachment A, Attachment B, R-1112-50, ODOT Invoice-R-1112-50, Requisition

Project Manager: John Clink, Capital Projects Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-50

Body

BACKGROUND: On June 13, 2006, City Council adopted Resolution R-0607-64 and approved Contract K-0607-108 for the construction of the 24th Avenue NW and Boardwalk Intersection Project. Construction began on this project in August 2007 and it was completed in January 2008.

The project provided for left turn lanes on 24th Avenue NW at Dakota and Boardwalk along with signalizing the intersection at Boardwalk. A grant of federal transportation funds provided by the Oklahoma Department of Transportation (ODOT) and the Association of Central Oklahoma Governments (ACOG) paid for 80 percent (80%) of the construction costs on the project. The City's share of the project paid for land acquisition, utility relocation, design services and 20 percent (20%) of the construction costs.

DISCUSSION: ODOT originally issued the final invoice for this project to the City on March 7, 2011 and later revised it at the end of June 2011. It is common for the final audit of ODOT projects to occur three to seven years after completion of the construction. The total estimated construction cost prior to construction was \$756,958.18. The actual total construction cost is \$944,072.59, which is an increase over the estimated cost by \$187,144.41. The City's portion of the additional cost is 20 percent (20%) or \$39,623.41.

The majority of the cost increase was due to two items. The first item is additional paving. This project was designed to widen the roadway by removing the old curb and gutter and adding additional width of new pavement. As the curb and gutter was removed from the existing pavement, staff noticed roadway base and pavement failure in portions of the roadway that were designed to remain. The contractor was directed to remove and replace the failed portions of the roadway. This work added approximately \$120,000 to the project. The second item involved additional drainage structures and inlets to reduce the roadway flooding during rain events. This work added approximately \$40,000 to the project.

When the City receives federal funding for a transportation project through the Association of Central Oklahoma Governments (ACOG), the construction is funded at 80 percent (80%) ACOG/ 20 percent (20%) City. ODOT administers the construction of the projects with ACOG funding. Before ODOT bids the project, an invoice is submitted to the City for payment based upon the Engineer's estimate. After the construction is complete, ODOT completes an audit of the project to determine the actual final cost and calculates the City's actual cost. ODOT either refunds or invoices the City for the difference between the actual cost and the Engineer's estimate.

In January 2009, Council adopted a new policy involving the creation of a project account called the ODOT Audit Adjustment Account with \$100,000 dedicated to payment of ODOT final invoices. The intent of the policy was to replenish the account each budget year up to the balance of \$100,000, but that did not occur and the original \$100,000 has been spent over the past three years paying ODOT final invoices (See Attachment A) leaving a balance of \$6,033 in the account. Establishing this account, creates a process for all pending project accounts to

be closed and the remaining project funds transferred back to the Capital Fund balance to be available for other projects. Since ODOT's final audit process takes three to seven years to complete, it was felt this process would free up the unencumbered project funds more quickly.

There is no foreseeable end to the ODOT Audit Adjustment Account because the City has a number of projects in the preconstruction phase with ODOT. The City also has projects with ODOT for which construction is complete but the final audit is not finished (See Attachment B). Staff has received the final invoice from ODOT for the Lindsey Street Project from Oakhurst to 24th Avenue SE and the 24th Avenue SE Project from Imhoff to Lindsey Street in the amount of \$56,221.82. Staff is currently reviewing this invoice.

RECOMMENDATION NO. 1: Staff recommends an appropriation of \$93,967 from the Capital Fund Balance, (Account No. 050-0000-253.20-00) to the ODOT Audit Adjustment (Account No. 050-9535-431.61-01), Project No. TR0068 in order to adjust the balance of the account to \$100,000 for FYE 2012.

RECOMMENDATION NO. 2: Staff recommends payment to ODOT in the amount of \$39,623.41 for the balance of the City's share of the 24th Avenue NW and Boardwalk Intersection Project.

Attachment "A"
Agenda Item – R-1112-50

ODOT Final Invoices

Date	Project	Amount
2009	US-77 and Cedar Lane Intersection Improvements	\$5,041.74
2010	Rock Creek Road Widening – Porter Avenue to Stubbeman	\$31,023.04
2010	Flood and Acres Intersection Improvements	\$22,033.61
2011	36 th Avenue NW and Brookhollow Signal	\$35,867.60
2011	*36 th Avenue NW and Quail Drive Signal	\$21,095.00
2011	*36 th Avenue NW between Quail and Brookhollow	\$35,867.60
	Total	\$150,928.59

*Invoice paid at the same time as the 36th Avenue NW and Brookhollow Signal Invoice. Funding from Capital Fund Balance

Resolution

R-1112-50

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$93,967 FROM THE CAPITAL FUND BALANCE TO INCREASE THE BALANCE OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) AUDIT ADJUSTMENT PROJECT ACCOUNT TO BE USED FOR FINAL PAYMENT ON AUDITED PROJECTS AND AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$39,623.41 TO ODOT FOR THE CITY'S 20% SHARE OF THE 24TH AVENUE N.W. AND BOARDWALK INTERSECTION PROJECT.

- § 1. WHEREAS, in January, 2009, City Council adopted a policy involving the creation of a project account called the ODOT Audit Adjustment Account with \$100,000 dedicated to payment of ODOT final invoices with the intent of the policy to replenish the account each budget year up to the balance of \$100,000; and
- § 2. WHEREAS, by establishing this account, all of the pending project accounts are allowed to be closed and by closing the accounts, project fund balances are transferred to the CIP fund balance; and
- § 3. WHEREAS, ODOT has issued the final invoice for the 24th Avenue N.W. and Boardwalk intersection Project which had an increase of total construction costs in the amount of \$187,144.41 with the City's 20% share being \$39,623.41; and
- § 4. WHEREAS, it is necessary to appropriate funding to adjust the balance of the Audit Adjustment Account to \$100,000 to pay the final invoice for the 24th Avenue N.W. and Boardwalk intersection Project and additional projects as they come forward for payment.

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

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

Account Name	Losing Account	Gaining Account	Amount
Project No. TR0068 ODOT Audit Adjustments Construction	050-0000-253.20-00	050-9535-431.61-01	\$93,967

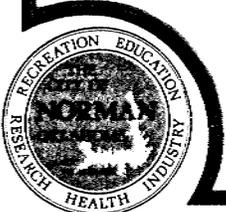
- § 6. AND THAT IT BE FURTHER RESOLVED that final payment in the amount of \$39,623.41 be directed to ODOT for the City's share of the 24th Avenue N.W. and Boardwalk Intersection Project.

PASSED AND ADOPTED this 25th day of October, 2011.

Mayor

ATTEST:

City Clerk





OKLAHOMA DEPARTMENT OF TRANSPORTATION
200 N. E. 21st Street
Oklahoma City, OK 73105-3204

June 24, 2011

Invoice # 21979(04)-3
Project ID STP-114B (136) AG

OFFICE OF
CITY MANAGER
JUL 01 2011

City of Norman
Attn: Steve Lewis, City Manager
PO Box 370
Norman, OK 73070-0370

Revised statement for March 7, 2011

Dear Mr. Lewis:

Enclosed you will find an invoice for the necessary project sponsor matching funds associated with the project in process – City Street: Modify Intersection and Signals at 24th Avenue and Boardwalk in the City of Norman.

Project ID: **STP-114B (136) AG**
Job Piece Number: **21979(04)**
Balance Due: **\$39,623.41**
Please remit the balance due by: **April 7, 2011**

Should you have any questions or concerns, please contact Olusola Harris or Kathleen Croy at (405) 521-2591.

Sincerely,

Chelley Hilmes
Comptroller

CH:ka

Attachment(s)

Oklahoma Department of Transportation

Comptroller Division
200 N.E. 21st Street
Oklahoma City, OK 73105-3204
Phone (405) 521-2591 Fax (405) 522-0137

INVOICE

Date: March 7, 2011
Invoice # 21979(04)-1

To:
City of Norman
Attn: Steve Lewis City Manager
PO Box 370
Norman, OK 73070-0370

For:
Project No. STP-114B(136)AG
J/P 21979(04)

REVISED

Description: City Street: Modify Intersection and Signals at 24th Ave and Boardwalk

Total Project Cost	\$944,072.59	
Amount Due - 20% plus all N/P Costs		\$194,771.04
Less: Payment Previously Received from the City of Norman		\$153,474.84
Less: State nonparticipating inspection costs		\$1,672.79
Total Amount Due from the City of Norman to date		\$39,623.41

Make all checks payable to **Oklahoma Department of Transportation**
Payment is due within **30 days**

RECEIVED

JUL 01 2011

PW/Administration

PURCHASE REQUISITION NBR: 0000192630

REQUISITION BY: JCLINK
SHIP TO LOCATION: PUB WKS ENGINEERING
STATUS: DIVISION APPROVAL
REASON: FINAL INVOICE 24TH AND BOARDWALK
DATE: 10/06/11
SUGGESTED VENDOR: 1514 OKLAHOMA DEPT OF TRANSPORTATIO
DELIVER BY DATE: 10/06/11

1 FINAL PAYMENT 24TH AND BOARDWALK J/P 21973(04) 39623.41 EA 1.0000 39623.41
COMMODITY: CONSTRUCTION SERVICES, HE
SUBCOMMOD: CONSTRUCTION, HIGHWAY AND
REQUISITION TOTAL: 39623.41

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	0508534316101	Capital Projects Construction	39623.41
		TR0008	100.00
		OOOT Audit Adjustment	
			39623.41

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTINGENT ON APPROVAL BY COUNCIL ON 10/25/11. AGE
NDA ITEM APPROPRIATES \$93,967 FROM THE CAPITAL
FUND BALANCE TO THIS ACCOUNT.



City of Norman, OK

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

Master

File Number: R-1112-5

File ID: R-1112-5	Type: Resolution	Status: Non-Consent Items
Version: 1	Reference: Item No. 41	In Control: Planning Commission
Department: Planning and Community Development Department	Cost:	File Created: 08/15/2011

File Name: R-1112-5 Southern Plains 2025

Final Action:

Title: RESOLUTION NO. R-1112-5: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA AND TO PLACE THE PROPERTY IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION FOR THE HERINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-1; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 41

Attachments: R-1112-5, SouthernPlains_2025 Map, Southern Plains 2025 Staff Report, 9-8-11 PC Minutes - Southern Plains

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/08/2011					

Text of Legislative File R-1112-5

Body

ITEM: Southern Plains Treatment Services, Inc. requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-01) from Future Urban Service Area to Current Urban Service Area and from Industrial Designation to Office Designation for approximately 2 acres of property generally located at the northeast corner of 24th Avenue N.W. and Harriet Road. The applicant would like to convert an existing residentially zoned and platted lot to a high-impact institutional use, specifically a treatment center for adolescents. A high-impact institutional use is only permitted as a Special Use in the Office-Institutional category, which is the companion request to this amendment.

STAFF ANALYSIS: When this item was first discussed at a pre-development meeting, the applicant asked that half of this residential subdivision be converted to industrial use, and one of the proposed uses was the proposed treatment center. At that time, the treatment center was proposed at the eastern end of the subdivision, where it could have impacted existing residential homes. Land use changes must meet two criteria outlined in the adopted 2025 Plan. First, that *there has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* When this subdivision was initially platted for very low density residential use, private water and sewer service was anticipated. The Northwest Sewer Interceptor line has already been laid near this property, and will provide the basic urban service necessary for more intense development to occur, and does provide sufficient justification to convert this land from Future to Current Urban Service Area. Second, that *there is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.* When this item was initially discussed at a pre-development meeting, most of the subdivision was to be converted to Industrial Designation, and several nearby homeowners expressed concerns about impacts and land values. The current request does not include any change to Industrial Designation at this time, and only includes the one lot for the treatment facility. The 2025 Plan does foresee this area transitioning to industrially-related uses, but the neighbors who attended the pre-development meeting were concerned with short-term impacts on their homes if the entire area converted to uses with higher impacts. The new Cleveland County Jail will soon be operational, and lies less than one-half mile from this site, and will likely impact other nearby developments. Parking for the new building will directly access 24th Avenue NW, which should minimize any impact on the remaining residences in the subdivision.

STAFF RECOMMENDATION: Office uses are allowed within the Industrial Designation, and this request would be compatible with industrial uses; however, an Office Designation is

required for the high-impact institutional special use being requested. The conversion of a single lot within this area should minimize the short term impacts on the few residences in the immediate area, and may start the transition to industrial uses that the 2025 Plan envisioned. Staff is able to support this Land Use Plan Amendment. No protests were filed on the accompanying rezoning request, and the Planning Commission, at their September 8 regular meeting, unanimously supported this plan amendment.

R-1111-5
LUP-1112-1

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1112-1**, SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA AND TO PLACE THE PROPERTY IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH 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, Southern Plains Services, Inc., has requested that the following described property be moved from the Future Urban Service Area and placed in the Current Urban Service Area and be removed from Industrial Designation and placed in the Office Designation, to wit:

Lot 1, Block 2, TEALL ADDITION, SECTION 2, to the City of Norman, Cleveland County Oklahoma. Said tract contains 2.0 acres, more or less.

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

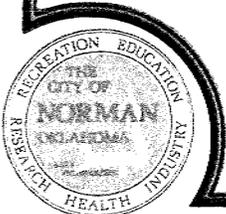
- § 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration, has determined that the requested amendment is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested amendment.

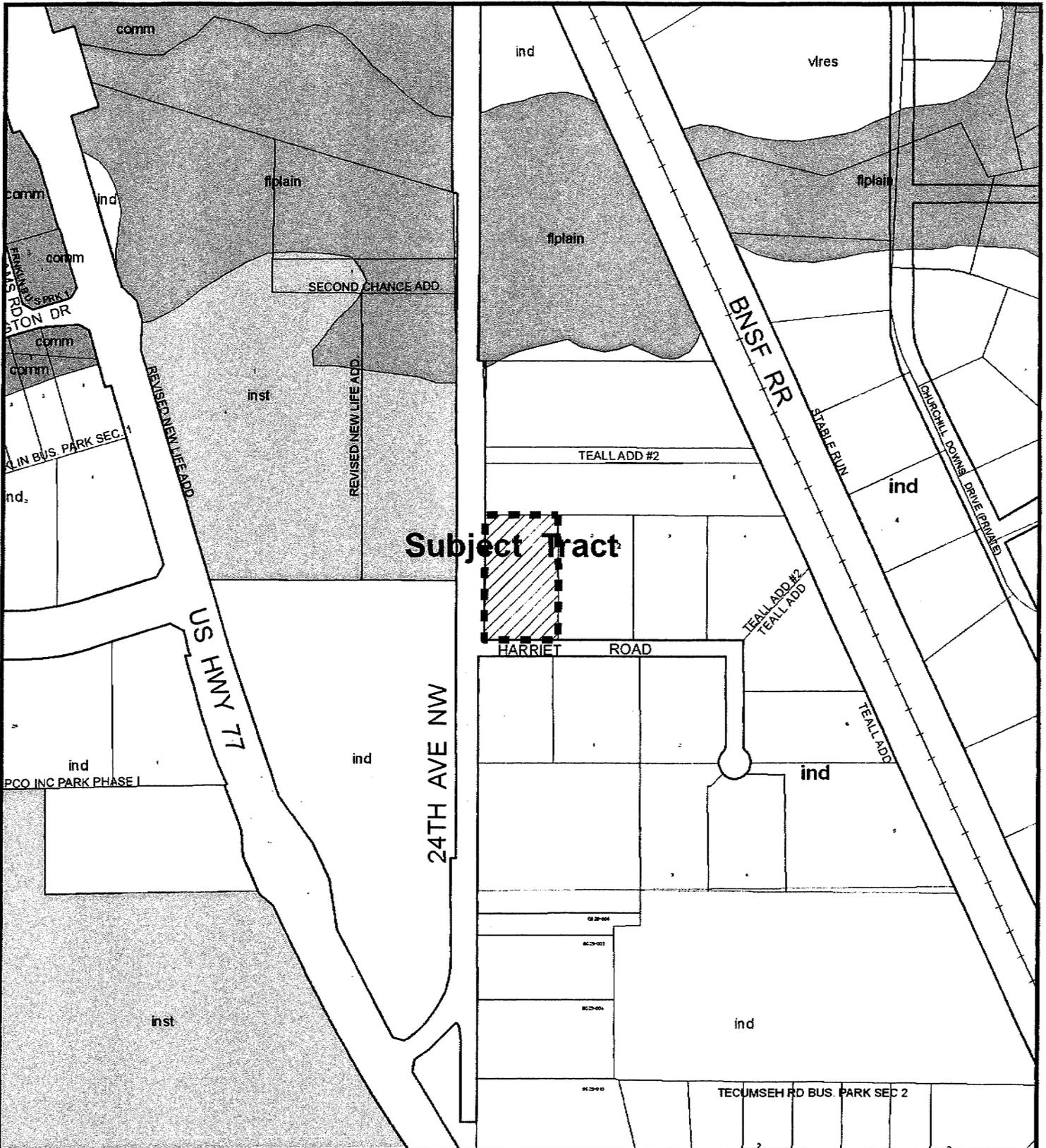
PASSED and ADOPTED this _____ day of _____, 2011.

ATTEST:

Mayor

City Clerk

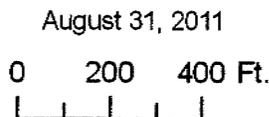




2025 Land Use



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



-  Subject Tract
-  Zoning

RESOLUTION NO. R-1112-5

ITEM NO. 8a

STAFF REPORT

ITEM: Southern Plains Treatment Services, Inc. requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-01) from Future Urban Service Area to Current Urban Service Area and from Industrial Designation to Office Designation for approximately 2 acres of property generally located at the northeast corner of 24th Avenue N.W. and Harriet Road.

SUMMARY OF REQUEST: The applicant would like to convert an existing residentially zoned and platted lot to a high-impact institutional use, specifically a treatment center for adolescents. A high-impact institutional use is only permitted as a Special Use in the Office-Institutional category, which is the companion request to this amendment.

STAFF ANALYSIS: When this item was first discussed at a pre-development meeting, the applicant asked that half of this residential subdivision be converted to industrial use, and one of the proposed uses was the proposed treatment center. At that time, the treatment center was at the eastern end of the subdivision, where it could have impacted existing residential homes. Land use changes must meet two criteria outlined in the adopted 2025 Plan. First, that ***there has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** When this subdivision was initially platted for very low density residential use, private water and sewer service was anticipated. The Northwest Sewer Interceptor line has already been laid near this property, and will provide the basic urban service necessary for more intense development to occur, and does provide sufficient justification to convert this land from Future to Current Urban Service Area. The new Cleveland County Jail will open imminently, and lies less than one-half mile from this site, and will likely impact other developments nearby. Second, that ***there is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** When this item was initially discussed at a pre-development meeting, most of the subdivision was to be converted to Industrial Designation, and several nearby homeowners expressed concerns about impacts and land values. The current request does not include any change to Industrial Designation at this time, and only includes the one lot for the treatment facility. The 2025 Plan does foresee this area transitioning to industrially-related uses, but the neighbors who attended the pre-development meeting were concerned with short-term impacts on their homes if the entire area converted to uses with higher impacts. This request will directly access 24th Avenue NW, which should minimize any impact on the remaining residences in the subdivision.

STAFF RECOMMENDATION: Office uses are allowed within the Industrial Designation, and this request would be compatible with industrial uses; however, an Office Designation is required for the high-impact institutional special use being requested. The conversion of a single lot within this area should minimize the short term impacts on the few residences in the immediate area, and may start the transition to industrial uses that the 2025 Plan envisioned. Staff is able to support this Land Use Plan Amendment.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 8, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of September 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Cynthia Gordon
Diana Hartley
Tom Knotts
Chris Lewis
Curtis McCarty
Robertta Pailes
Andy Sherrer
Zev Trachtenberg
Jim Gasaway

MEMBERS ABSENT

None

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Doug Kosciński, Manager, Current Planning
Division
Ken Danner, Development Coordinator
Roné Tromble, Recording Secretary
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst
Jane Hudson, Planner II

Item No. 8, being:

CONSIDERATION OF A REQUEST SUBMITTED BY SOUTHERN PLAINS TREATMENT SERVICES, INC. FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

8A. RESOLUTION NO. R-1112-5

SOUTHERN PLAINS TREATMENT SERVICES, INC. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-01) FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA AND FROM INDUSTRIAL DESIGNATION TO OFFICE DESIGNATION FOR APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report

8B. ORDINANCE NO. O-1112-2

SOUTHERN PLAINS TREATMENT SERVICES, INC. REQUESTS REZONING FROM RE, RESIDENTIAL ESTATE DWELLING DISTRICT, TO O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR HIGH IMPACT INSTITUTIONAL USE, FOR APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 24TH AVENUE N.W. AND HARRIET ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Southern Plains Treatment Services
5. Pre-Development Meeting Summary

PRESENTATION BY STAFF:

1. Mr. Kosciński noted there is not a preliminary plat with these items. This property is currently platted as a Residential Estates subdivision, permit ready for homes, but no homes have ever been built in Section 2 of the Teall Addition. The applicant is asking for rezoning on one of the platted lots. The Land Use Plan indicates future Industrial; at the time the 2025 Plan was adopted there was no sewer service in the area. The northwest sewer solution has provided sewer service to this general area and this applicant will be able to take advantage of that. Staff is fully in support of a change from Future Urban Service Area to Current Urban Service Area because that was already programmed once utilities were available to the area. The development started in approximately 1964 on the south side of the road. The north part was platted a little bit later. The specific Land Use Plan change is to Office use rather than Industrial zoning. The applicants wish to have a High Impact Institutional Use, and they have asked for the institutional zoning that would allow that to happen. In order to support that rezoning, the designation on the Plan would need to be an office designation, which is compatible with industrial areas. We allow office uses in industrial zones. Again, the specific rezoning request that comes with this is O-1, with Special Use for High Impact Institutional Use. The applicants are here to outline what they plan with their proposal, but it is a voluntary treatment facility for youth. It is a secure facility, but it is not a jail. You are not adjudicated to this location. You don't serve time, in that sense. You are constrained and restrained, is my understanding.

This went to Pre-Development a month or so ago, and the applicants intended to try to gain rezoning on the entire north half of this area all along Harriet Road. They received some opposition from some of the neighbors. There are a couple of existing houses that expressed some concerns about the major change in zoning, as well as the treatment facility itself. The applicants have since submitted what you see in front of you, which is a one-lot change just to allow the treatment facility and located it directly on 24th Avenue, which is right up the road from the new County Jail facility. There is a 130' easement that runs across the front of all these lots for high-voltage power lines. There are some scattered residences in the area. The property immediately north of the site is vacant, but there is a house north of that. The property to the east is all vacant and impacted by the power line running east/west through this area. South is

another existing residence. All these homes are on two-acre or five-acre tracts. West across 24th Avenue, the power line continues, but you're starting to see the back of other industrial uses, which is what the 2025 Plan calls for in this area. There are no filed protests on the requests. Staff is able to support the specific rezoning and Plan change for the one lot in front of you tonight.

2. Mr. Trachtenberg asked if the applicant owns all the lots on the north side of Harriet Road. Mr. Koscinski indicated he did not know.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Drive, representing the applicant – The owner of this site owns the four lots on Harriet Road and the lot to the north of them. What you're going to see tonight is quite a bit of a change from what we originally brought forward. What originally came forward in this proposal at the Pre-Development hearing was a request to change that entire area to industrial, in keeping with 2025, which says this is all to be industrial. At the Pre-Development hearing, what we heard from these few scattered residences who came was they weren't ready for the entire area to be rezoned industrial. I think they needed to ease into it, more or less. So what we came back with was to change the proposal to just this corner lot. The original proposal when we came to Pre-Development hearing actually had the facility down at the corner at the end of Harriet Road. We heard from the neighbors that basically said I'm not sure we want folks driving down here for the treatment facility when I'm right down here at the end of Harriet Road. So what we did was change it based on those comments to the corner lot. And I think that was well-received. Obviously, no protests were filed thereafter and that's kind of what we heard them telling us. The other thing we heard, again, was let's ease into this, more or less. I think it was a little bit of a shock to those residents at that Pre-Development hearing when they learned that this entire area was to be industrial and fairly intense uses. We heard a couple of comments from folks saying this is a residential addition -- I bought my home here; I want it to stay a residential addition. It took a little bit of discussion to have them realize that this is really a residential addition in name only. Again, as Mr. Koscinski said, these homes are all 1950s and 1960s homes. There has not been a new home or residence in this area in well over 40 years – more on the order of 50 years. So it long ago, I think, left the notion that this area was going to be a residential area. But that obviously took some discussion and time to get through that moment. But that's the big change. I think staff had big concerns that at the end of Harriet Road we were going to use this road for access into this facility. We moved it up here. The only access now is off 24th Avenue, and I think that helped us with staff quite a bit. I think staff originally was probably opposed for some of those reasons. What you'll see tonight is now they're in support of this project. So we appreciate very much the Pre-Development process. I think it's another example of how it worked. We heard the comments from staff and residents. We responded to those. And, as you see, we now have staff support and no protests filed. So it's a testament, again, to the Pre-Development process that I think has worked very well.

I want to show you a little more detail of the project. This is 2025. The little red box is the proposed site. And, as you can see, between the railroad tracks and I-35 and really down to Robinson and all the way out to Johnson Controls, you see all of the blue and the gray. Gray is industrial; blue is institutional. This area is very much intended for intense, high-impact uses. That's what this area is to be. If you look closely at 24th Avenue, where we're fronting on, you have industrial parks, the Guard facility, the jail, Johnson Controls – all of this a very intense use area. So that is really why this site was chosen and why, I think, it's in large measure appropriate. Doug mentioned office. That really is kind of a caveat of what our zoning designations are. To do a high-impact treatment facility, that's the zoning category it fits under, but it's a treatment center, not really an office space. But as our code books are laid out, that's where it happens to fall into. Just to show you again, this is the house to the south. If you've been out there, you'll notice there's really a large number of cars and salvage items – kind of junked parts – out around the facility. That is between the proposed building location and the house to the south. That is the large transmission line facility that really dissects this addition. And then these are the houses to the south of Harriet Road that I mentioned. They're tucked back in behind the trees.

You really can't even see them. But these were the neighbors that were concerned about us putting the facility at the end of Harriet Road. And now we've moved it away from them. So they're really tucked back in the trees and far away from where the facility is proposed now.

I want to show you this just to show you an example of other high-impact institutional kind of uses that are in this general area. This facility – and the gentleman with the use is going to speak with you in just a few minutes about it – but this facility is for adolescent use and treatment center for that. There are other centers for adolescents in this area. Of course, we have the Couch Center – this is a juvenile detention facility, but it's just down here. Here's our site, right in the middle. This is an aerial. So there's the Couch. Varangon is another youth center. Then over here we have three different youth centers, and then just to the north, as Mr. Kosciński said, perhaps the biggest change in this area in a long time is the 500+ bed jail. That is just 1,000 feet off the corner of our site to the north on the same street with access points just down the road. These are some of those facilities in the area, again – adolescent facilities. As Mr. Kosciński noted, though, we are not a detention facility. You are not sentenced to this facility. It is a private, voluntary treatment center, where you can be released upon your parents' demand and you would go. Todd is going to talk a little bit more about that. That's the jail, again, to the north. I'm standing on the site right here taking a picture. You see an entry point right there to the jail to the left. So, again, the jail is right down the road from us. What I want to show you, too, is some changes that happened on the planning of the site itself that I think helped us in achieving the support of staff and the no protests. Originally, when this was proposed, it was one large block building at the end of that street. What the applicant has done is come back and proposed multiple pod buildings, which break down the scale, as you're aware, of buildings. These are one-story buildings. It breaks down that scale so that it doesn't look like some ominous structure there on the corner. And they've used the administrative building, which is right here, to be the focal point off the corner. That one house that I showed you that is adjacent is down to the south here, so they will be looking across the street at an administrative building basically. And you see the parking lot here. What's so notable about this corner is the 105' transmission line easement across the south – a huge easement that crosses all the way across that site, and then you have a 50' building setback on this already platted lot. That, also, is quite huge. You usually see 20' building setbacks, or something of that nature. So large setbacks and they've taken the building away from the frontage. Predominantly masonry buildings. Of course, by code, it has to be that. Lighting ordinance will be in play. So much work done here to break down the scale of this facility. Staff, again, graciously supports this project and I want to read just briefly from their report. It says this use would be compatible with industrial uses. Conversion of a single lot within this area should minimize the short-term impacts on the few residences in the immediate area and may start the transition to industrial uses that 2025 envisioned. So, again, we envision this area going very much as you see on the lower right to industrial and institutional. I think just doing one lot now at a time, instead of all these lots, is the best way to go and that's where we came after the Pre-Development hearing. At this time I want to ask Todd Acton to come up and talk about his facility, very briefly give you a sense of their operations and how he does it.

2. Todd Acton, Executive Director of Southern Plains Treatment Services, 310 12th Avenue N.E. – I wanted to talk a little bit about the impact we'll make in Norman. I want to reiterate that we're already in Norman. We are on the east side; we've been there several years. We have good relations with our neighbors. We have good relations with the community. I wanted to emphasize that we're not bringing a new group in – that we're already here. And I wanted to make some distinctions about our treatment center, which has already been done, because I'm sensitive to community members thinking, well, yet again, we've brought in another jail, or a penal type facility. And that's not what we are. I do want to be clear. That doesn't mean that we will have all church campers – we will have difficult kids. But it is different in that they're not sentenced there by a state agency. They're not sentenced there by court order. That can't be done. We have the right to refusal. Parents have the right to remove them. And I think that's important and significant, and I want to make sure that's well understood. The reason that we

want to relocate is we think we can deliver better services, and more cost-effective services, in a newer, modern facility than where we are. That's our primary motivating factor for building. As all of you are well aware, we're in tough times, and we think long-term this is a strategy that helps us survive and really deliver more effective services. And that's our motivation and what we want to do. Thank you for your time.

3. Mr. Knotts asked if this is a replacement for the facility on 12th Street. Mr. Acton indicated it is. Mr. Knotts asked if someone could be sentenced to this facility if the facility didn't refuse them. Mr. Acton said they cannot be sentenced to this facility. The type of kids we're talking about would be like Charlie Sheen, not Charlie Manson. So we won't be talking about a prison sentence or that type of classic mentally ill depiction that is usually wrong.

4. Mr. Trachtenberg asked how clients are referred to the facility. Mr. Acton responded that a large percentage are referred through school systems. Our culture is changing in lots of ways – in ways that, even as young as I am, I never envisioned. We have gambling epidemics. We have methamphetamine epidemics. We have kids that are lost – they're not tethered – they have no place to go. And, obviously, untethered children are going to exhibit difficulties coping at school, being where they're supposed to be, being appropriate. So the school system is a huge referral source for kids who are struggling to cope. Mr. Trachtenberg asked the percentage of clients who have substance abuse difficulties. Mr. Acton indicated a high percentage. Our primary treatment is psychiatric, so those would be secondary.

5. Mr. Trachtenberg asked if the perimeter will be fenced. Mr. Acton said it will be, but it will be done tactfully. The fence is meant to constrain people from getting out or in. Mr. Trachtenberg asked whether there will be armed people on staff. Mr. Acton said there will not. We're staff secured. And let me clarify this, our view is we're not going to bring them in and then they're going to interact in the community. It's intensive treatment that lasts typically between 30 and 50 days, and while they're there they won't interact in the community. It's residential based. We have a short window and we have a lot of work to do. Our view is if you're well enough to be in the community, you don't need to be here. So we try to do that quickly and relocate them. Mr. Trachtenberg asked if they have had the experience, or are prepared to deal with the possibility of friends showing up to reconnect with your clients. Mr. Acton responded that they are very experienced. We have done this for many years and we have protocols and procedures in place for those sorts of things.

6. Mr. Trachtenberg asked whether they have ownership of the four lots altogether. Mr. Acton said they do. Mr. Trachtenberg asked about future expansion. Mr. Acton said they don't have any immediate plans. It's more of a buffer zone is our intent at the moment. Typically people don't want to be right next to that. Mr. Rieger added that it was a package sale, more or less, and that's how it was bought.

7. Ms. Hartley asked if they are increasing the total number of beds, or is 48 how many they have currently. Mr. Acton indicated they currently have 40. We could have more. We just have chosen not to. We don't necessarily think we'll use 48, and frankly, I don't think the market would bear that, so to speak. But as we look at the economy of scale of building it, that's our preliminary. There are reasons for building it that size. Some of it is the way that, demographically, we have to split the kids up – for service reasons we have to do that, but we don't plan on expanding and I doubt we would ever have 48. Ms. Hartley asked if they are a non-profit or a for-profit. Mr. Acton said they are a for-profit corporation.

8. Mr. Rieger – One other point. Realize we're only rezoning the one lot. The rest are remaining RE, Residential Estates. So, if he wishes to expand into those lots, it will be back right here in front of you. There's no ability to go beyond those borders unless he comes back through this process.

9. Ms. Pailes asked if there is any outdoor recreation area associated with this. Mr. Acton said it will have an outdoor recreation area, and an indoor one. Mr. Rieger added that it will probably be right in front of the residential pods. You have a very large area out here to do that within, with the large 50 foot setback and other space. Right now on 12th they have that as well. And something we didn't mention earlier, but they're on 12th right now and we're certainly not aware of any problems that the neighborhood immediately to the east of that facility has had with this facility. There is a neighborhood right across 12th from where they're at now. So they have a good track record with neighbors.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Diana Hartley moved to recommend adoption of Resolution No. R-1112-5, Ordinance No. O-1112-2, the Site Development Plan and accompanying documentation, to the City Council. Zev Trachtenberg 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

Recording Secretary Roné Trumble announced that the motion, to recommend adoption of Resolution No. R-1112-5, Ordinance No. O-1112-2, the Site Development Plan and accompanying documentation, to the City Council, passed by a vote of 9-0.



City of Norman, OK

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

Master

File Number: O-1112-2

File ID: O-1112-2	Type: Zoning Ordinance	Status: Non-Consent Items
Version: 1	Reference: Item No. 42	In Control: City Council
Department: Planning and Community Development Department	Cost:	File Created: 08/15/2011

File Name: O-1112-2 Southern Plains Rezone

Final Action:

Title: ORDINANCE NO. O-1112-2: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-2 upon Second Reading section by Section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-2 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes: October 11, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 42

Attachments: O-1112-2 Southern Plains Treatment Special Use, Southern Plains Site Plans, Southern Plains Location Map, Southern Plains Staff Report, Southern Plains Statement, Predevelopment Summary Southern Plains, 9-8-11 PC Minutes - Southern Plains

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/08/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	Planning Commission	09/08/2011					
1	City Council	10/11/2011	Introduced and adopted on First Reading by title only				
	Action Text: Introduced and adopted on First Reading by title only						
1	City Council	10/11/2011					

Text of Legislative File O-1112-2

Body

SYNOPSIS: The subject tract is part of an area that was rezoned to RE, Residential Estates District, in 1964, which was platted as the Teall Addition later that year. The subject tract is contained in Section Two of Teall Addition, which was filed of record in 1970. No building permits were ever issued on the lots in that second phase, although two homes were constructed on lots in the first phase. This application would rezone the lot at the entrance to the subdivision to an O-1 district, and authorize a Special Use for a High Impact Institutional Use on the lot, specifically a treatment center for adolescents who would be housed in a secure facility twenty-four hours a day with round-the-clock supervision.

ANALYSIS: The proposed treatment facility would eventually accommodate up to 48 adolescents who are experiencing emotional and/or behavioral difficulties. Admission is voluntary, and patients may be voluntarily discharged. According to their prospectus, the target population is male or female youths between the ages of 12 to 17 who are diagnosed with a mental health disorder and who usually have delinquency problems. The facility is "secure" but is not a prison, nor are children "sentenced to serve time." The facility is more in line with a specialized group home, and is similar to facilities that are located in a nearby industrial park (which were authorized using a PUD approach).

The 2025 Plan identified this area for future industrial uses, pending utility construction. While general office uses are allowed within all of Norman's industrial categories, High Impact Institutional uses are only permitted in the Office-Institutional zoning district. Such uses can have negative impacts on residential areas, and tend not to locate near established or proposed residential subdivisions. The O-1 district is compatible with areas that have industrial uses, as they have similar traffic impacts and do not need the high visibility that often characterizes commercial areas.

The Teall Addition began development as a residential subdivision in a semi-rural area, but circumstances are changing in the surrounding area. The most recent change is the construction and operation of a 500+ bed jail on the south side of Franklin Road. One of the jail's entrances is off 24th Avenue NW, a half mile away from this location. The only access to the treatment facility will also be off 24th Avenue. This one lot is final platted, and can be accessed and serviced from the single driveway that is proposed onto 24th Avenue NW. One of the reasons these lots never developed residentially is the presence of a large 130 foot wide electric easement which runs east-west through the subdivision, within which is a major overhead transmission line. That line separates the proposed building from Harriet Road, which will still provide access to this residential area for the foreseeable future.

STAFF RECOMMENDATION: The proposed use is a single-story building with adequate parking. Code requires that it be predominantly of masonry construction. Outdoor lighting will comply with the recently adopted standards, which will minimize any off-site impacts on any nearby residents. The proposed location can function with minimal impact on the residences that are nearby, which are on relatively large lots. The proposed use will be constructed in two phases. Staff supports this rezoning request, and recommends that the Special Use be granted. No protest was filed against this request. The Planning Commission, at their September 8 meeting, unanimously recommended approval of this request.

O-1112-2

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATE DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

- § 1. WHEREAS, Southern Plains Treatment Services, Inc., the owner of the hereinafter described property, has made application to have the same placed in the O-1, Office Institutional District with Special Use for a High Impact Institutional Use, and to have the same removed from the RE, Residential Estate Dwelling District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the O-1, Office Institutional District with Special Use for a High Impact Institutional Use, and to remove the same from the RE, Residential Estate Dwelling District, to wit:

Lot 1, Block 2, TEALL ADDITION, SECTION 2, to Norman, Cleveland County, Oklahoma. Said tract contains 2 acres, more or less.

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

a. The site shall be developed in accordance with the Site Development Plan (Exhibit A), approved September 8, 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.

NOT ADOPTED this _____ day of _____, 2011.

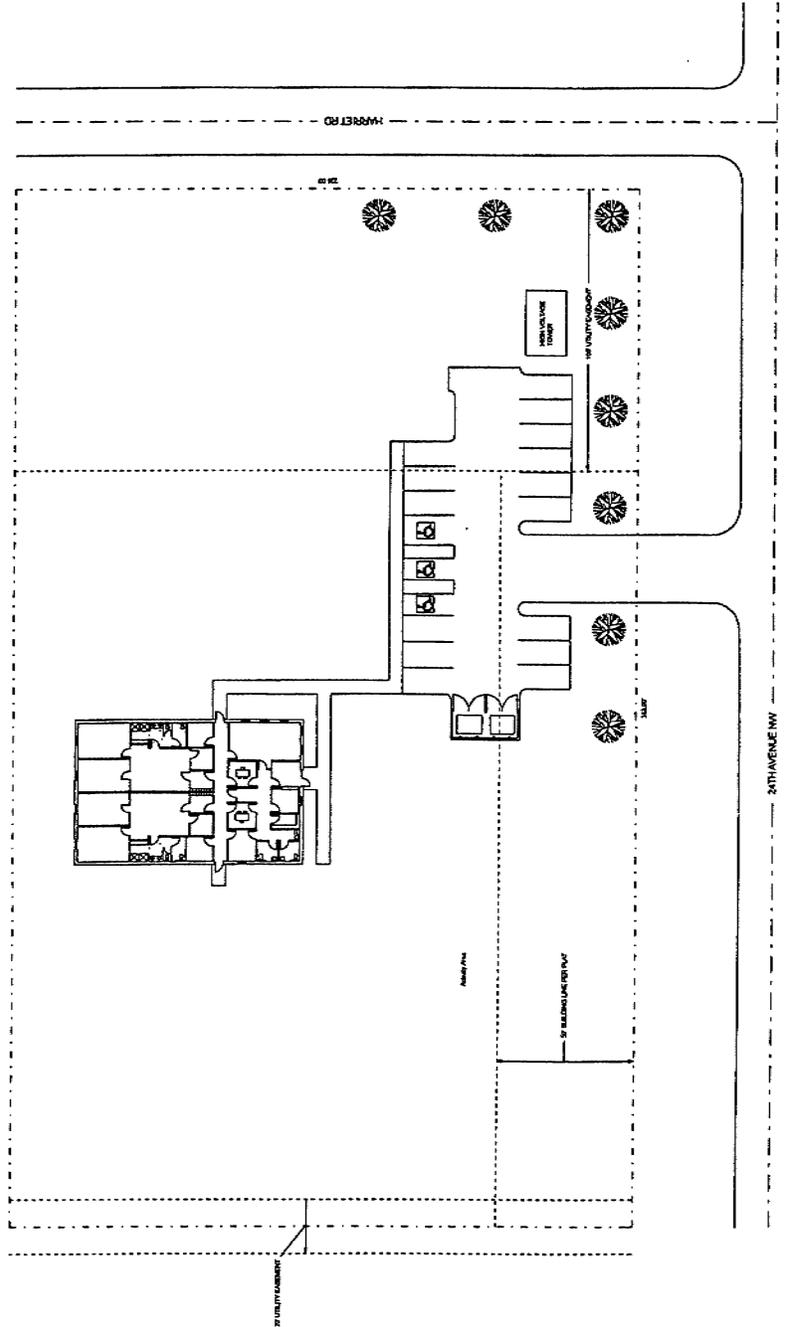
(Mayor)

(Mayor)

ATTEST:

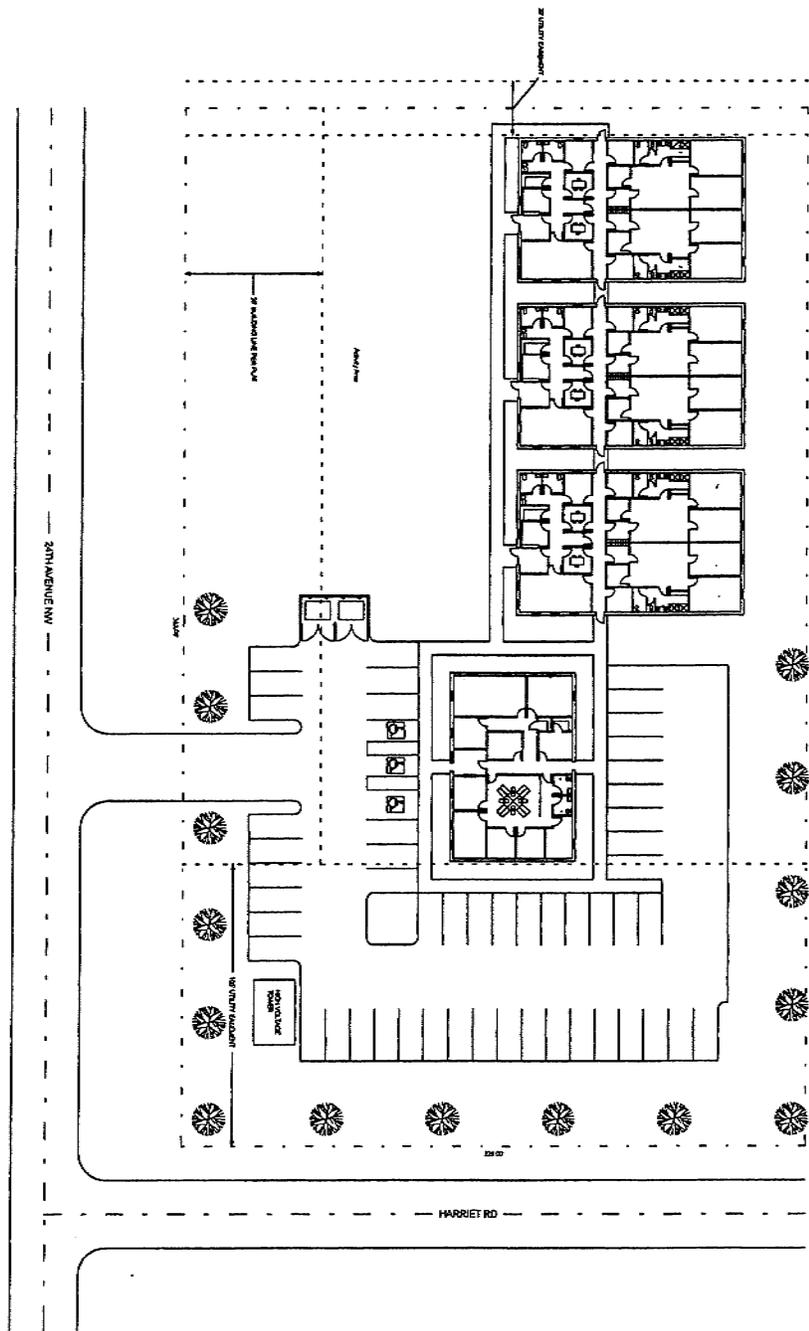
(City Clerk)

LOT ONE, BLOCK TWO (2), OF TEALLS ADDITION NO. 2
TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, 1.69 ACRES

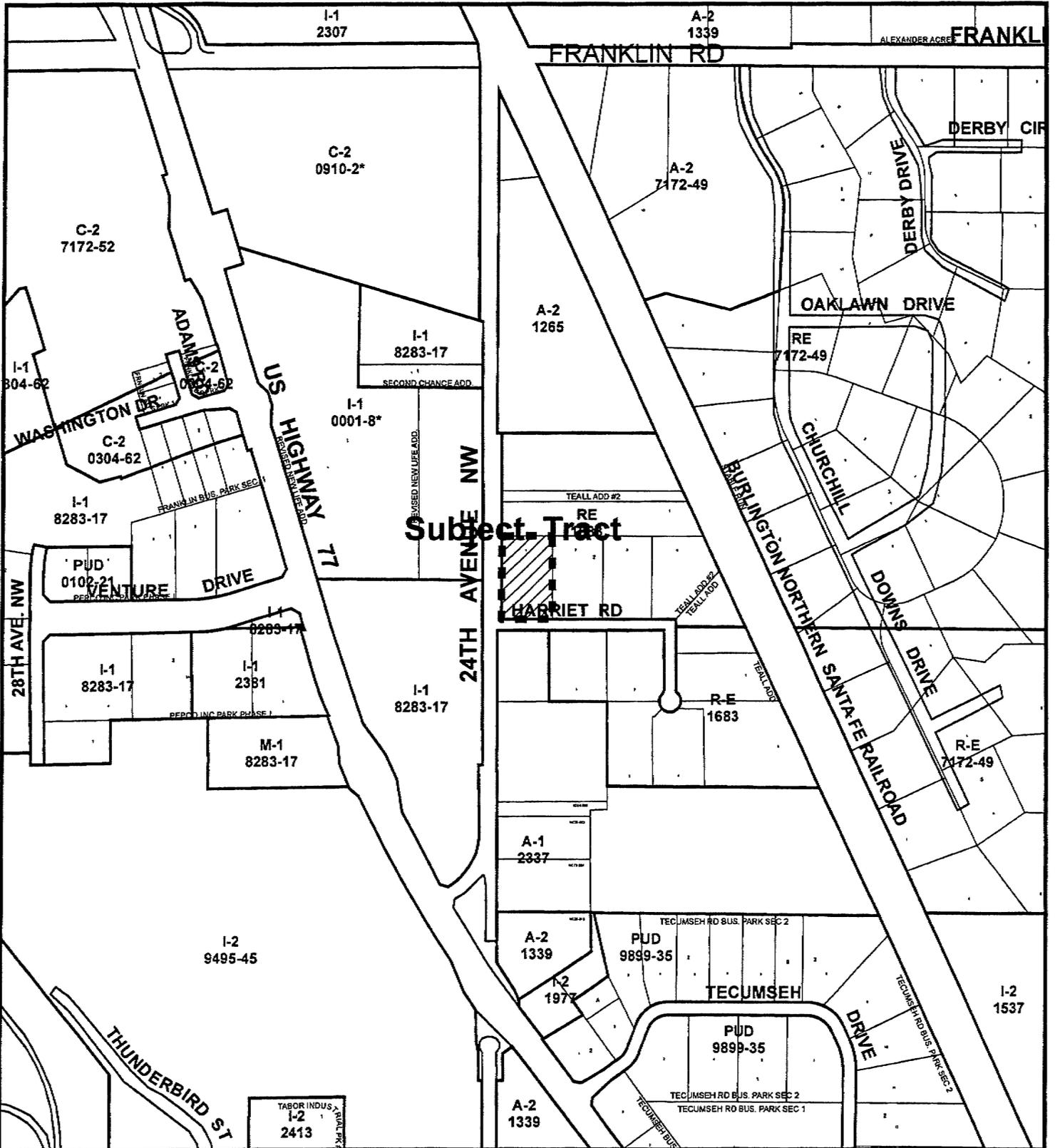


SOUTHERN PLAINS TREATMENT SERVICES / PHASE I
SCALE: 1" = 30' FT

LOT ONE, BLOCK TWO (2), OF TEAL'S ADDITION NO. 2
TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, 1.69 ACRES



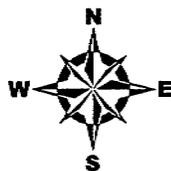
 SOUTHERN PLAINS TREATMENT SERVICES
SCALE: 1" = 30 FT



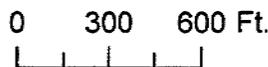
Location Map



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



August 10, 2011



Subject Tract



Zoning

ORDINANCE NO. O-1112-2

ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Southern Plains Treatment Services, Inc.
REQUESTED ACTION	Rezoning to O-1, Office Institutional District with Special Use for a High Impact Institutional Use
EXISTING ZONING	RE, Residential Estate Dwelling District
SURROUNDING ZONING	North: RE East: RE South: A-1 West: I-1
LOCATION	Northeast corner of 24 th Avenue N.W. and Harriet Road
SIZE	2 acres, more or less
PURPOSE	Treatment Facility for Adolescents
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: Vacant South: Single-Family Dwelling West: Vacant

SYNOPSIS: This area was rezoned to RE, Residential Estates District, in 1964. The first section of Teal Addition was filed in 1964. The subject tract is contained in Section Two of Teal Addition, which was filed of record in 1970. No building permits were ever issued on the lots in that second phase, although two homes were constructed on lots in the first phase. This application would rezone the lot at the entrance to the subdivision to an O-1 district, and authorize a Special Use for a High Impact Institutional Use on the lot.

ANALYSIS: The proposed treatment facility would house up to 48 adolescents who are experiencing emotional and/or behavioral difficulties. Admission is voluntary, and patients may be voluntarily discharged. According to their prospectus, the target population is male

or female youths between the ages of 12 to 17 who are diagnosed with a mental health disorder and who usually have delinquency problems. The facility is "secure" but is not a prison, nor are children "sentenced to serve time." The facility is more in line with a specialized group home, and is similar to facilities that are located in a nearby industrial park (which were authorized using a PUD approach).

As previously mentioned, the 2025 Plan identified this area for future industrial uses, pending utility construction. Office uses are allowed within all of Norman's industrial categories, but High Impact Institutional uses are only listed in the O-1 district. Such uses can have negative impacts on residential areas, and tend not to locate near established or proposed residential subdivisions. The O-1 district is compatible with areas that have industrial uses, as they have similar traffic impacts and do not need the high visibility that often characterizes commercial areas.

IMPACTS

- In this case, the Teal Addition began development as a residential subdivision in a semi-rural area, but circumstances are changing in the surrounding area. The most recent change is the construction and operation of a 500+ bed jail on the south side of Franklin Road. One of the jail's entrances is off 24th Avenue NW, a half mile away from this location.
- Although this lot is part of the original Teal Addition, the only access to the treatment facility will be off 24th Avenue.
- One of the reasons these lots never developed residentially is the presence of a large 130 foot wide electric easement which runs east-west through the subdivision, within which is a major overhead transmission line. That line separates the proposed building from Harriet Road, which will remain residential for the foreseeable future.
- The use is a single-story building with adequate parking. Code requires that it be predominantly of masonry construction. Outdoor lighting will comply with the recently adopted standards, which will minimize any off-site impacts.

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS** This one lot is final platted, and can be accessed and serviced from the single driveway that is proposed onto 24th Avenue NW. Harriet Road was designed as a residential estates street.

STAFF RECOMMENDATION: The proposed location can function with minimal impact on the residences that are nearby, which are on relatively large lots. The proposed use will be constructed in two phases. Staff is able to support this request for a Special Use.



Southern Plains Treatment Services

Southern Plains Treatment Services exists to provide services that promote and support healthy individual and family life in the community.

We specialize in the treatment of adolescents who are experiencing emotional and/or behavioral difficulties. While at SPTS, our clients will participate in individual, group and family therapy sessions, as well as, receive a formal education.

We are committed to utilizing the best insights and skills from psychodynamic and behavioral traditions, while providing an environment that is sensitive to our client's particular fears and vulnerabilities. Most individuals need affection, affirmation and help in resolving past conflicts

Philosophy

Teaching Model

Dysfunctional ways of thinking and behaving are learned when a person attempts to cope with severe trauma or neglect within the environment. A major focus of the ongoing treatment planning is to identify the specific ways of thinking and behaving that are in need of correction. Then it is possible to develop appropriate techniques for teaching more successful ways of coping.

Developmental Model

We understand the child in terms of where he or she is in an ongoing process of growth and development. Generally, we find that certain aspects of development in social, cognitive, emotional and behavioral spheres have been delayed. The developmental model enables SPTS to begin, without judgment.

Holistic Model

We are concerned about every aspect of the child's functioning. Problem behaviors are generally related both to overwhelming feelings and inadequate thinking patterns.

Behaviors, feelings, and thoughts must all be understood in terms of the situational context in which they occur. Both in assessing the client and in planning and implementing interventions SPTS maintains a focus on the whole pattern.

Commitment to the Client

SPTS is acutely aware of the hurtful consequences that a succession of failed placements have on an individual. Therefore, we make whatever adjustments in the services the child receives that are necessary to help that client succeed.

Client Rights

We are committed to upholding all rights of the client that have not been explicitly removed by the court. Services are provided without regard to race, color, religion, national or ethnic origin, age, handicap or disability. Clients are treated in the least restrictive environment and in the least restrictive manner. The rights of confidentiality are carefully protected. All other rights associated with human dignity and quality of treatment are scrupulously upheld.

Emotional Nurturance and Behavioral Help

SPTS is committed to utilizing the best insights and skills from both psychodynamic and behavioral traditions. Most individuals need affection and affirmation. They need help in resolving past conflicts. They need an environment that is sensitive to their special fears and vulnerabilities. They also need limits that are upheld in a firm, but benign and professional manner in order to feel secure and safe. SPTS concentrates its efforts on developing plans of intervention that are comprehensive and balanced.

Building Community Resources

We believe that children best heal from trauma when they can be treated in local communities. To that end, SPTS understands part of its task to be increasing local resources through employment and training of staff, collaboration with community providers, and building awareness among families, schools, and local businesses.

SPTS clinical staff has an extensive history of providing residential services to adolescent throughout Oklahoma. SPTS has a well-established Youth Advisory Board (YAB) that provides input and relevant feedback on a wide array of issues ranging from food to recreation and other aspects of the residential life experience.

The agency is licensed by the Oklahoma Department of Human Services and has an agreement with the Office of Juvenile Affairs. Psychiatric Residential Treatment Facility candidates must meet medical necessity criteria as determined by a licensed mental health professional. SPTS provides treatment to male / female youths entering the program between the ages of twelve and seventeen who are diagnosed with a mental health disorder and who usually have delinquency problems.

The SPTS treatment philosophy promotes family participation in a client's treatment during his stay. Parent and family involvement in the assessment and treatment process is essential to the provision of quality treatment services. SPTS recognizes that partnering with families enables the client to maintain and improve vital family relationships during his stay in residential treatment. Treatment services at SPTS are provided in a treatment-team format. The client's intra-agency treatment team includes: unit direct care staff, unit case manager, psychiatrist, unit clinical director, referral agency, unit therapist, registered nurse, the client's parents or family resource, and the client. Teams determine the appropriate level of care; service planning and provision; delivery of family services to resolve concerns that would otherwise extend the client's stay; discharge and aftercare planning; and follow-up services. The client's Unit Treatment Team meets weekly to discuss the client's current treatment issues.

Applicant	Southern Plains Treatment Center
Location	NE corner of 24 th Avenue NW and Harriet Road
Case Number	PD11-18
Time	5:00-6:30 PM

Attendee	Stakeholder	Address	Phone
Todd Acton	Applicant	310 12 th Avenue NE	201-8098
Sean Rieger	Applicant's attorney	136 Thompson Dr	329-6070
Bill Kaiser	Applicant's engineer	PO Box 2013 Edmond, OK	330-0227
Kathy Hubbard	Neighboring owner	13501 SE 79 th Street OKC	386-3055
Sandy Burleson	Neighbor	2208 Harriet Road	664-6171
Billy Don Burleson	Neighbor	2208 Harriet Road	684-6717
Gary E. O'Neal	Neighbor	4013 24 th Avenue NW	255-0610
Janell O'Neal	Neighbor	4013 24 th Avenue NW	826-9126
Nina Jones	Neighbor	2191 Harriet Road	417-1048
Susan Atkinson	City Staff		366-5392
Doug Kosciński	City staff		366-5437
Ken Danner	City staff		366-5458
Leah Messner	City staff		366-7748

Application Summary. Applicants are seeking to amend the *Norman 2025 Land Use Plan* and Growth Boundary. The current plan designation is Industrial, Future Urban Service Area. The applicant is also seeking to rezone the property from the current RE Residential Estates to a combination of O-1 Office-Institutional and I-1 Light Industrial with a Special Use Permit for a High Impact Institutional Use.

Applicant's Opportunity. The applicant, who has already purchased this property and runs a similar treatment facility on 12th Avenue NE in Norman, is seeking to develop an adolescent treatment facility on a total of 12.26 acres. The proposed office use would include 2.81 acres and the treatment facility would include 9.45 acres.

The applicant stated that the center would treat boys ages 13-18, would have a maximum of 48 beds, and would not be an incarceration-type facility. He stated that patients or clients are admitted voluntarily for a maximum of 30 days. Patients/clients are nearly always admitted by parent referral and usually have not entered the law enforcement system. He stated that the facility would be "hardware secure and staff secure" with a perimeter fence. The facility would be funded by the Oklahoma Health Care Authority. Applicant added that the facility is monitored 10-12 times a year by the various state and federal agencies that oversee adolescent treatment.

Neighbors' Comments. Neighbors were concerned about this proposal for a variety of reasons summarized below.

Saturation with detention facilities. Neighbors commented that with the county jail under construction and two existing adolescent treatment facilities on nearby Venture Drive, the area was already saturated with detention facilities.

Property values. Neighbors with small acreages in the vicinity were very concerned that their properties "would be worth nothing" with the addition of this treatment facility. They were concerned that the existing houses would be surrounded by industrial land uses and would lose all their value and that their quality of life would be diminished.

Applicant's Attorney's Response. Attorney stated that the *Norman 2025 Land Use Plan* had identified this area of Norman as appropriate for future industrial use. He acknowledged that while it might be true that the value of the land for future residential use could be low, the land was likely to increase in value for industrial use.

Security. Neighbors were very concerned that another treatment facility would create a security risk to neighbors. One neighbor stated that they are routinely approached at home by kids on foot seeking to use the phone. Another neighbor stated that there had been "thefts and other problems" in the neighborhood.

Power lines. Neighbors asked where facilities would be located relative to the OGE transmission lines.

Applicant's Attorney's Response. Attorney stated that the buildings would be setback considerably from the power lines and front property line along Harriet Road.

Applicant's Engineer's Response. Engineer stated that the mandatory 130 foot utility easement allows driveways to cross the easement and would permit parking lots to be located under the lines.

Aesthetics. Neighbors asked what the building would look like.

Applicant's Engineer's Response. Engineer showed a concept drawing that depicted a metal building.

Staff Comment. Staff commented that City Building Code would require a masonry front building with landscaping.



City of Norman, OK

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

Master

File Number: O-1112-11

File ID: O-1112-11	Type: Zoning Ordinance	Status: Non-Consent Items
Version: 1	Reference: Item No. 43	In Control: City Council
Department: Planning and Community Development Department	Cost:	File Created: 08/15/2011

File Name: O-1112-11 Hunter B&B

Final Action:

Title: ORDINANCE NO. O-1112-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3100 26TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-11 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt Ordinance No. O-1112-11 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda

Agenda Date: 10/25/2011

Agenda Number: 43

Attachments: O-1112-11 Hunter Bed and Breakfast, Hunter BB Site Plan, Hunter BB Location Map, Hunter Special Use Staff Report, Hunter BB Project Description, Hunter BB Pre-Development, 9-8-11 PC Minutes - Hunter BB, O-1112-11 Hunter Protest

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/08/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	Planning Commission	09/08/2011					
1	City Council	10/11/2011	Introduced and adopted on First Reading by title only				
	Action Text: Introduced and adopted on First Reading by title only						
1	City Council	10/11/2011					

Text of Legislative File O-1112-11

Body

SYNOPSIS: The owners of this property, Thomas and Lisa Hunter, are asking for a Special Use for a Type I Bed and Breakfast to be granted for a structure on their property. The structure is an existing guest house located on their property, which is located at 3100 26th Avenue N.E. A Type I Bed and Breakfast is defined by ordinance as “a use clearly subordinate to the principal use and appearance of the structure as a residence, containing no more than four guest rooms, (none with individual cooking facilities) in which the owner/operator provides lodging which includes meal service to transient guests for compensation”.

ANALYSIS: The applicants initially constructed the guest house for relatives to use as they were in declining health. Health conditions have continued to decline and the applicants can no longer allow the relatives to stay in the guest house. Since the owners have no other use for the guest house they believe they have an opportunity to operate a Type I Bed and Breakfast. It should be noted in the “Operating Characteristics” that there is a kitchen in the guest house, which technically violates one of the ordinance provisions. They would prefer not to go to the expense of removing the kitchen area. The applicant stated she will be preparing the meals for any guest, which keeps the use in line with the definition of a Type I Bed and Breakfast. The property is serviced by private septic systems and water well.

The property is located in a secluded area, and can only be accessed via a private road. That was the principal issue raised by a nearby property owner who shares that roadway, and believes that the increase in traffic will adversely impact their home. Their protest amounted to a filed protest of 2.8 percent. While the road to these houses is gravel, this parcel has a paved drive and the proposed Bed & Breakfast has an attached one car garage to house visitor parking. Maintenance of the roadway is commonly shared by all owners in the neighborhood.

STAFF RECOMMENDATION: Granting of this request should not impact the neighbors any more than the traffic from the previous residents/relatives staying in the guest house. Since there is only one unit to be rented, traffic impacts will be minimal. The definition of a Bed and Breakfast states there should be no individual kitchen facilities in the unit, but the applicants have asked that they be allowed to keep the structure as it was originally built, and will provide all needed food service. Since the applicant has stated she will be preparing meals for guests to keep in line with the adopted definition of a Bed and Breakfast, staff does not object to the unit having a kitchen. The adjacent properties are shielded by rows of trees between the lots. Therefore, any activity at this unit should not result in a negative impact on the surrounding neighbors. Staff supports this request for a Special Use, and recommends approval of this request. At their September 8 meeting, the Planning Commission, on a vote of 9-0, recommended approval of this Special Use.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION FIFTEEN, TOWNSHIP NINE NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.
(3100 26TH AVENUE N.E.)

- § 1. WHEREAS, Thomas and Lisa Hunter, the owners of the hereinafter described property, have made application for Special Use for a Type I Bed and Breakfast in 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 special use; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such special use.

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

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Type I Bed and Breakfast in the A-2, Rural Agricultural District, to wit:

Part of the Northwest Quarter of Section Fifteen (15), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows: BEGINNING at the Northwest corner of said Section; Thence South 00°27'02" East 1750.00 feet; Thence North 89°32'58" East 870.00 feet; Thence South 00°27'02" East 350 feet; Thence South 89°32'58" West 870.00 feet; Thence North 00°27'02" West 350 feet to the point of beginning. Less and Except a Thirty-three foot (33') road easement of the West Side of said property.

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

- a. The site shall be developed in accordance with the Site Plan (Exhibit A), approved September 8, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.
- b. The approval is for one guest room in accordance with Exhibit A.

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

ADOPTED this _____ day of

NOT ADOPTED this _____ day of

_____, 2011.

_____, 2011.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

Preferred Plans, Inc. makes no claims and assumes no liabilities as to the accuracy and or completeness, including but not limited to all dimensions, locations, setbacks, sideyards, backyards or easements whether shown or not shown on this plot. Anyone using this plot must verify its accuracy and completeness in all regards including any and all code requirements and compliances.

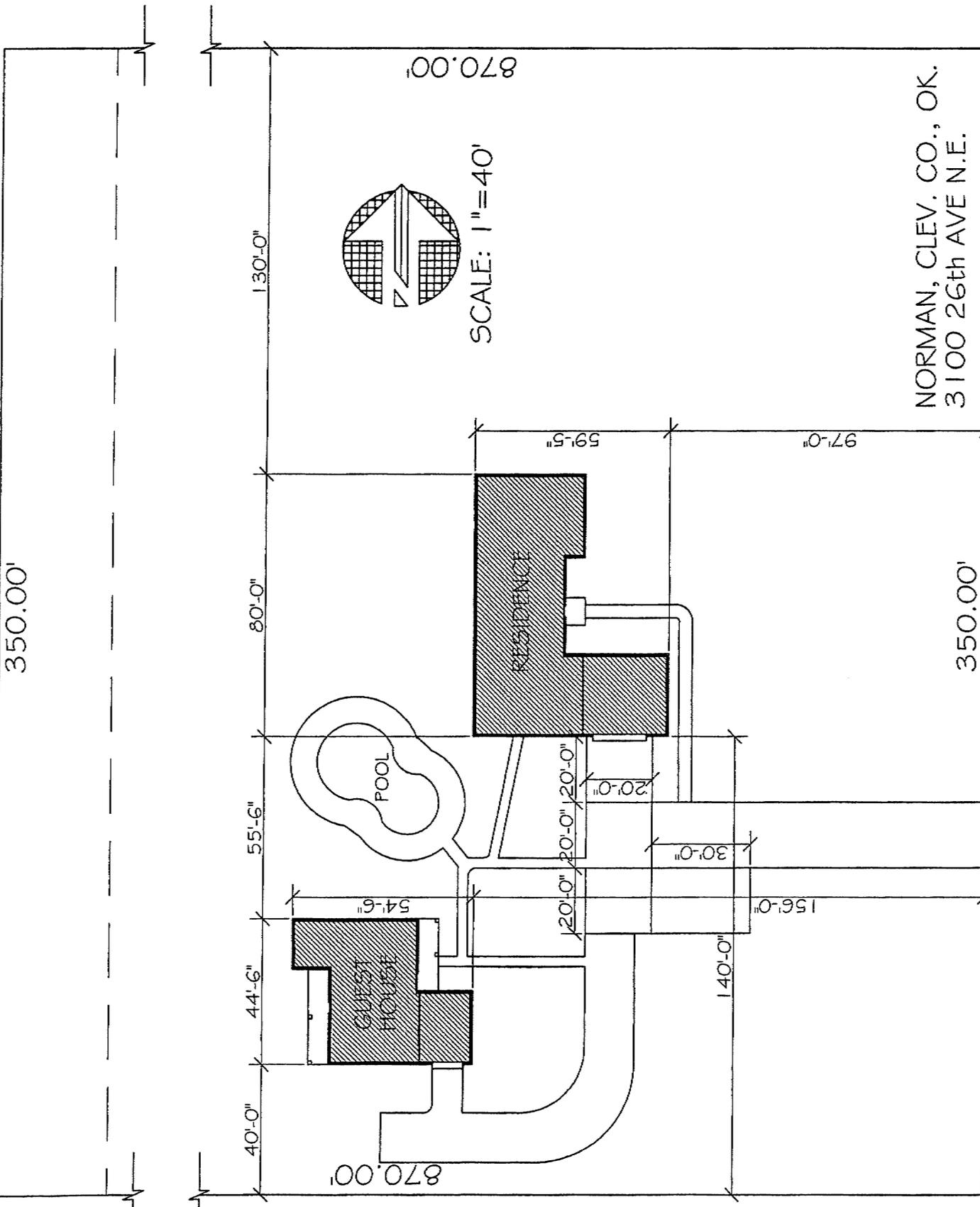
HUNTER RESIDENCE

DATE: 07/07/2011
SCALE: 1"=40'

© COPYRIGHT 2010
PREFERRED PLANS, INC.

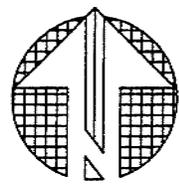
REFERRED PLANS NC.
2160 McKOWN DR.
NORMAN, OK 73072
(405) 447-8999

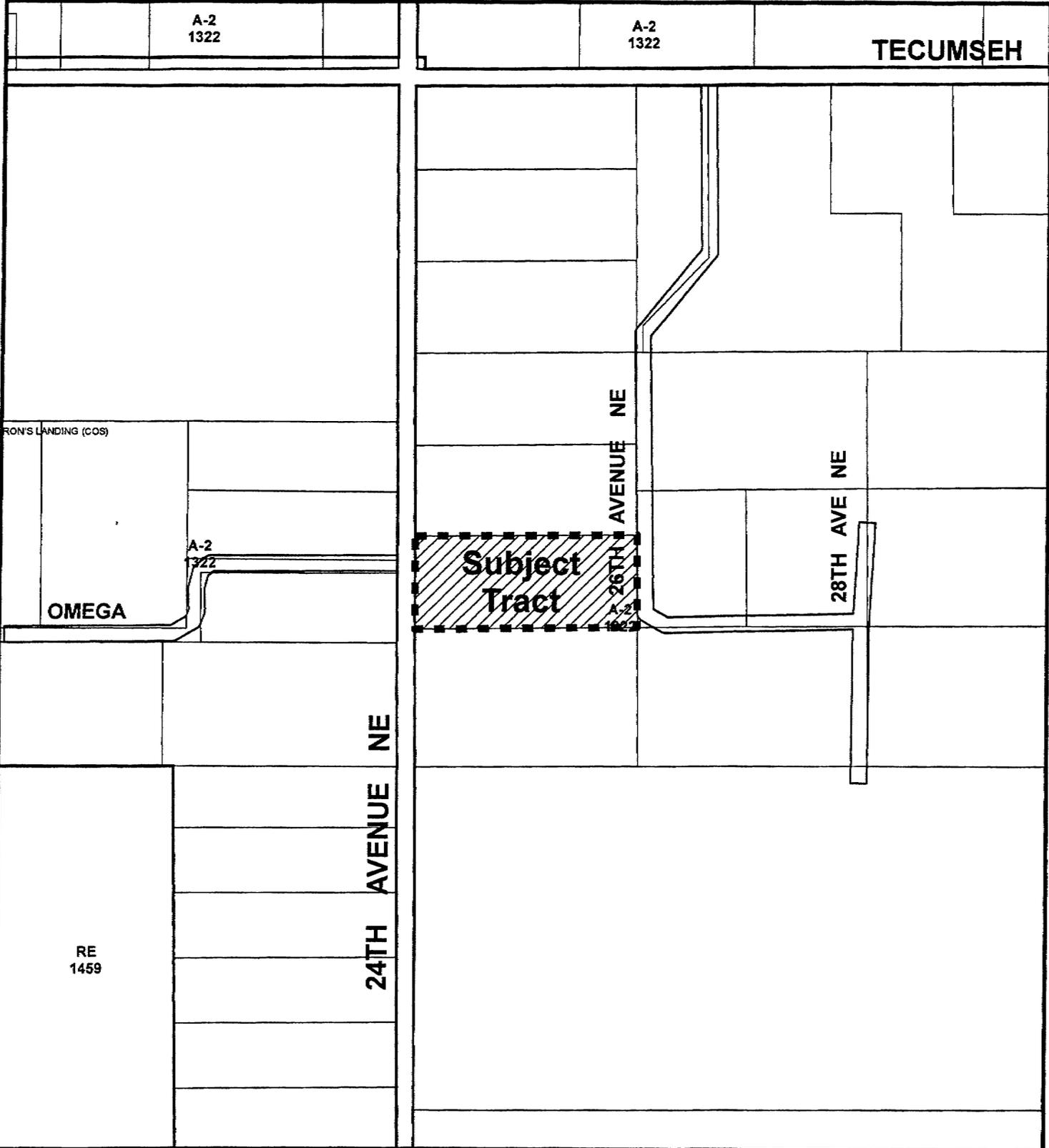
PLOT PLAN



NORMAN, CLEV. CO., OK.
3100 26th AVE N.E.

SCALE: 1"=40'

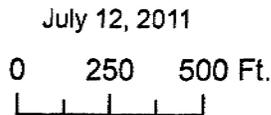




Location Map



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



-  Subject Tract
-  Zoning

ORDINANCE NO. O-1112-11

ITEM NO. 9

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Thomas & Lisa Hunter
REQUESTED ACTION	Special Use for a Type I Bed & Breakfast
EXISTING ZONING	A-2, Rural Agricultural
SURROUNDING ZONING	North: A-2 East: A-2 South: A-2 West: A-2/24 th Avenue N.E. ROW
LOCATION	3100 26 th Avenue N.E.
SIZE	6.8 Acres
PURPOSE	Type I Bed & Breakfast
EXISTING LAND USE	Residential
SURROUNDING LAND USE	North: Residential East: Residential South: Residential West: Residential/24 th Avenue N.E.
LAND USE PLAN DESIGNATION	Very Low Density Residential

SYNOPSIS: The applicants, Thomas and Lisa Hunter, are requesting a Special Use for a Type I Bed and Breakfast. They would like to establish this Bed and Breakfast at the existing guest house located on their property, 3100 26th Avenue N.E. A Type I Bed and Breakfast is defined by ordinance as "a use clearly subordinate to the principal use and appearance of the structure as a residence, containing no more than four guest rooms, (none with individual cooking facilities) in which the owner operator provides lodging which includes meal service to transient guests for compensation". This use is permitted under the existing A-2 zoning district as a "Special Use".

ANALYSIS: The applicants initially constructed the guest house for relatives to use as they were in declining health. Health conditions have continued to decline and the applicants can

no longer allow the relatives to stay in the guest house. Since the owners have no other use for the guest house they believe they have an opportunity to operate a Type 1 Bed and Breakfast. It is noted in the "Operating Characteristics" that there is a kitchen in the guest house. The applicant stated she will be preparing the meals for any guest which keeps the use in line with the definition of a Type 1 Bed and Breakfast. The property is serviced by septic systems and water well. The property is located in a secluded area accessed via a private road.

ALTERNATIVES/ISSUES:

- **IMPACTS** As proposed, minimal impacts are expected. This is a rural area with limited traffic.
- **PARKING** No additional impacts from parking are to be expected. The parcel has a paved drive and the proposed Bed & Breakfast has an attached one car garage to house visitor parking.

OTHER AGENCY COMMENTS:

- **PARK BOARD** This is an existing residential area with no parkland dedication required.
- **PUBLIC WORKS** Based on the fact that this property has access onto a private road there are no maintenance requirements with the Public Works Department.

STAFF RECOMMENDATION: Granting of this request should not impact the neighbors any more than the traffic from the previous residents/relatives staying in the guest house. Since there is only one unit to be rented, traffic impacts will be minimal. The adopted definition of a Bed and Breakfast states there are no kitchen facilities in the unit, as noted in the application this unit has kitchen facilities. Since the applicant has stated she will be preparing meals for guests to keep in line with the adopted definition of a Bed and Breakfast, staff does not object to the unit having a kitchen. The adjacent properties are shielded by rows of trees between the lots. Therefore, any activity at this unit should not result in a negative impact on the surrounding neighbors. Staff supports this request for a Special Use, and recommends approval of this request.

Statement describing the Nature and Operating Characteristics of our Proposed Bed and Breakfast

(Thom and Lisa Hunter's Application for Special Use)

²⁰⁰¹
In ~~1997~~ with the City of Norman's permission, we built an addition to our home so that my parents would be able to stay with us. At the time, my dad had been diagnosed with Alzheimer's. Our plan was that mother would be able to continue to care for him with our support. The addition to our home came in the form of a guest house, but it is connected in the fact that it operates off of the main house for water and heating (i.e. one well, one pressure tank and one propane tank.) It cannot be run independently because of these utilities. Also, we understand it is and always will be part of our home. Our property cannot be divided to sell or rent to another individual.

We discovered after my parents moved here that my dad's illness had progressed faster than we realized and he only lived a few months. Soon after he died, Mother was also diagnosed with dementia. Fortunately she was able to live in her part of our home relatively independently until she fell last fall. She now requires constant supervision because of the dementia and she lives in our part of the home and can never be left alone. Other than a couple of days a week at Full Circle I am now tied to the house and am a full-time caretaker like so many people are these days. In other words, I am not able to work outside our home as I used to be able to do. The cost of her care is increasing and it would be very helpful if I could add to our monthly income. Thom is retired from ATT and also works from home most of the time as a writer, though he is also supplementing our income with some part-time work. So he is available to help run our proposed bed and breakfast.

The guest house has one large bedroom so we would only be able to offer it to one guest, couple or small family at a time. It also has a small sitting room, living room, and a kitchen. There are no cooking facilities in the bedroom! It is all built according to Norman city codes. The guests would have the same access to kitchen facilities that they would in the main part of our home.

Other things this part of our home affords are - -

A large shower easily accessible for walkers or wheelchairs.

A large jetted bathtub. (We built it to please Mother and Pop)

A large safe room built as the walk-in closet in the bedroom.

One car garage.

Plenty of parking to the side as you request (my preference, too!)

No steps to enter this part of the house. It's all flat.

Swimming pool.

Incredible view (we are watching the Devon building go up.) Gorgeous sunsets. And a walking trail through the woods at the east end of the property.

With only one set of guests at a time, the traffic will be minimal.

I do my own cooking and cleaning and should be able to accommodate special dietary needs and flexible schedules. That's what I do now.

Thank you for taking time to read our proposal and we look forward to meeting with you soon.

Lisa Hunter

Applicant Thomas and Lisa Hunter
Location 3100 26th Avenue NE
Case Number PD11-20
Time 5:30-6:00 PM

Attendee	Stakeholder	Address	Phone
Thomas and Lisa Hunter	Applicants	3100 26 th Avenue NE	550-7882
Joan Mustoe	neighbor	3101 26 th Avenue NE	329-4340
Don & Diane Mitchell	neighbors	PO Box 6078 Norman, OK 73070	321-0860
Susan Atkinson	City Staff		366-5392
Doug Koscinski	City staff		366-5437
Leah Messner	City staff		366-7748

Application Summary. Applicants are seeking a Special Use Permit for this property which is zoned A-2. The Norman 2025 Land Use Plan designation is Very Low Density Residential.

Applicant's Opportunity. The applicants are seeking to use their existing guest house as a one-bedroom Bed & Breakfast. The facility would be available by reservation only and could accommodate at most one person, a couple, or a couple with one child. They envision that this unit would get fairly infrequent use and see it as a small supplement to their income.

Neighbors' Comments. The across-the-street neighbor spoke in favor of the proposal. She stated that she and her husband foresaw no negative impacts from this use.

Adjacent neighbors spoke against the proposal. They felt that it would generate extra traffic, bring strangers into the neighborhood, and cause more light to shine into their windows at night.

Applicants' Response. Applicants assured their neighbors that the proposed Bed & Breakfast would have a minor traffic impact on neighborhood traffic because it is only one unit which would have at most one car associated with it. They added that they would make directions to the unit very clear for guests so that neighbors would not be disturbed by being asked for directions. They added that this facility would be available by reservation only and would certainly not be used as a party house.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 8, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of September 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Cynthia Gordon
Diana Hartley
Tom Knotts
Chris Lewis
Curtis McCarty
Roberta Pailes
Andy Sherrer
Zev Trachtenberg
Jim Gasaway

MEMBERS ABSENT

None

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Doug Koscinski, Manager, Current Planning
Division
Ken Danner, Development Coordinator
Roné Tromble, Recording Secretary
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst
Jane Hudson, Planner II

* * *

Item No. 9, being:

ORDINANCE NO. O-1112-11 – THOMAS & LISA HUNTER REQUEST SPECIAL USE FOR A TYPE I BED & BREAKFAST ESTABLISHMENT FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, LOCATED AT 3100 26TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Site Plan
4. Applicant's Statement
5. Pre-Development Meeting Summary
6. Protest Letter and Map

PRESENTATION BY STAFF:

1. Mr. Koscinski indicated this is a simple rezoning request, no plat with it and no Plan change required. About 2007 the applicant built what was called a guest house. They actually moved their mother into it so they could take care of her. She is now moved into the main home. The guest house is still there, but they don't need it for a guest house and so they've submitted a request for a special use for it to be used as a one-bedroom bed and breakfast. There is a swimming pool between the main house and the guest house. They are on a private gravel road, which they share with some other residences. They have on-site parking – parking is certainly not an issue, and it is paved parking. No changes to the site plan are anticipated. It will be a one-bedroom rental unit for occasional guests. Staff supported the request, essentially because it is a one-bedroom unit. Being a guest house, it does have kitchen facilities, which the ordinance actually prohibits, but they intend not to use it that way. The owners will provide the cooking for whatever guests show up.

There was a filed protest. Two of the people that live at the entrance to the neighborhood filed a protest based on impacts of traffic going up and down a gravel road. It represents 2.8 percent. Staff does support the request. Again, it's a minor change. We don't expect traffic to be much worse than it would have been if somebody had occasionally lived there, which is about what will happen. We didn't foresee the traffic impacts, but those are issues that some of the neighbors are concerned with. Staff did support the request.

2. Mr. McCarty asked if the road maintenance is split by the. Mr. Koscinski said it is supposed to be. That is one of the concerns that was raised.

3. Mr. Trachtenberg asked if the development is built out. Mr. Koscinski reported there are vacant lots. There are residences on some of the lots. These are very large lots – five-acre lots, typically, if not larger, so they aren't right next to each other.

4. Ms. Hartley noted the protest complaint is about traffic and dust. Mr. Koscinski responded that it is exactly what it already is. It will just be used differently.

PRESENTATION BY THE APPLICANT:

1. Thom Hunter, 3100 26th Avenue, the applicant – Really the only thing I wanted to say is we have a very good relationship with all of our neighbors, including the Mitchells. We've talked to them about that issue, as far as the traffic on the road. To answer the other question, all of the homeowners on the road – and really there are only about 5 or 6 in the whole area – do contribute to the upkeep of the road. In fact, a few years ago we all put in quite a bit of money to bring the road up to better use for the neighborhood. There was a time when we actually, living out there on the property, had five teenagers, because all of our children kind of became one at the same time, and so there was considerably more traffic on the road in the past than there will be now. With it being a one-bedroom guest house, we anticipate having one car going up the road on occasion and really not having much of an impact on that area at all. Most of the neighbors have expressed not only approval, but interest. You know, I guess they

want to have their relatives nearby but not in their own home. So we are looking forward to that. Basically, my wife, because of her mother, who is in great health but has dementia, has to be home with her all day long, and my office actually is in the home, so we're both there pretty much all the time. This seemed like a good use for us, otherwise it would just be an empty one-bedroom sitting there with no real use. But I would be happy to answer any questions at all.

2. Ms. Gordon noted the Pre-Development summary, which talks about the across-the-street neighbor spoke in favor, but that adjacent neighbors spoke against the proposal. Mr. Hunter responded that actually they're not adjacent, but that would be Don and Diane Mitchell. And the way the road comes in off of Tecumseh, it does, and always has, goes straight up and then turns. Ms. Gordon asked if they have ever thought about moving the road. Mr. Hunter explained that they didn't build the house – they bought the house there. In other words, the house was already there on that part of the road. There has been some discussion among the homeowners about moving the road and just going straight out, and that would impact the Mitchells in a sense because they own that piece of property that the road would go straight through, but if that decision were made, it would be something that all of the homeowners would need to pitch into. And through the years, I understand it has been discussed and the Mitchells have actually not been in favor of it. The only other thing that the Mitchells mentioned, which really didn't make the comments – they talked about the possibility of someone stopping and asking for directions at their house. But we would make it real clear to anyone coming – because this is not something like we're going to put up a neon sign and you come and ask do you have a room. It's all going to be by reservation. The Mitchells themselves have a high fence, two big dogs, and it says beware of dogs, so I doubt that people are going to stop and open the gate and go in to ask for directions. So I really think the impact will be very minimal on the Mitchells. And they're good neighbors and I understand their concerns and we want to keep a good relationship with our neighbors, so we'll work very carefully to make sure it doesn't impact them. There's a family around the corner with four teenagers and, much like we were at one time, and that's much more impacting traffic-wise.

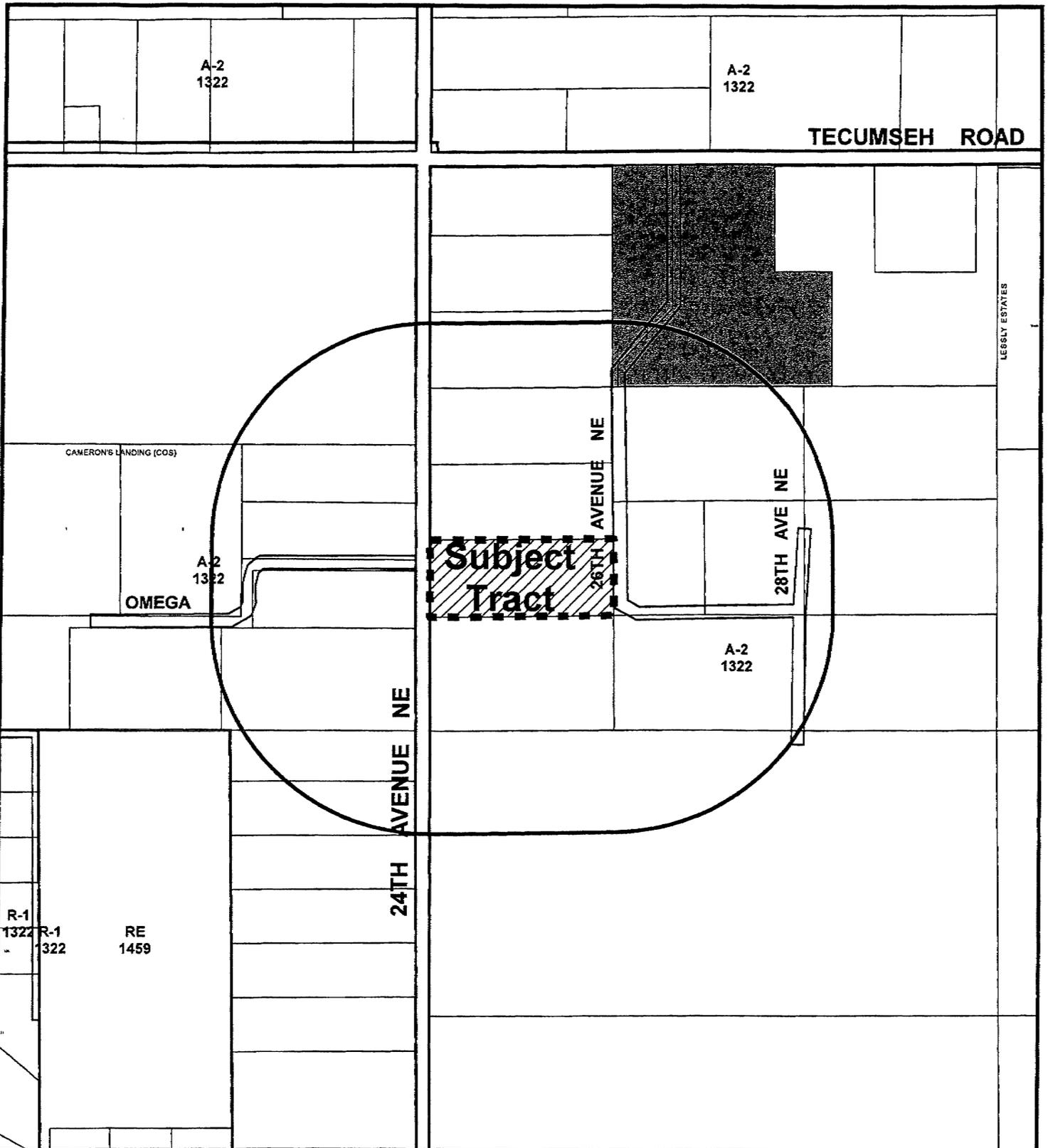
DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend adoption of Ordinance No. O-1112-11, the Site Development Plan and accompanying documentation, to the City Council. Diana Hartley 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 Pailles, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1112-11, the Site Development Plan and accompanying documentation, to the City Council, passed by a vote of 9-0.



Protest Map

2.8% Protest Within Notification Area

Map Produced by the City of Norman
 Geographic Information System.
 (405) 366-5316

The City of Norman assumes no
 responsibility for errors or omissions
 in the information presented.



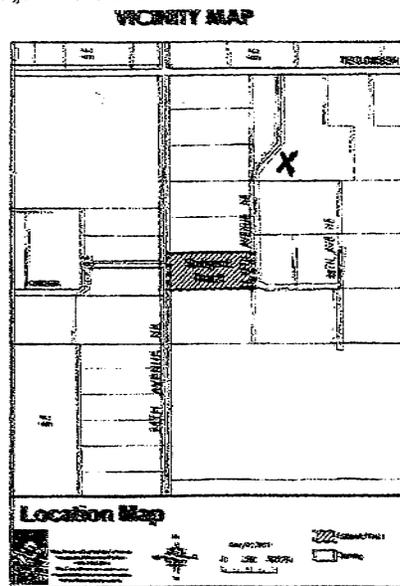
Scale: 1" = 400'
 September 8, 2011

-  Subject Tract
-  Protest
-  Notification Area
-  Protest Outside Notification Area

August 21, 2011

Planning Commission and/or Norman City Council Members:

This letter is our written notice of opposition to the Proposed Land Use Plan Amendment of the Planning Commission and the Norman City Council. We oppose the ordinance granting a Special Use for a Type 1 Bed and Breakfast Establishment for applicants Thomas and Lisa Hunter at 3100 26th Avenue NE, Norman, OK 73071.



The sole access to the Hunter's property is by using Tecumseh Road, then, South on 26th Avenue NE, a privately maintained unpaved road that adjoins our home. As can be seen on the illustrations above, any and all road traffic must pass in front of our home first to continue to the subject tract, Hunter's property.

We are affected by all traffic that uses this road, daytime and nighttime; whether entering or exiting. We experience all traffic's dust, noise and headlights and any extra traffic detracts from our enjoyment of our property.

Over twenty years ago, we bought our home here because it was a very peaceful and quiet agricultural area and, at the time, there were only four homes, including ours, all using 26th Avenue NE. We never anticipated anything other than residences being built in our neighborhood.

We have made our opposition to this project known to the Hunters and to all who attended the meeting in the Municipal Complex on Thursday, July 28, 2011. Our hope is that we have made our position to this proposed change clear and that the Planning Commission and the City Council will take it into consideration when contemplating this request for special use.

Sincerely;

Don S. Mitchell *Diane L. Mitchell*

Don S. Mitchell / Diane L. Mitchell
2600 East Tecumseh Road
Post Office Box 6078
Norman, OK 73070-6078

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-23-11 *DM*



City of Norman, OK

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

Master

File Number: R-1112-4

File ID: R-1112-4

Type: Land Use Plan Resolution

Status: Non-Consent Items

Version: 1

Reference: Item No. 44

In Control: City Council

Department: Planning and
Community
Development
Department

Cost:

File Created: 06/21/2011

File Name: R-1112-4 Tecumseh Project 2025

Final Action:

Title: RESOLUTION NO. R-1112-4: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda
Postponed on October 11, 2011

Agenda Date: 10/25/2011

Agenda Number: 44

Attachments: R-1112-4, Location map Tecumseh Project 2025,
Tecumseh Project 2025 Staff Report, 8-11-11 PC
Minutes - Tecumseh Project

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	07/14/2011					
1	Planning Commission	08/11/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	08/11/2011					
1	City Council	10/11/2011	Postponed		10/25/2011		
	Action Text:	Postponed					
1	City Council	10/11/2011					

Text of Legislative File R-1112-4

Body

ITEM: The Tecumseh Project, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-01) from Low Density Residential Designation to Office Designation for 5.33 acres of property located at the southeast corner of Astor Drive and West Tecumseh Road.

SUMMARY OF REQUEST: This tract is the last undeveloped section of Cascade Estates Planned Unit Development, and was last approved by the Planning Commission in 2007 as a final plat for Section 8 showing fourteen single-family residential lots. The owners of this parcel are seeking approval of a 2025 Plan amendment to change the allowed use from Low-Density Residential to Offices (medical and non-medical professional).

STAFF ANALYSIS: Land use changes must meet two criteria outlined in the adopted 2025 Plan. First, that *there has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* The PUD which was originally approved for the Cascade Estates addition was entirely residential, and included a generous amount of open space. Development proceeded from the south to the north, and section 6 made a road connection to an improved Tecumseh Road in 2004. Since that time, a state project extended a widened and improved Tecumseh Road across north Norman all the way to 12th Avenue NE, and traffic volumes have increased over time as new residential subdivisions have developed in close proximity to Tecumseh Road. Two major churches (St. Mark’s Catholic Church, directly across the street, and Journey Church, near the interstate) have been built along Tecumseh Road, and contribute significant traffic at their peak hours of usage. The most significant recent change in the area was the purchase by Norman Regional Hospital of over one-hundred acres at the southeast corner of Tecumseh Road and 36th Avenue NW. In addition to the new hospital which recently opened on that site, additional commercial and office uses have been attracted to the area to capitalize on the expanding residential subdivisions in the area, and the ready access to the Interstate. Second, that *there is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or*

the vicinity. The analysis by the traffic engineer indicates that there will be an increase in traffic if office use is approved, but the amount of traffic will not result in any negative impacts on the neighborhood or the capacity of Tecumseh Road. The church to the north of this property already creates non-residential traffic at night and on the weekends which would impact this property if it developed as residential lots. However, the existing church and the proposed office development will have different peak times for generating traffic on Tecumseh Road. The existing Cascade City Park will provide a buffer between the proposed office uses and the existing single-family homes to the south and east, and the accompanying PUD narrative proposes to minimize any visual impact by limiting structures to one story in height, and designing the buildings to mimic a residential appearance. As this would have been the last phase of the Cascade Estates Addition to be developed, all of the required open spaces have already been dedicated. This proposal actually incorporates a small addition to the public park, which will increase in size to 5.2 acres.

STAFF RECOMMENDATION: While there is still available land in the immediate area that can be developed for hospital, commercial, and office uses, this request neither substantially diminishes the amount of residential zoning in this area, nor increases the amount of land available for office use. Although there are numerous examples of residences which abut a major roadway (like Tecumseh Road), such lots are often negatively impacted by road noise and traffic, and thus are not the most highly sought lots in a subdivision. As such, converting this tract to office use eliminates that problem and allows a small office development which benefits from the visibility offered by a major transportation artery. Staff supports this amendment to the 2025 Land Use Plan. At their August 11 regular meeting, the Planning Commission, by a vote of 5-0 recommended approval of this Land Use Plan amendment.

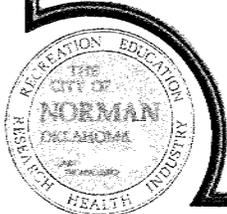
R-1112-4
LUP-1112-01

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-1, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE)

- § 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, Tecumseh Project, L.L.C., has requested that the following described property be moved from the Low Density Residential Designation and placed in the Office Designation for the hereinafter described property, to wit:

A tract of land being a part of the NE ¼, Section 15, Township 9 North, Range 3 West, I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follow:

Commencing at the Northwest corner of the NE/4 of said Section 15;
 THENCE North 89°36'32" East along the North line of said Section 15, said line also being the centerline of West Tecumseh Road, a distance of 924.80 feet to the Point of Beginning;
 THENCE North 89°36'32" East continuing along the North line of said Section 15, a distance of 995.12 feet to a point on said North Section line;
 THENCE South 00°28'35" East a distance of 50.00 feet to a point on the South right-of-way line of West Tecumseh Road;
 THENCE South 89°36'32" West along said South right-of-way line of West Tecumseh Road a distance of 384.59 feet;
 THENCE South 02°18'02" West a distance of 127.39 feet;
 THENCE South 65°36'35" West a distance of 653.33 feet to a point of curvature;
 THENCE along a curve to the right having a radius of 25.00 feet (said curve subtended by a chord which bears South 75°13'45" West a distance of 8.36 feet) with an arc length of 8.39 feet;
 THENCE South 84°50'55" West a distance of 171.41 feet to a point of curvature;
 THENCE along a curve to the right having a radius of 10.00 feet (said curve subtended by a chord which bears North 75°00'24" West a distance of 6.89 feet) with an arc length of 7.03 feet to a point on the East right-of-way line of Astor Drive;



THENCE North 42°53'04" East a distance of 103.71 feet to a point of curvature;
 THENCE along a curve to the left having a radius of 280.00 feet (said curve subtended by a chord which bears North 21°21'36" East a distance of 205.47 feet) and an arc length of 210.38 feet;
 THENCE North 02°18'02" East a distance of 116.24 feet;
 THENCE North 44°43'19" East a distance of 35.43 feet to a point on the South right-of-way line of West Tecumseh Road;
 THENCE North 00°23'28" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 5.33 acres, more or less.

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

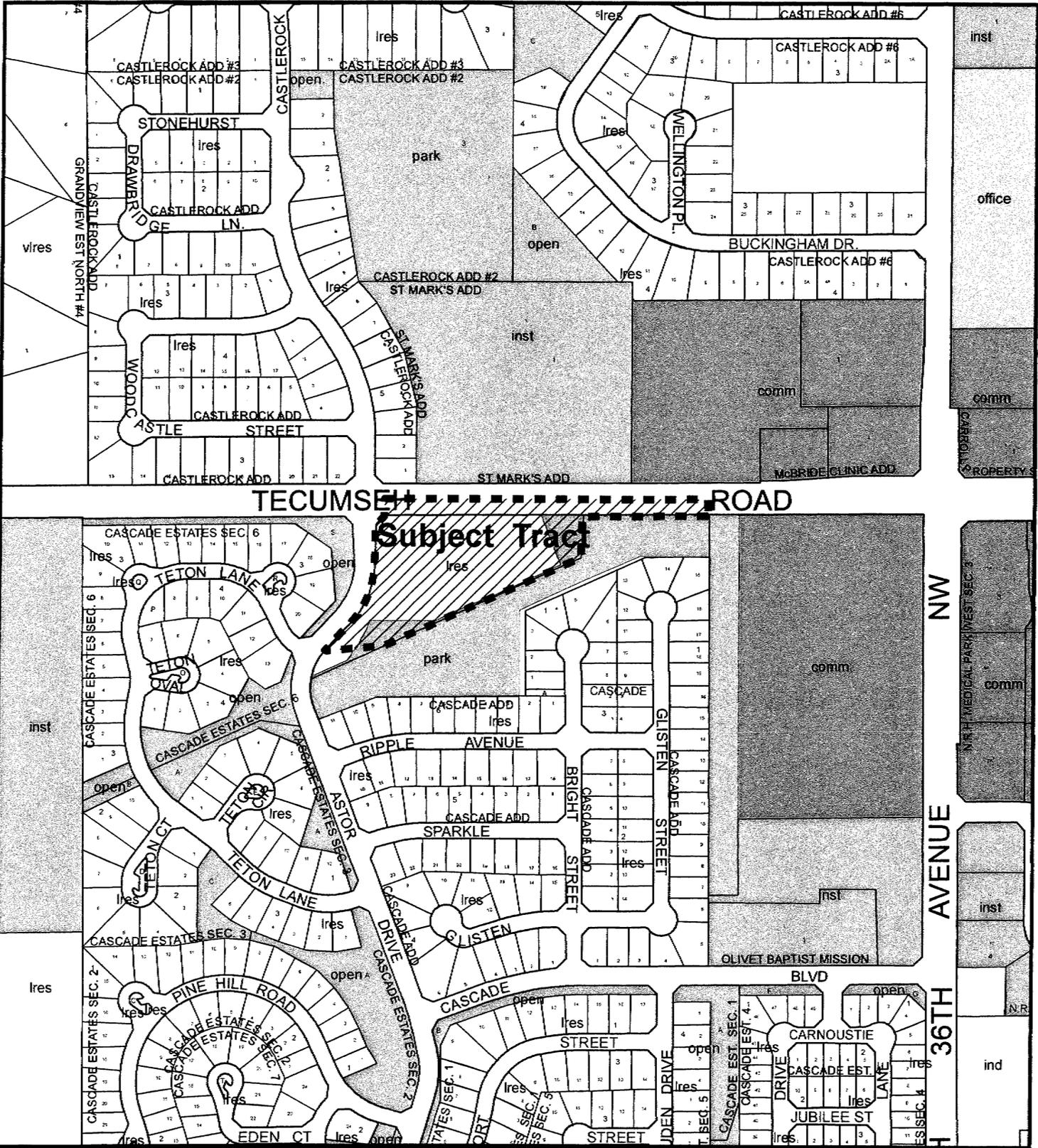
- § 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____ day of _____, 2011.

 (Mayor)

ATTEST:

 (City Clerk)



Location Map



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



September 28, 2011
 0 200 400 Ft.

-  Subject Tract
-  Zoning

RESOLUTION NO. R-1112-4

ITEM NO. 8a

STAFF REPORT

ITEM: The Tecumseh Project, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-01) from Low Density Residential Designation to Office Designation for 5.33 acres of property generally located south of West Tecumseh Road and east of Astor Drive.

SUMMARY OF REQUEST: The owners of this parcel are seeking approval to change the allowed use from single-family residential to professional offices (medical and non-medical). This tract was previously approved as part of the Cascade Estates Planned Unit Development, with a final plat for section 8 showing fourteen residential lots approved by the Planning Commission in 2007.

STAFF ANALYSIS: Land use changes must meet two criteria outlined in the adopted 2025 Plan. First, that ***there has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** The PUD which was originally approved for the Cascade Estates addition was entirely residential, and included a generous amount of open space. Development proceeded from the south to the north, and section 6 made a road connection to an improved Tecumseh Road in 2004. Since that time, a state project extended a widened and improved Tecumseh Road across north Norman all the way to 12th Avenue NE, and traffic volumes have increased over time as new residential subdivisions have developed in close proximity to Tecumseh Road. Two major churches (St. Mark's Catholic Church, directly across the street, and Journey Church) have been built along Tecumseh Road, and contribute significant traffic at their peak hours of usage. The most significant recent change in the area was the purchase by Norman Regional Hospital of over one-hundred acres at the southeast corner of Tecumseh Road and 36th Avenue NW. In addition to the new hospital which recently opened on that site, additional commercial and office uses have been attracted to the area to capitalize on the expanding residential subdivisions in the area, and the ready access to the Interstate. Second, that ***there is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The analysis by the traffic engineer indicates that there will be an increase in traffic if office use is approved, but the amount of traffic will not result in any negative impacts on the neighborhood or the capacity of Tecumseh Road. The church to the north of this property already creates non-residential traffic at night and on the weekends which impacts the property in question if developed as residential lots. However, the existing church and the proposed office development will have different peak times for generating traffic on Tecumseh Road. The existing Cascade City Park will provide a buffer between the proposed office uses and the existing single-family homes to the south and east, and the accompanying PUD narrative proposes to minimize any visual impact by limiting structures to one story in height, and designing the buildings to mimic a residential appearance. As this would have

been the last phase of the Cascade Addition to be developed, all of the required open spaces have already been developed. This proposal actually incorporates a small addition to the public park, which will increase in size to 5.13 acres.

STAFF RECOMMENDATION: While there is still available land in the immediate area that can be developed for hospital, commercial, and office uses, this request neither substantially diminishes the amount of residential zoning in this area, nor increases the amount of land available for office use. Although there are numerous examples of residences which abut a major roadway (like Tecumseh Road), such lots are often negatively impacted by road noise and traffic, and thus are not the most highly sought lots in a subdivision. As such, converting this tract to office use eliminates that problem and allows a small office development which benefits from the visibility offered by a major transportation artery. Staff supports this amendment to the 2025 Land Use Plan.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

AUGUST 11, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 11th day of August 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Diana Hartley
Tom Knotts
Curtis McCarty
Roberta Pailles
Andy Sherrer
Jim Gasaway

MEMBERS ABSENT

Cynthia Gordon
Chris Lewis
Zev Trachtenberg

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Doug Koscinski, Manager, Current
Planning Division
Ken Danner, Development Coordinator
Roné Tromble, Recording Secretary
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst
Jane Hudson, Planner II

Item No. 6, being:

CONSIDERATION OF A REQUEST SUBMITTED BY THE TECUMSEH PROJECT, L.L.C. FOR PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

6A. RESOLUTION NO. R-1112-4

THE TECUMSEH PROJECT, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-01) FROM LOW DENSITY RESIDENTIAL DESIGNATION TO OFFICE DESIGNATION FOR 5.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. NORMAN 2025 Map
2. Staff Report

6B. ORDINANCE NO. O-1112-1

THE TECUMSEH PROJECT, L.L.C., REQUESTS AMENDMENT OF THE PUD ESTABLISHED BY O-9798-24 TO ALLOW BUSINESS, PROFESSIONAL AND MEDICAL OFFICES ON 5.33 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. PUD Narrative
4. Preliminary Site Development Plan

6C. PP-1112-1

CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY THE TECUMSEH PROJECT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TECUMSEH PROJECT, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Traffic Impacts
5. Preliminary Site Plan
6. Request for Alley Waiver
7. Pre-Development Summary
8. Greenbelt Enhancement Statement
9. Greenbelt Commission Minutes – 3/21/11

*

Mr. Sherrer asked to be recused from discussion on Item Nos. 6a, 6b, and 6c.

Diana Hartley moved to accept Mr. Sherrer's recusal on Item Nos. 6a, 6b, and 6c. Roberta Pailes seconded the motion.

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

YEAS	Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailles, Andy Sherrer, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Zev Trachtenberg

Recording Secretary Roné Tromble announced that the motion, to accept Mr. Sherrer's recusal on Item Nos. 6a, 6b, and 6c, passed by a vote of 6-0.

Mr. Sherrer vacated his seat and left the room.

*

PRESENTATION BY STAFF:

1. Mr. Koscinski reported that the first item is a Plan change from Low Density Residential to Office designation. The tract is on the south side of Tecumseh at Astor Drive. The accompanying rezoning is a PUD Amendment, so they are fairly specific in what they would do with this property. They originally asked for a Commercial Office designation, but the application was subsequently amended to a PUD Amendment specifically for professional office use only. The tract is pretty much surrounded by development in the immediate area. The site itself is vacant. It lies directly across the street from St. Mark's Church. The project will line up with the two church driveways to minimize traffic interference. Further east, the immediate corner is still vacant, but across 36th are some new commercial businesses which have sprung up partly in response to the hospital that opened fairly recently. The tract will abut an open space pipeline and park before you reach the residential area to the south. To the west is also single-family residential. Astor Drive is the major entrance off Tecumseh Road into the Cascade Estates neighborhood. There was a significant protest on the application. The protest does not technically affect the Planning Commission recommendation. When it goes above 50% it does require a super-majority of the Council, but not of the Planning Commission. The Plan change requires that two actions occur that precipitate a change. One is that there has been a change in circumstances resulting from development in the area. Obviously the hospital bought this land a few years back, but they've only recently opened the hospital, and since that hospital has been opened you've seen some of the new businesses spring up out there and we've had a lot of interest from doctors and businesses looking to locate near the hospital. I presume that is probably what precipitated this project. The price of land in the area is escalating and I'm sure the developers have chosen to try to take advantage of that. Second, there must be a determination that the proposed change would not result in adverse land use or adverse traffic impacts. The traffic engineer has determined, based on the data that was submitted to us, that Tecumseh Road can handle the additional traffic that comes from the Tecumseh Project. When the review of this project started, staff had suggested that there be an access point onto Astor Drive, and that was removed at the request of many of the residents of the neighborhood. So all the traffic is focused onto Tecumseh Road from this project and the driveways will line up with the driveways from the church. There has been some detailed consideration of how the traffic would flow in and out of the project. One of the driveways is programmed to be right-in/right-out only. From a zoning perspective, they are proposing a PUD, which would limit the use to only professional offices, such as doctors, dentists, lawyers, optometrists. It is not a retail district and does not allow for any retail use, other than some truly incidental things like an eye doctor can sell glasses.

The applicants have proposed additional landscaping to try to improve the appearance of the project, specifically along Astor Drive where they have trees and a continuous shrub barrier. One of the concerns from the neighborhood was appearance, and the PUD mandates that the buildings be single story, other than some incidental storage perhaps, with pitched roofs, masonry exteriors. There will be a lot of residential elements to the buildings. There is one additional open space that will be created. There is a piece of park land that has not yet been dedicated, so the public park will increase in size as a result of this proposal. They are proposing one phase for the final plat, although the lots could be developed together or independently, or combined at some point in the future. Staff supports the request for the Plan change, the rezoning, and the preliminary plat.

2. Mr. McCarty asked for clarification of what fits in the professional office category. Mr. Koscinski explained that it allows virtually any type of office use: accountants, medical, professional. There are a few unusual uses that the O-1 district will allow, one of which is a school, museum, and things like that which are technically allowed but probably would not occur in this area. The closest to a retail use would be an art gallery. Libraries, music conservatories. Very low traffic uses. Not anything that runs late at night or around the clock.

PRESENTATION BY THE APPLICANT:

1. Tom McCaleb, engineer for the applicant – This project has been in motion for a while. We had a Pre-Development meeting on March 24, and have met with the architect and neighbors. At the Pre-Development meeting is when we were informed of the concern of some of the neighbors. It was a very intense meeting. After that, we changed the plan, because that application was CO, and we withdrew that CO completely and went back to the PUD, which we thought would be better for everybody and give the neighbors some guarantees or some security with some of the concerns that they had. We've met several times since then in Mr. McKinney's office, and the client has met individually with several people on numerous occasions. So there have been extensive meetings that have taken place. The PUD was put in place to give some guarantees to the neighbors of what this is going to be like. It is not a contract, but it's close. So we're confined with the document of the PUD. This plan that you see before you is the illustration of the site plan, and this is called the Preliminary Site Development Plan, which is required for the PUD documentation. In the beginning, with the initial CO application, we had an access point onto Astor Drive and we prepared a traffic impact analysis to show how the traffic was going to work. We did the TIA and turned it in to show the reasons why it was done. In that document, we had the connection to Astor Drive. The meeting with the neighbors indicated that they did not want that connection. Our meeting with staff indicated that the access point was a good way to take care of sanitation needs and emergency vehicles. Again, the neighbors did not want that traffic there – did not want that access point, so we re-did it and we came up with Traffic Plan II. In Traffic Plan II we put together the consensus of how it would work if we did not have that access to Astor Drive. With the assistance of the client, and with Rick McKinney, we worked out how to take care of the sanitation needs and to make sure that we could take care of them in a logical fashion that didn't mess up the City's sanitation routings. We were able to eliminate the Astor Drive connection completely. On top of that, we were able to produce a landscaping plan and create vertical landscaping and a mass landscaping to add additional buffer to

the neighbors to the west. We're offering that in the PUD and we will do it. As you can see, there are four lots and only four lots. You also see the driveways on Tecumseh Road. Initially we had the west driveway as a full-access driveway and we had the east driveway as a full-access driveway. Staff was concerned about the proximity of the west driveway to Astor Drive intersection with some future traffic issues and asked us to reconsider that access, so we have. That driveway now is a right-in and right-out. It is not full access. So that was added to the traffic report and the City has endorsed that application and you have the City's approval of the traffic design. So we satisfied what we thought were some serious concerns with the neighbors: no access on Astor Drive, and in and out on the west drive, and a full access on the east drive only. Our only access to this piece of land is on Tecumseh Road. On the west, we have a heavily landscaped area to act as additional buffering. On top of that, there is an irregular tract of 1.9 acres that will be deeded to the City as additional park land. Adding this piece will make the total park land over 5 acres. Staff has asked us to plat this little piece into the final plat of this tract as a lot and block that will be granted to the City as a lot and block. All the landscaping will be incorporated as you see, and you see a heavy buffer on the perimeter around the entire tract. That buffer is in the PUD document to be installed in Phase I completely, no matter what lot is sold or what order they're sold. It will be irrigated. It will be owned and operated and maintained by the property owners association and it will all be done in Phase I. All the ingress/egress for sanitation will be designed to work for circulation as lots sell in any order. There will be four lots, and only four lots – there could be less lots, but no more than four. We will comply, and the PUD so stipulates, with the lighting restrictions of the new lighting ordinance. There will be shut-off lights. It is in the document. As I said, it will be over 5 acres of parkland when it's completed. We are modifying Astor Drive so there will be no connection whatsoever with the development.

This is the third amendment on this Cascade PUD. This was started in November of '97. The applicant at that time was Mr. Clagg and Mr. Newcomer, in '97. That's when we started Cascade. It has evolved in seven different plats. Those plats have taken place over a period of time and they've all been done and they've all been built. Cascade included almost 107 acres – that was the totality of the PUD in the beginning. Of the 107 acres, we're down to 5. This is all that's left. The PUD itself is addressing this tract. All the rest of the PUD has been built and is in place and it's very close to what was projected in '97, as far as open space, how many lots we were going to build. The only thing that's significantly different is the amount of right-of-way that we projected. The right-of-way that was projected in the beginning was about 6 acres and we wound up having about 23. In that right-of-way we had some common areas. So a lot more right-of-way was put in this project over the evolution of the time. If you net out the right-of-way for the tract, the amount of open space is almost 23%. That's a lot. So there's a lot of green on this whole tract of land and this is the last piece. The park land is there and we're going to add 1.9 more acres to that park land. If you've been out there, you'll see the play equipment is already there and being used. This park is used by the neighbors and they are concerned about it. We understand that. So we're not here to try to make life miserable for those folks; we're trying to do something that's just the opposite. You saw the flume a while ago – the drainage is in place. All the property would have to be raised to go back to that drainage flume and discharge back to the east and detention has been accommodated. The detention plan has been reviewed by the staff; it's in place. It

also has been approved by staff. So we've got detention in place. We've got the traffic in place. And it's ready to go.

A significant thing about the PUD application is that we are compliant to the O-1, not the CO; there is no commercial, no retail. It's offices. And in the O-1 district, as you know, you can get special uses to add to it. The PUD is written to say that won't happen. We have eliminated that from ever happening. We are not going to ask for any special uses. It's going to be this use.

The applicants for this project are these folks: Mickey Clagg, Ben Newcomer, Sean Bauman, Scott Bauman, and Dr. Tom Connally. All these gentlemen are respected citizens of Norman and have added to the quality of life in Norman in their presence and in what they've done. That's the applicant. Pretty nice guys. Here's the story. As a matter of record, the applicants did submit a final plat for single family residences on this same tract. Our firm submitted the final plat called Cascade Addition Section 8 on July 6, 2007. The Planning Commission approved it August 9, 2007. The City Council approved the plat September 11, 2007. It went through the whole deal. It was a few lots and has been approved. During the process, there were certain neighbors who called about that application and they were concerned that they didn't want it to interfere with the park and they didn't want it to interfere with their kite-flying options. The client determined that professional offices would better serve all entities, including themselves and the neighbors – to give it a distinctive buffer line right on the park land. So that's what we've done. The first submittal of CO was 5.3 acres. During discussions at the Pre-Development meeting, as I said a while ago, the client was informed by a large neighborhood group that commercial rezoning was not acceptable, and discussion was intense. That no longer is on the table. There is no commercial on this application – none. The client withdrew the CO zoning and prepared the PUD application. It was submitted June 8 of this year and that is the PUD that is before you tonight. What would this PUD do? It will guarantee to the neighbors the following items: 1) all perimeter landscaping will be done at the beginning, no matter which lot will be built on first; 2) no driveway will be installed on Astor Drive; 3) only two driveways will serve the project; 4) the west driveway will be a right-in and right-out; 5) the east driveway will be a full-service drive; 6) all sanitation service and emergency service will access from Tecumseh Road; 7) the southwest corner will be landscaped to offer additional buffering; 8) all landscaped areas will be maintained by an association; 9) there will never be more than four buildings constructed, and only constructed within the area designated on the PUD – there could be fewer buildings, but never more than four; 10) there will not be any commercial or retail – only professional offices compliant under the O-1 Office District restrictions. In conclusion, the client has heard the concerns of the neighbors. He has revised the complete plan. He has solved traffic and drainage issues. He has not been able to satisfy all the wishes of all the neighbors and never will. But please understand, the land will be developed. It will not remain in the agriculture state.

2. Rick McKinney, McKinney Partnership, 3600 West Main – It's a pleasure to talk about the design of the site plan and the buildings themselves. Tom has already introduced this site plan, and I think he's done a fine job of describing the features, and he has mentioned that we will have four buildings. The four buildings would have probably a maximum built-out area of 40,000 feet spread over the four buildings. The actual footprints of the buildings will fit within the building areas, but the actual design of the buildings will be done by each group that buys each building. Some of the

features that I would like to re-emphasize here are the zoning and the office nature of the project, not having any commercial. There has been discussion that we may have a retail strip center, a 7-Eleven, things like that. That is not the case. That will not happen. We are requesting professional, medical and office space. The buildings themselves will be single story. We have kind of a low-slope roof of a 6:12 pitch, which is less than most of the homes that are there now, so the overall height of the buildings will be no higher than 27 feet. That is written into the PUD as far as the maximum height, and I'll display that a little bit later in some of our elevations. The exterior materials of the buildings will be at least 80% masonry – brick, or stone, or cast stone. I also have some elevation concepts of what we are envisioning. And I think one thing that is very important is the landscaping – the developer has agreed to landscape the entire perimeter at the onset and irrigate it and maintain it and put the bond on that from the very beginning before any lots are sold. Then the balance of the landscaping, on the interior, will be developed by each individual lot owner and developer, and then all of the landscaping eventually would be under one common POA – property owners association – that would facilitate and upkeep the maintenance to a level that everyone would like to see. So you'll see a consistent quality of landscaping and plantings throughout the entire development eventually. The landscaping plan, as I mentioned, in general we are indicating one and a half times the amount of landscaping required by the City of Norman. These would be of the variety of trees and sizes that are required in the landscape code – Chinese pistache, red oaks, silver maples – trees that are preferred and requested. You can see around the perimeter these trees are actual counts that exceed the minimum allowed requirements of the landscape ordinance.

This is a concept elevation. It indicates some of the masonry materials, and we are indicating either a split-faced stone or a ground-faced stone, rock, masonry veneer. The roofs will be a 6:12 pitch, maximum 27 feet high. There will be an allowance of up to 20% stucco on the buildings, if that would be desired. We've specified the glass. We've specified the window framing system and color and finish that would be consistent. The entry doors to all the buildings would be consistent. The light fixtures around the entire facility would fully comply with the latest lighting ordinance for the City of Norman and they would be consistent. We would require every developer of each lot to use the same type light fixtures, so there would be continuity there. In addition, one thing that's very important, there will be an architectural review committee, which will review all designs and must be approved before any building permits will be issued, and those will be held in strict accordance with the PUD document, which is all these materials that have been called out, and I'll talk about that a little bit later. Also the roof materials will be consistent. They will be consistent with the neighborhood. It's a weathered wood shingle, which is the predominant material in the neighborhood, and that will be the required roof material for all the buildings that are built. Finally on the roof structures – this again kind of shows the scale of the roofs that would be on these buildings. This is a 27 foot height. The top elevation is just a schematic view of the Tecumseh Road elevation. This is one entry. Over here would be another entry and those, again, line up predominantly with the Catholic church across the street. Over on the left and on the right you see the property lines, and over here is Astor Drive. Down below on Astor Drive we're showing, again, the maximum building height, low-profile brick signs on Tecumseh, and then there would be a continuous solid hedge as well as ground landscaping and trees along Astor at least 3 feet high that would screen cars along Astor. One thing I wanted

to point out is the mechanical units – originally we said we would allow sloped roofs and flat roofs. That was a concern of the neighborhood and we understood that, so we have retracted that. All the buildings will have sloped roofs and the larger building on the west side will have a recessed area within the sloped roof. This building is at Journey Office Park at the corner of Tecumseh and I-35, and it is highly visible from an overpass that goes over I-35. The overpass is 23' high, so we established the eye level of someone that's on the overpass to be about 26-27' high, and we have set the height of the roof on this building to where there are actually mechanical units all along the top of this building, but they're recessed down inside so you cannot tell that there's any recess or mechanical equipment on the roof. Any other mechanical systems that are on the ground would be screened with masonry enclosures. This is the maximum building area plan. This shows the maximum area of which a building can be placed on each of the four lots. That is not the building size; that is the allowable building perimeter of where a building could be placed. The gray area is common area. The green space – Tom mentioned the existing development in the 100 acres around the property is approximately 23%. Our open green space is at 27% on this property right now. These next four slides indicate how – we call it a phased development plan. In order to complete the circulation and allow for each lot to function on its own, possibly before each other lot is purchased, in this case Lot 1, the pink area would be developed by the lot owner and the blue the developers would step up and complete both entry drives off of Tecumseh as well as the balance of the parking around Lot 1 in advance of Lot 2 being purchased. Lot 2 is very similar; the pink area would be built by Lot 2 developer and then the overall developer would provide the blue area to allow proper circulation and safety. Lot 3 – same story. Lot 4 – similar. In all cases, emergency and waste management vehicles can circulate through the property before all the lots are built out and it will function fully.

As far as the narrative, as Tom touched on earlier, the setbacks will all be defined. On the south area of the property, we have the park land and then there is an oil line/gas line easement that runs continuously along the south property line of our development, and then the nearest residential is to the south and it's 100 feet away from the nearest building, across the pipeline easement to the fence line.

Again, if we could emphasize a few features of the PUD development – and it is not O-1 zoning; it is a PUD development with O-1 criteria. So we are complying with that. And it is O-1 office use – no commercial – no strip center – no convenience stores – and we have deleted the allowance for special uses that are allowed in the O-1 zoning, so those would not be factored in, and there's no residential or apartments that would be built as well.

3. Sean Rieger, attorney for the applicant – I will go into just a little bit more detail on a few other points and then we will conclude tonight. I think you've heard a lot about how well and how much this developer has worked with the neighborhood. I want to give you a little more detail about that. What you see is a slide from the Pre-Development hearing back on March 24, and you see a little sign on the lower right there that was posted in the neighborhood that said owners want to rezone that land to commercial – sign the petition. We're seeing that as a recurring theme in this project of opposition is the word commercial. We even saw it recently this past week in an email to the neighborhood that said they're still calling it commercial office. It's very important that everybody understand that commercial is gone from this project – period. It's nowhere in the vernacular of anything that's being proposed. It was taken

out after this Pre-Development hearing. And I want to read just a few of the minutes – you have them – you've seen them in your packet. But I want to read a few of the minutes from that Pre-Development hearing on March 24th, and there were really three points that were highlighted that were the major points of the neighbors at that time. One, the neighbors' comments, they were particularly concerned about the proposed curb cut and driveway on Astor Drive. Well, as you've seen now, we took care of that and here is now – you'll see them side by side as Tom and Rick have shown you – the curb cut on Astor Drive was completely taken away. They also said they were concerned with the driveway on Astor Drive – the adjacent neighborhood would be subject to cut-through traffic. Again, we've removed that driveway right there. Not only have we removed that driveway, but changed the driveways on Tecumseh Road so that the main entry point is as far away from Astor Drive as you can get, with only controlled access on the other access point. And then they said the neighbors were concerned whether the parcel could be used as a convenience store in the future if the lots don't sell as professional offices. Well, as you've heard, and I know you all know this, because we're here every month doing this, but they can't use this as a convenience store – as a retail operation – as a restaurant – none of that, without coming back through the entire process again. The neighbors would be notified again twice – served legal notice – before any of that could happen, and you would have to approve of it – City Council would have to approve of it. It won't happen. And the PUD specifically excludes those kinds of operations. So the protections are there. The protections were put into place after the Pre-Development hearing. We've had great success with Pre-Development hearings. This is another one where we heard the responses, and I point every one of them out, and the developer has reacted to every single one of them in the plan. Again, I'll just highlight them – the drive onto Astor eliminated; substantial landscaping; the PUD controls; they aligned the drives. All of this is now in place as a matter of law in the PUD and goes forward with it.

Let's talk about the O-1 office zoning in detail. What does that mean? Well, this district was really put forth for this reason, and I want to read to you very closely the opening paragraph of this district – this is in the City of Norman Zoning Ordinance. And it says: "This District is intended to provide a place for those types of institutional and office activities that require separate buildings and building groups surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses allow them to be located at the perimeter of residential neighborhoods." At the perimeter of residential neighborhoods. "This district can be an effective buffer between less intensive residential area and the retail, wholesale and industrial areas of the community." It's set up for this very purpose. As we talked many times, we need buffers. We need step-down zoning from the corner of 36th and Tecumseh over to Cascade. It's helpful and efficient to have step-down zoning. Right now we don't really have step-down zoning. We go straight from commercial to residential; there's not a step down. Step-downs are helpful and that's exactly what this was put forward for. What are the uses? We talked about it a few minutes ago. Doug told you. You see them right here. Realize, too, that a lot of these uses are contingent upon the size of the site. This is a small site. This is only a 5 acre site. You're not going to put a large assembly hall on a 5 acre site. Art gallery – laboratory – libraries – music conservatories. The main gist of O-1 is right there, under 7. That's what it's used for time and again. Professional offices: dentists, architects, attorneys. Those types of uses. That's the only allowed uses you have is right up in this area. Shops and stores are only that are incidental to the uses. Sometimes you'll see an optometrist selling eye glasses –

something like that. Not a retail store. You see the special use at the bottom. Not only does our PUD specifically exclude them but, as you know, special use doesn't just come as a matter of right with that zoning category. If my client wants to have a special use, one, the PUD excludes it. But even if it didn't, it would still have to come back through this process. It would have to come through the entire process, notify the neighborhood twice again, go through you, go through Pre-Development, go through the Greenbelt Commission, and then through two hearings of City Council before any of that would ever be allowable. So that is excluded. And you see those special uses there.

I want to read just a couple more points from – Rick highlighted the PUD, but I want to detail to you again how extensive this PUD goes. I don't know that I've seen a PUD this extensive in a long time. As you know, a PUD legally becomes the zoning ordinance. What this PUD says is that this category will be the use – O-1 – but it goes a lot further. It says not only will that be the required uses, but you, building owner and property developer, have to comply with all this. I just want to read a few excerpts from that sheet. This becomes the law. This isn't a guideline; this isn't a covenant that can be privately enforced only. This is a law that Code Enforcement and Susan and Shawn O'Leary's department can enforce as a matter of law. Doors. The law. Exterior entry doors shall be a two-light French door style – wide style with a single horizontal rail, dark bronze anodized finish. Have you ever had a zoning code that said that? That becomes the law. That becomes what they have to build to as a matter of law through the zoning district. That's how detailed they have gotten into this PUD. The roof pitch. The color of the shingles. The granular surface. All of it is written into the PUD, and it's written in there for a reason. It's written in there so that these neighbors can rely upon that assurance. They don't have to just rely on Mickey Clagg's word. They can. I'll assure you of that. But they don't have to, because now they have the law. They have the law in writing that says he has to do that. That's substantial protection. With a PUD you get great benefits, but as a developer I can tell you with a PUD you also get tremendous restraint. A PUD gives you great flexibility to write your own zoning ordinance; it also locks you into exactly what you write. It locks you in.

Lets kind of zoom on in to the aerial so you see a general character. You're familiar with this area of Norman, of course. You see the I-35 corridor on the right. That red dot is the district. And as we zoom on in, you really see what Mr. Koscinski talked about as the change of the Norman Regional Hospital – that large facility on the right. It's really in its infancy. Obviously, hospitals are built for use of a long time – decades – fifty years or more. Well, that hospital certainly in not going to just stay in its current condition – its current state. There's another entire phase planned for that hospital. Most of that facility right there is controlled by the Norman Hospital Regional Trust Authority. Who knows how long that will stay in place? But there are significant restrictions on that 90 acres of site right there. So, really, in a lot of ways, that site is not just open on the free market to anyone. There are significant restrictions you've got to comply with if you're going to be there. There's a few other sites, but we need many around a large hospital. More importantly, we need substantial different styles and uses that are available for all the different uses that go around a hospital. You want many choices. If you don't have many choices, you have a monopoly and that gets expensive. This will add to the choices, add to the availability, add to the options around this hospital, which is a figure piece of this entire area. As we zoom on in, I want to illustrate again – you remember we talked about step-down zoning. This entire corner right here is all intense commercial. That's intense commercial. That's not

office. That's intense commercial. This could easily turn into CVS here or Walgreen's over here, Crest, Whole Foods – who knows? Who knows what all that will be? We're going to see intense activity. Step-down zoning says we want to step down away from that and bring it slowly into a buffer area and then into the residential areas. That's what this is. You then see across the street, too, the large parking lot of St. Mark's Church – a wonderful institution in this location, but I would urge you to consider that large parking lot certainly will be much larger than – you see it's almost as big as the entire site here. We're certainly not going to be that large in our pavement. And then you see this – and actually I'm going to go back. What I really want you to start noticing between these slides is a massive buffer area – this park and that pipeline. I'm in front of you a lot and I rarely have that kind of buffer area. How many times do we talk about we're going to have a 20 foot buffer – we're going to have a 50 foot buffer – we're going to have these kinds of dimensions? We have a huge buffer in this location. You see that large buffer there and you see this large park area here that we are widening over here at the tip to give it some more visibility and access. A huge buffer. We simply don't have that very often.

I want to talk about this developer's track record on a project that he did many years ago – the Quorum. Now the Quorum is a different project legally. The Quorum, I believe, is straight zoning. I don't believe it's a PUD. Done many years ago. It's not under the same restraints that we will be tonight. But let's talk about how closely the concept sketch aligns with what was built. Look at that sketch. Now, sometimes people will show you concept sketches and they'll say it doesn't have a tree here – it's missing that. This one probably is missing a tree, maybe one here and there that's died over the last 20 years. I don't know. But I want you to look at that. Look at the buildings. Look at the layout and look at those trees and then look at that. It's all there. There's the trees. There's the building layout. There's the interior garden. It was all built just exactly as it was shown by this developer. Not a PUD. Not the same restrictions that you have under this one, but it matched the concept. Did the outside look like it was supposed to? That's what was shown, that's what was planned, that's what was built. Again, it matched. And, again, they don't have anywhere near the restraints that you do here. We're, by law, confined to the color of the mullions we have to match. Before Susan can issue a building permit, we've got to match that. We've got to match the mullion color, the wood color, the roof color – all of it has to match before we can even get a building permit.

I want to show you a little bit of the area right now. That's St. Mark's across Tecumseh Road – the large parking lot with the trees. What's the choice here tonight? The choice here is really you're going to have the frontage on Tecumseh Road be, perhaps, the current residential lots. I'm going to show you in just a minute how it's really a little bit of an odd layout if you do that. But those lots, as you see in many cases, will back up to Tecumseh Road, and so will their fences. We've had a lot of problems over the years with that alignment on major arterial roads because, unfortunately, as much as we try, the POAs and the users have a hard time keeping that a consistent aesthetic. It's no different here. If you look at the fences around the park, there's a number of them have fallen in disrepair. That's likely to happen on Tecumseh Road if we simply build up along the street. But here we have the option to do something different. We can do an office park that doesn't have those fences along Tecumseh Road. This is what I really hope you'll look at very closely. This is the current layout of the preliminary plat – 14 small lots – 6,000 square foot lots – and you see the size of these lots over here? Much smaller than what you have in adjacency.

But what I really want you to look at in the photo – do you see those red lines? If you build that preliminary plat like that, you're building a fort. See that little red line around that? You're going to have a little fort of wood stockade fence on a little pod of residential stuck out on Tecumseh Road in the middle of this area. It's an isolated piece. It's by itself. If you go the route of the professional office park, you've broken that up. You don't have the fence stockaded all around it, and you've brought in some visibility and some view corridors into the park area. And you certainly have beautified Tecumseh Road more than that would do. As Rick talked about, we talked about this tremendous separation – it actually is 126 feet. I think Rick got us that earlier today from the closest building to the closest house. If you talk about other areas of town and we're talking if we can find 20 or 50 feet of buffer, we're doing pretty darn good. 126 is incredible. And so these developments tend to be very, very good neighbors. I just want to close with some examples around Norman of professional office parks – professional office buildings – garden style – residential style – that are next to some very high-caliber residential additions. This one – 36th Avenue N.W. at Brookford Drive. You probably remember – I think it's Jack Combs Insurance and Talley Dentist office. You see these facilities right there? Those are professional offices right there on 36th Avenue. I don't see 126 buffer around them, but I do see a house right there that's worth a million bucks. A million dollar house right next to that professional office park. I may be wrong – I don't follow the police scanners, but I don't think there has been a tremendous problem in that location. I think it has been a good adjacency. I think it has been a good neighbor, and I'm quite confident the property values in this area have not declined with those professional offices right next to them. And those are two stories and flat roofs. Do you see all that? We don't have that here. We're one story, low slope, 27 foot tall max. I want to show you another example: High Point Building on South McGee and Highway 9. It has been there many years, but actually recently we've seen development just to the east of this across the street. Again, kind of a garden style professional office building that has been there a long time. See that house right there? That's a million dollar house. It has not affected those property values. The Hunt Club was built – sold out pretty quickly. It has been a good neighbor. There's no 126 buffer around that site. This is The Trails Office Park down on Berry Road. You see Berry Road coming off here. This is a building that was just built – good neighborhood – good addition – property values intact. Professional office park adjacent to you and immediately abutting up against it. And this is Northwest 24th at Palmer Circle. You see these buildings. These are actually quite large two-story, flat roof. I think there may even be a three story building in this location. You see these Westport homes that were put right in here – all of them sold out, no problem, good property values. And this is another one off North Porter. This neighborhood again doing quite well. Professional office buildings, medical buildings right up against it. Cambridge – another neighborhood that has always been very proud and doing very well. We are certainly not a storage facility, but you see the office up front here at the outset with a residential character.

And so I hope you will see tonight that this applicant responded substantially to the concerns they heard from the neighborhood at the outset. They changed everything that they heard about in Pre-Development to the tee. They've put substantial restraints upon themselves, right down to the mullion color of the windows and the French doors of the entry doors. And they've gone to a use that has no more commercial – purely office – and that has historically been a very good neighbor next to residential. We urge you to approve this tonight. We look forward to being good

neighbors with this neighborhood. This developer has a track record of that and they're proud of that. We're happy to answer any questions that you have.

4. Mr. Gasaway asked if the offices will be 4-sided architecture, so that one side is not obviously the front and one the back with the dumpsters, etc. Mr. Rieger responded that this is very much 4-sided architecture. Circulation is around the four sides with entry points on multiple sides. There is not just a bare back of the building with HVAC compressors and things like that. The architecture is compatible and consistent around all sides.

5. Mr. Gasaway asked if this will comply with the new lighting ordinance in terms of full cut-off fixtures. Mr. Rieger responded that is specifically written into the PUD and is actually more aggressive than the lighting ordinance. The lighting ordinance allows you to go beyond the property line at .2 footcandles for 10 feet; the PUD says zero – they can't go beyond the property line.

PARTICIPATION BY THE AUDIENCE:

1. Keith Brewster, 3921 Ripple Avenue – First, I want to say that I am speaking for myself. There were a group of us who have had a number of email conversations over the past few months, and this sort of represents all of our opinions, but I must say it's my own because we didn't do quality control at the end. I live at 3921 Ripple Avenue, and I've lived there for 14 years and been a Norman resident for 20 years. My property backs up directly across from the park and this property. I want to start off with this first slide and show – we've heard this word buffer thrown out here and I really think it has been misused and it's been misapplied. We have a commercial use going on along 36th, and if you look at the 2025 Plan every commercial use in this part of town – on the west side, north, even Main Street with the exception of the one property kind of far off on 48th near Cambridge that he mentioned – all of the commercial use is contiguous with 36th Avenue NW. And we see that same thing borne out here. As they show, there's commercial use on both sides of the street. This happens to be owned by an orthopedic company, so it can't be just anything. The property across here is also a bank and orthopedic. So it's more office than, say, on the east side, which is retail. But we do see a boundary here which has been brought up in the Porter Avenue discussions, and in the study that's been done, and they talked a lot about this line between the commercial and the residential. And the current line runs across here and we have basically 12 properties within Cascade Estates that are affected by that. If you go ahead and look at their proposal, we now more than double and close to tripling the number of properties that are directly across from the property in question. This is an office, but this business about office and commercial – I know there's a legal definition about that, but, let's be honest, offices – medical offices you're going to have the same traffic. I believe there were 1,000 vehicles per day in the traffic study – that number was not thrown out tonight, but I believe I saw that in the report. A thousand vehicles per day running in and out of this, and this is just changing – as you go along Tecumseh Road you want, as a resident of this area – Castlerock, our area – you want to be stepping down into a residential area. We come here. There's a 300+ foot boundary of parkland then we go to office. This is an island. It is not a buffer. Now our park, which is a neighborhood park, we would envision this was always sold to be – this is going to be cloistered thing. People will walk there. We will just have like the neighborhood people there. It's a City park but, if you look at Brookhaven, you look at

Castlerock – these parks are used by the neighbors. You know the people in the park. You know who they are. Now we have 1,000 vehicles per day in and out. Who are these people? That's a concern to us. If they're coming there for a doctor's appointment or they're coming to buy something – like eyeglasses, which, by the way, I go to my optometrist – half of my money goes to retail. It goes to buying eyeglasses, contacts, that sort of thing. So this whole distinction, I think, is blown out of proportion and we're just bringing in something different character than what was originally planned.

So let's talk about the original plan. We have never seen this shown tonight and in the documents. This was the original plan that was from 1998. 2001 the preliminary plat was finally approved. So we're talking around 2001. During that time, then, this 107 acres of land was developed, people were sold lots, 300, and now we're just down to the last 12. So this is 5% of a huge project. And all of a sudden they want to change it and everything else has been sold. So that's a sticking point with a lot of people, and I think a lot of others have more clear stories on that. I'll leave that to them. But they went ahead in 2007 and they put this plan together. And you saw this plan presented today. You saw the problems pointed out with the plan. This plan did not just fall in their laps. They didn't just take over someone's bankrupt property or anything. This was their own plan. If there's something wrong with it, why did they create it? It just floors me, because they went against everything that was in the original plan. Larger lots. This plan has 8-9,000 foot lots. Now they're going down to 6,000 foot lots and they come in today and they criticize 6,000 foot lots. Well, just go back. You want to put a fence? Well, we could put a masonry fence all around here and that would be your boundary along Tecumseh and have some open space around this cul-de-sac. Now there's a few odd-shaped lots here, but again, that was their plan. I don't know why they changed it to this. Now this plan lasted exactly 18 months. Now you say that was done four years ago. Eighteen months after this plan, we had a company formed – we had a loan from a bank – we have people now going after commercial use – I'm sorry, office. Well, it was commercial then, now it changed to office. So I just thought it important to tell the whole story.

We didn't talk about it tonight, but in the documents we talked a lot about how the traffic in the area was going to really cut down on the marketability of these lots. So I explained this in my letter. I think you all have the letter. I don't want to spend a lot of time about numbers and details of property values. But there is no evidence that traffic has had any impact on the sales of lots in Cascade. And we see here exactly the intended consequence of the planners of the 2025 Plan – keep the commercial and the offices over here. We run 14,000 vehicles per day over here and it drops down to 7,000. Why? Because people are going to the neighborhoods, people are going to the school, and beyond that there's really nothing. There's another neighborhood going in. This is going to come up; we understand that. But we're not going to see the 1,000 pop that we're going to see with this project. So what does 1,000 mean? Well, in the last six years, from 2004, we've gone from 6,000 to 7,000. So in one shot we're going to jump six years worth of growth if this project goes in. Now east of 36th Avenue this is the rate, and we understand that. That's because of all the factors that they mentioned in their report. You have the hospital, you have the Tecumseh Road East going all the way to 12th Avenue. Those people are just coming to I-35. They're not going to 10-mile flat.

So is this really needed by the citizens of this city? This area has a new hospital, but we also have 233 acres – not just the 96. We have the 96 there and we have 233

total. On the other side of I-35 we have 250 mixed use from the University North and it's in the best interests of the City to keep these sales going, because it's our community hospital, it's our community TIF over there. Then one last thing – and before I jump to this, I want to make a statement. I think the developers have done a great job in Cascade. The green space is great. I was promised – and I think that's part of why it sold well and got good solid prices. But there were some details when you look at concept versus reality. And they're trying to say this is our concept, and I know they're trying to codify things but it's really hard to codify every single thing about a building. You say the door – well, then there might be something else that didn't come out right. And if you look at what has happened in Cascade it hasn't gone quite as well as those other projects that were shown. The concept was have this with a nice cap on the newel – didn't appear. Where is the other side of the entry? It has now totally been eliminated. And then the bridge never happened. I don't know what happened there. So let's look at this design over here that we just saw earlier, and this is a nice design, but look at the trees and then when you actually look at it from the ground view. So a lot has been done to screen this stuff from the west, but I'm looking at this from the south and this is what I'm going to be looking at. We kept asking for it – there's no pony wall, no row of shrubbery, no berm to screen the visitors to the park and the residents who have to look at this every single day. Thank you very much.

2. Bonner Slayton, 4001 Ripple Avenue – I don't have one of those million dollar homes next to the development. I don't see that happening soon. Years ago my family and I decided to move to Norman. I'm a public school teacher here in Norman and we saved, borrowed, begged – we didn't steal – and we found what we thought was a perfect house in Cascade Estates, and I've been happy since then and I'm very happy that I've reared my children there. One of the things that I like about the neighborhood is that it is a family neighborhood. It's a great place to have family values. I don't see how this project is going to help me. And one of the things I am concerned also is about looking out my back door facing this from the south – facing it toward the north and looking and not seeing the view. I'm very, very concerned about that. I've watched for years developers come in, promise to do something, and then they actually don't follow through. It's great to put trees up. It's great to put shrubbery up. But what's it going to be like for 5 or 10 years down the road? I can honestly say that's one of my concerns is to look at that. But as far as I'm concerned, I'm against this proposal. I don't think it does anything to help our family values. I don't think it does anything to help our families and our neighborhood, so I would ask you to vote no. Thank you.

3. Robert Morey, 4009 Teton Lane – My property is actually directly adjacent to the west of this proposal. I don't have a nice expensive presentation. Sorry. I'm just going to come up here and share my experience and share why we bought this. You guys hear a lot of promises. I know you do. I can see it just from this one meeting. A lot of promises to do things. Well, me and my family – we've been living here since '96. Purchased this property from our initial one as an upgrade, and we bought into the promise – to the dream of owning a larger home near a grade school and a park. I have younger children. I wanted to be able to, one, walk to the school and also be able to get my children to the park safely. One of the major concerns I always had is that, when they did this proposal, the original dream I bought into was residential. This was a residential piece of property. This was a neighborhood that was going to be built

up all the way around us with neighbors – not businesses, not office complexes, not medical. None of that. I bought into it. My property actually you can look out the back window. This will be their parking lot is where they're going to build. I have a lot of concern about the fact of the increased traffic – the cut-through traffic on Astor Drive will absolutely increase. We have a lot of small children in the area, as stated by many of the other people around here. There's a lot of people walking and running. There's a grade school that is less than a – about a block and a half away from the others. All of this increased traffic will put these children and other people at risk. So my concern is that the increased traffic – the auto/pedestrian issues that's going to happen there. The use – I appreciate the decrease in the use of Astor Drive that obviously will cut down the cut-through from the back end of it, but we know it's going to happen. There's an office complex there. We know they're going to cut through that area. Not going to be looking. And you have small children in the area. So I would ask you to oppose this. I'm not going to take a long time. I did write a letter. I know you guys have that. But my request is this, please don't make our neighborhood a better place to work than it is to live. Thank you very much.

4. Yumi Davis, 4113 Teton Lane – I can say I'm not a big fan of public speaking and I think some of my neighbors were feeling the same way, so they asked me to give them the opportunity to stand and just show their support. So if you guys want to do that. Thank you.

We're actually here in support of keeping our neighborhood residential. I wanted to address a few things that were shown earlier. I saw on the Powerpoint presentation that they had a sign that we had presented for our petition signing and it said commercial, but I wanted to clarify that originally this was brought as a rezoning and then they changed it to amendment for the PUD, so that's why it stated commercial. Also, they brought up some minutes from the preliminary meeting and I wanted to address that as well, because those were literally our initial concerns. You know, obviously we came to the preliminary meeting and we didn't have the opportunity to really think about what was going on. Like I said, those were our initial concerns because we didn't know what the plan was until we came to the meeting. And on their side, I feel like they had an opportunity to prepare and really calculate what they were going to say and do in order to move forward. So I just don't want that to be used against us. They brought up the fence, and I can't say that I know what the developer's initial plans were, but around the perimeter of the neighborhood all of those fences are bricks, so I'm not sure why that particular fence in that one 5 acre or 4 acre area wouldn't be brick fence. But I also want to point out that it's the entrance to the neighborhood and the particular section that I live in and so right now it's half of an entrance. I know that was one of the concerns I brought to them and they assured me that that wouldn't affect my square footage or the price of my home, but I feel like it will deter potential buyers because I think people do look at the amenities of the neighborhood and I'm assuming that's why we have neighborhood pools and parks and things to attract people to the neighborhood. I think this was brought up. I also have safety concerns regarding the commercial area by the park. I walk my kids to the park often. We use that drainage ditch; that's how they ride their bikes because otherwise it's a grass area. Again, I brought this up to the developer, but I have, obviously, a 4 year old and a 6 year old there trying to stay quiet. But when you walk in a residential area, obviously, you let your kids go a little bit ahead of you. It's much different if you're walking in a commercial or office parking lot. So I do feel like that will

have a negative impact on the park and just the overall dynamics of the neighborhood. A lot of people said this was the neighborhood that they had dreamed of. I feel the same way. Our kids can walk to the school. We have watermelon socials. We have 4th of July parades and all the things that we want and I just feel like a commercial area will change that. We did have a petition signing. We offered this at the clubhouse. The clubhouse area is where our pool area is. That wasn't open, so people had to make an effort to come sign the petition. I don't remember the exact number so it was between 2 and 300 – I think you guys have those numbers in front of you. Two to three hundred neighbors come sign and make an effort to do that. We were actually even surprised because a lot of the surrounding neighborhoods came and we weren't prepared for them. We had no idea of their interest in what we were doing, but we were surprised that several of the neighborhoods showed up. I also wanted to point out that, like they mentioned, Roosevelt is about a block away and their official walk to school day starts in the Cascade neighborhood. So it starts at our clubhouse, it walks right by this area, and so, again, I don't want it to have a negative impact on what we already have in our neighborhood. Also, regarding the safety concerns, I know that the developers at one time – and this is an approximate, but I think they mentioned 220 parking spots. So, again, I have concerns whether that's a vacant building or a building with 220 parking lots. I just feel like with residential that's more controlled and I think Keith touched on this a little bit, but, you know, you're at a park with small children and you want to know if there's someone that shouldn't be there that's there. And I don't think that commercial area allows us to really manage that or keep track of that. Regarding the economic development, I know you guys look at the overall plan for the City, and I just feel like there's many other commercial areas nearby that everybody has pointed out. Regarding economic development, I don't think it's about just developing buildings – it's about having residents, having quality employees and small business owners, and those are all in our neighborhood as well, and I feel like we've made an investment in Norman, so I hope you guys will consider our investment in Norman as well.

5. Jon Williford, 3607 Gullane Drive – I'm a few blocks to the south of the proposed rezoning area. If I could just real quickly – just to kind of illustrate my point I want to tell a quick story. I work in an office in downtown Oklahoma City. Two of the individuals that work in my office are strictly criminal defense attorneys. Well, one day one of the attorneys was meeting with a client. The client was driven to the meeting by her son. While the client is meeting with this other attorney, our receptionist steps to the back office for some reason – doesn't matter what. She's gone about five minutes. She comes back, doesn't think anything. The client's son is still in the front waiting on his mother. A little bit later, client leaves. A little bit later our secretary goes to try to buy herself lunch. She realizes at that point that her bankcard that had been in her purse on her desk the whole time had been stolen. Thankfully for her, she knew the gas station where these folks tried to use the card that they just stole out of her purse. So she wasn't out anything because they were able to stop her and catch her. The point of that is – why I think that story is particularly relevant to this is that she was away from her desk for maybe five minutes and a client – a client's son – took that five minute time span to commit a crime. And it's that small of a window, and it's the particular potential clientele that could be brought into this neighborhood, that is specifically concerning to me. I have a 7 year old that goes to Roosevelt. One of the things that my wife and I like about it right now is we let him walk from school to Astor Drive where

he is either picked up by my wife or picked up by the car pool. Gives him a little sense of self-confidence; gives him a little sense of responsibility. My concern is we don't know who is going to be the clients at these offices. We don't know what kind – and there's no way that we can know. There's no way. We don't know why they would be there. We don't know what they might be seeking at these offices, so we can't protect and we can't monitor or can't police that. One of the things that is part of my job – I'm an attorney as well – is I do estate planning sometimes. I draft people's wills. They have small children. I ask them who is going to be your guardian if both you and your spouse die, and as soon as I ask the question everybody says we're not both dying at the same time – that's crazy. That never happens. Well, the problem is, that does happen. And the problem for me is, as an attorney, as somebody who has to think about these things, I have to consider the worst case scenario, and I've got to do what I can to plan for it. It's very similar to somebody who buys a gun to protect their home. You hope and you pray and statistically you're almost never ever ever going to have to use that gun because your home is being invaded or your family is being threatened. But if it is, and if that -- heaven forbid – scenario ever comes up, you're thankful that you took the time to plan for that worst case scenario. You took the time to consider what happens if somebody breaks into my house at night. That's what I would ask for this committee. Consider the unknowns and consider the worst case scenarios that we can't predict and we can't police. If it's residential, we know who lives there. If it's residential, we know whether or not they're on any particular registries or not. We know that the residential community has a community feel. I know who my neighbor is because I like knowing who my neighbor is. It benefits me and my family to know who my neighbor is. For example, the other day my neighbor called me and said, hey, your sprinklers are still going. Turns out we had a broken sprinkler so I had to rush home to fix it. That's part of being in the community and that's one of the things that helps protect the people in that community. And that's one of the things that there's no way we could ever know what's going on inside those offices or with the people that come to visit those offices or with the people who may come to park at the office as a pretext, because they might know that there's an elementary school that gets out in a few minutes. So those are my concerns. And are they likely to ever happen – realistically probably not. But if they did happen, I would feel horrible for not having come and voiced these concerns to all of you. So with that, I appreciate everyone's time and I would ask that everyone on the committee vote no for this. Thank you.

6. Thomas Boyer, 3939 W. Tecumseh – I'm Pastor at St. Mark's. I live around the corner – 3701 Castlerock. I wrote, and I'm assuming that my letter was disseminated to the whole commission. And I will just summarize that briefly and add a little bit more. If it would be possible to oppose more strongly than the letter did, I would. The concept – this is a matter of ideas and I'm very uncomfortable and got more uncomfortable when five citizens' names got put up on the screen. This isn't about people; this is about an idea. And as I have worked with the neighbors, I keep insisting on the civility of this and we focus on the idea. St. Mark Church is where it is because we build churches where people live, not where they shop or where they work. We chose that piece of property because we understood this was going to be a residential area and that's where we choose to be. I'm uncomfortable with the idea of continually changing that. At the meeting recently held at the church, someone tried to persuade me by saying, well, Father, things change. And so I'm sitting here thinking, with all these assurances of what kind of offices these are going to be, I can imagine my successor

standing here some day objecting to another change. That instead of professional offices they be allowed to be – well, I don't know what the opposite is – unprofessional offices. If things change, then they change and then there's no certitude about anything. My point is, we oppose this and I'm so puzzled that if all this professional time and energy and money has been put into this development of office space, why it couldn't have been put into the development of residential space just as creatively and consistently with the original PUD. So I simply object to the idea of changing the PUD. We want this to be residential, and I speak for all of my neighbors as well. We do ask that you preserve this property for its residential use. Thank you.

7. Vicki Hopkins, 4112 Teton Oval – I have been a resident of Cascade Estates for three years when we moved here from Texas. One of the main reasons we chose our house was because of how warm and neighborly Cascade Estates felt. My kids loved having a park in walking distance from our home and our realtor told us more houses would back up to the park. When we questioned that – if it would change or not – she assured us it would not because of the PUD. We felt confident that we had a great place to raise our family. Walking distance to the elementary school. Walking distance to the park. And no businesses nearby. On moving day we sat on my back porch and had lunch. My sister, who was visiting, said it was amazing how quiet the neighborhood was. It was as though the sound had been turned off she said. She looked at how many children and families were out and how many cookies were brought to my door as a welcome and declared that we lived in Mayberry. She was right. We have a watermelon social each August. We have an Easter egg hunt and a 4th of July parade. I feel safe to have my kids play around our block and the surrounding blocks freely. When someone drives on my street, I know who they are. We have an incredible neighborhood watch. When we see an unfamiliar car sitting or driving around, we all email one another to watch out for it and to find out what is going on. Now that car will be able to simply sit in the new business park parking lot. We will not be able to monitor the strangers and dangers at all. No matter what the developers say, it does bring a danger to our neighborhood. I feel like the safe feeling that we have is going to change if the make-up of our family-oriented neighborhood changes. When people drive down my street in the future, they may be patrons of the business park. I will no longer feel safe for my kids to roam and play because strangers have now entered our wonderful home. When we go to the park, I will have to have my kids watch for traffic that will inherently cross through our neighborhood to avoid lights on 36th. Now there is stranger danger. I will always feel uneasy that a stranger could be watching us from the parking lot. In addition to the safety issue, we have a noise factor – cars coming and going, starting and stopping; people coming down our streets. We will no longer live in Mayberry where the sound has been turned off. We will live in a neighborhood that backs up to an office park. The developers keep telling us this is not commercial, because there is no retail store. I beg to differ. It's not houses. People are coming and going. There is a parking lot. There are strangers. It's commercial. Like I said before, we are in walking distance to Roosevelt Elementary. Each day we have children walk and ride bikes to school. Many of us bought our homes because we like the idea of walking to school. There are so many children walking and riding their bikes to and from school on a daily basis on Astor, and now we have a business park to contend with. We have cars and strangers and simply an element of unrest for our children. I moved to Norman from Houston three years ago. I recently went back to see family. At times I was overwhelmed by all the businesses near the subdivisions. Several of my

family members live near business parks. In fact, our old neighborhood backed up to a business park, which is why Cascade Estates was so appealing to us. It's not quiet. It's not homey, and it's simply not Norman. Almost home from my trip, I got off Tecumseh from I-35 and was heading toward the turn into my neighborhood and it just felt so peaceful. I loved turning into Cascade Estates, seeing the park, not hearing anything. People were mowing their yards. Kids were playing. That's the feeling I want to keep. That was a Tuesday in the middle of the day. If they get their way, I would have had to turn at the business park, navigated traffic, barely able to see my neighborhood park and, no, it would not have been quiet. I'm a stay-at-home mom whose home and children mean the world to me. I simply do not understand why they cannot build houses in this spot. They said people would not want to back up to Tecumseh. We have houses that do, indeed, back up to Tecumseh. They have built a wonderful neighborhood, so just finish it. I do not agree with the developers when they say they do not want our neighborhood to diminish in any way. A business park will change the make-up of our home. There is so much undeveloped commercial land down Tecumseh near the hospital, there is not a need nor a demand to put such dangers in our neighborhood. Please keep our kids safe. I beg you to not let them make this amendment to our existing PUD. Please keep this land residential. It is a wonderful neighborhood. Please keep it that way. Thank you very much.

8. Tracey Satepauhoodle-Mikkanen, 3409 Glisten Street – I have lived in Norman for 30 years, but I have lived at Glisten Street for 20. I have moved from a very rural area in Oklahoma to Glisten Street when there was no hospital, there was no I-35 connection, there was no way to get to where I lived except if you went off Robinson Street. I do not understand how there is not a mindset to explain to our children – they don't understand Lexicon, they don't understand legalese – but why we can't make this type of project and development something for our children. If I look at those little children right there, that reminds me of how my children grew up on Glisten Street. They are now 26 years old. One is a police officer and the other is getting ready to start Norman North. If I can't explain to you how important it is to keep our children safe in an environment within which we live and keep something that is recreational – someplace that is separate from home, that is what that park does. It brings all of us as neighbors together. It keeps our children playing together. They practice every day. It is someplace that we can keep as a residential area safe. I was robbed last year of \$20,000 out of my driveway of equipment. The more people that you bring in, the more people that you just don't know who is watching. You don't know how safe you can keep your house – your home. When I looked out my back yard at times there was nothing there and now there's a hospital. There's even a water tower that didn't used to be there. I understand that there's things that need to be developed for progression – that need to be there for a good purpose, but our children need someplace in that neighborhood to go and that park is the place that they go to. Thank you.

9. Phillip Johnson, 4000 Teton Lane – I will represent my family. My home is located directly across from the park. When I look out my front door I see the property that's in question. When we bought our house, we understood that it was more than likely the single biggest investment we would ever make and, of course, we wanted to know what was planned for this area that would be out our front door so we questioned and found out that it would be residential, that was the PUD in place, and that's what was going to happen – that Cascade Estates would be completed with more homes. Since

that time, the lots have been decreased and they've changed that plan, and now we're here again trying to change the plan once more. One of the questions that I have is if these lots don't sell, are we going to be back here in five years trying to change it to a commercial designation? Are we on a slippery slope that just keeps continuing to change year after year if the property doesn't sell? Obviously, we're concerned about the safety issues that have been raised – the school being there so close to the neighborhood and the park right there. But there's also a concern about property value. All of us are home owners and we invest so much into that and we don't want to see anything that's going to decrease that value. And as this process continues to evolve and change year after year, it just seems we're on a slope that just keeps slipping away from us. Thank you for your time.

10. Kenyon Hoggard, 3120 Troon Street – I've been there for a couple of years now. My primary concern is the safety of my son. He goes to Roosevelt. He's 7 years old. My second concern is the looks of the area. But I would like to point out one issue that I've thought of while listening. I understand there have been several meetings like this, and I know we're hearing a lot of very strong feelings on the testimony that people are giving. It was stated earlier that, in order for another change to be made, this entire process would have to be gone through again. My concern is that if we're going through this – I believe I heard this was the fourth meeting like this that we've had on this issue. If that's not enough to dissuade change, then I don't see how any future re-addressing of this issue could possibly prevent further change. Thank you.

11. Susan Wood, 4008 Teton Lane – I'm just here to show support and most everything that I wanted to say has been said. All due respect to the developers, we were told that this property would be zoned residential when we made the choice to purchase our property and to build our home and to make that huge investment, and they're asking us to trust them again. And we did trust them. And we'd like to hold them to that. Thank you.

12. Janelle Borden, 4000 Ripple Avenue – My property faces north and I wanted to address that 27 feet – I'm used to the idea of 10 feet per floor, so I would be looking at almost a three story structure that would be in front of my house facing north. Most of the houses on Ripple, with the exception of one on the northeast corner, are one story. There is one two story house on the northeast corner. There are plenty of office buildings in that general area that have vacant signs. I just think that this property needs to be gone back to residential and make it a neighborhood and not a property that has office buildings and keep the park as it is and please keep this residential. Thank you.

13. Cara Black, 3520 Bright Street – We're on the cul-de-sac and our house would back up to the Building 4 that they've proposed. I have several objections, most of which has been voiced by everyone else here. Primarily the park and the children in the area. Not only the Roosevelt School, but there's also, I believe, a daycare or a Mother's Day Out that's at St. Mark's several mornings a week. On a personal level, I do appreciate some of the changes they've made to accommodate us, one being no entrance onto Astor, the other being that these would be one story buildings, because some of us felt that if they were higher than that they might be able to look into our back yards even with our higher fences. Other concerns I have – I don't like the fact

that they would – well, I would prefer this stay residential as we all would. I don't like the fact that they discussed selling this and building this piecemeal. There's no telling how long this construction would go on. I mean, they might get one building finished and then they'd start with another, so we might be talking about a period of several months – we could be talking about a period of several years. The whole noise of the construction, plus the added noise of having the office park there is not appealing. But, basically, it will impede our view from the back of our house. But when we bought our house it was with the understanding that this was a residential PUD, it would stay residential, and as everyone else here has asked there's no guarantee that we wouldn't be here in a few years asking for yet another change to make it retail or to accommodate different commercial buildings. So I would ask that you take all of the residents' wishes into consideration. Those of us living within the 300 feet and even more of us that are neighbors that don't that have come to support us and come to support the idea of keeping this residential. Thank you.

RECESS
8:15 to 8:28 p.m.

14. Sean Rieger – Thank you, Mr. Chairman. I appreciate you accommodating our rebuttal. I'll be very brief. I don't like to go item by item after everything has been said. I think it has been valuable input you've received. But I think you've heard it several times said tonight that there's still concerns about traffic and traffic that would go down Astor Drive and impede through the neighborhood. We feel very confident that's been solved and I simply want you to think about one other thing that hasn't been mentioned tonight is "Don't Hump my Norman." Astor Drive is full of speed humps; they're all over Astor Drive as you go south. I really doubt – severely doubt that many people are going to turn left as they leave this office development on the far eastern edge of it, turn left so they can go down Astor Drive over the speed humps and somehow wind out and get over to 36th. I think they're pretty quickly going to go right over to 36th. So I think we've accommodated those requests very, very carefully and appropriately.

One other point I want to make is that it was mentioned that this is a quiet little end of Tecumseh Road right now. You saw some traffic count information. Maybe now, but we all know ACOG and Central Oklahoma Governments and everybody else, the funding of the state is going to widen Western all the way up to Oklahoma City. It is planned to be one of the major arteries north and south, and Tecumseh Road is planned to be the major artery connecting it east/west across Norman. The day will come, as the hospital builds its next phase, and as Western widens, this is going to be an intense road. No question about it. When you put that little island of small housing out there as a fortress unto itself, it won't be appropriate and it will be undesirable, I think, particularly as an entry piece into this very good neighborhood.

I just want to close on one last point. It was surprising I heard the word stranger so often tonight. You hear that a lot in zonings. You've heard that a lot. But it usually is a fear of change. I remember a Council member recently talked about that, I think, in an addition to the north of this. It was that fear of change. We see it all the time. It's reasonable. We understand that. But strangers are everywhere, and I would hope that we can teach our children that not every stranger is a danger – that strangers are to be welcomed in. There is a City park right there. The City park is open and accessible to everybody. A person can sit in that City park, be them a stranger or somebody they

know, all day long and nobody can remove them. It's already there. So if that fear is already there of dangers of strangers and so forth, we're not changing that. The City park is right there. So I thank you again. I urge you to consider all these comments and I urge you to approve this project tonight.

15. Ms. Connors – One issue that arose was the height of these buildings. I just wanted to clarify that currently in the R-1 zone a structure can be two stories in height, which could be up to approximately 35 feet maximum, and that's the pitch of the roof. But that is an allowed height in the R-1 district, which is the district that these homes are in generally. So 27 feet, up to the top of the pitch, is in fact a one-story building.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pales – This is a question for the developers. I guess there is no structural barrier between the parking lot and the park – there is landscape but no structure. That might be reconsidered. You don't want kids skittering out of the park into a parking lot and it sure happens. Along Porter Corridor where residential and commercial are cheek by jowl, I think a barrier is considered mandatory between the two areas. And it would certainly seem appropriate between the south edge of the parking lot and the park to have a structural barrier of 3 feet – 4 feet – something, and perhaps wrought iron above that so that kids don't chase a ball out of the park and just run right into the parking lot. In general, I usually weigh civic input very, very heavily, because if you can't get listened to here, where can you get listened to? So I'm moderately torn. On the side of the proposed development, commercial or offices, in this kind of situation, tend to make for a better streetscape, because with residential you do tend to have stockade fences abutting the street, whereas if you have a landscaped, very attractive, architecturally sensitive commercial development, that actually tends to be more attractive. There are actually health issues about why you don't really want to put a residence right next to a very large busy street, which Tecumseh now is. So, in some ways, I'm not sure that this is the greatest place to live if it was to be residential. And I also appreciate the effort on the part of the developers to accommodate the worries and fears and concerns of the residents. In terms of the urban fears, I don't know what to say. I don't know that making it residential would in fact make it safer. I understand those fears. I'm not sure how to address that.

2. Mr. McCarty – I'd just like to say we are always challenged with these kinds of requests throughout the whole city, and our job is to try and make the best decision for the city and for the people in the area. Tecumseh Road is going to be a busier road. And, like Roberta just said, not too many people want to back up to major arterial roads. Major arterial roads through Norman and are going to be tying into Western, which is already currently underway. I appreciate all the work that the applicant and the homeowners have done on this project. I believe that they have met some consensus in certain areas. I think that's what's important when we look at these projects, to make sure that they can get to the best consensus possible. I can see tonight that we do have some contention between those areas. I do feel the project that they have proposed is very good and very well planned. They are building them to look as much like residences as possible to fit into the community. They have taken traffic considerations into concern from Astor Road to not cut through out to Tecumseh. They have taken into consideration the PUD being very stringent – roof heights are called out, 6:12 roof pitches. They have done a really good job, in my opinion, of trying

to make it consistent with the area. With that said, I'm also kind of concerned about when there's a misunderstanding in our community when there's a vacant piece of land that that's always what it's going to be. Commercial property – C-1 zoning on 36th Avenue could be rezoned at any time. Those people have the rights that own that land to possibly try and rezone it. We don't know what's going to go in there, but C-1 zoning is definitely a lot higher and more intense than what they're asking for. You could have a 7-Eleven on the corner that's open 24:7. You could have a Conoco. You could have a number of those things. They're not asking for that. They're asking for office space that's typically open 8 to 5. Typically these kinds of places have less of a traffic impact than residential communities, believe it or not. So there's a number of things that I think lend itself to this being a good plan for the area. Like was said, the C-1 zoning on 36th Avenue are large parcels. The hospital land can't be bought and opened into office parks; that's not the intent of it. There's an authority over how that land is used. So, I guess, after reviewing and hearing all the comments tonight, I think this project makes sense. I think they've spent a lot of time in reviewing this, trying to work it out with the community and the people in the area. Again, no one leaves happy at the end of the night if you're against this. But I do think that long-term the values of what you're going to have here are going to be beneficial versus possibly 1,200 square foot homes that could be built on 50 foot lots. I guess with everything said, I am going to support this tonight and I think it makes good sense for the area.

3. Mr. Knotts – When I was out there today looking around, I felt that the proposed project was very in tune with the area. It even is reflective of St. Mark's Church across the street. It really doesn't have a negative impact, as far as I can see. The fact that Tecumseh is going to be a higher traffic area just kind of pushes me toward trying to keep residential away from that kind of development. So I think I will support this project.

4. Mr. Gasaway – I've really wrestled with this issue. I bicycle almost every morning and usually two or three times a week go through this neighborhood. Without knowing, until about a week ago, that this was going to be on our agenda, I often look at that park area and the land to the north of it and most of the time my thought is that's a really unusual piece of property, I wonder what in the world anybody can do with it. And, frankly, I never have a solution and, since it's not marked, I never knew exactly how much was park and how much was available for some other kind of use. And, low and behold, I get the agenda and find out it is on our agenda this week. It's a really tough issue. It's a very odd-shaped piece of property in a very odd and somewhat inconvenient location because of where it is and it makes any type of use really difficult. It's not very well-suited to put in a two-sided one-street neighborhood, because it kind of becomes a fenced in area. It's probably not, in all honesty, all the best area because it is a residential area for office space. It's a very difficult situation. As I bicycle around the area, I go down Robinson to get there and up 36th and I see residential houses backed up to four-lane streets. Some of them were four-lane when the houses were built; most were not. And I see what the back of those areas facing the street looks like and it's not attractive; it's not appealing and it's not something that, if I had to turn there to go into my neighborhood, frankly, I'd be embarrassed at some of the fences and what backs up to those streets. That's not saying anything about those particular neighborhoods, but it's what happens on a busy four-lane street because there are no residences to look at those, they typically get a little more run

down on the back side than otherwise. It also reminds me of a slightly different case we had about a year ago for a house on West Main that was formerly a residence and over the years a pest control agency. They had lived in the house, but operated their business out of the agency. And there was an attorney that came in that wanted to buy the house and make it a law firm. I voted against that because it bordered a residential area. I was very firmly against it because I thought that we don't need another business bordering the area, although to some extent already on two sides it was. It turns out to be, at least in my opinion, one of the nicest looking things on that corner. It was very well-done in a residential style. It's green. It's well landscaped and there's probably several votes I should have taken back over the years but it's one that really comes to my mind that I would like to have that back to vote yes on if I could. And, to some extent, that kind of reminds me of this area. Sometimes when I'm kind of undecided I try and think, well, if that were my neighborhood would I want an office building right there as opposed to some of the other options. In my opinion, I probably would, because I think, from what we've seen from the landscaping and things of that nature, that it will be a reasonably attractive entrance. Now, that being said, I don't live there and we have heard from many people tonight that do live there that do have great concerns. I am going to support this tonight. Again, it's very close in my mind, but I think, at least in terms of aesthetics, it will end up being a pleasing entrance to the area. It will be a pleasing sight from the park which will probably remain a much more open and green look than a six-foot wooden stockade fence.

5. Ms. Pailes – This is just to remind you all, I, too, voted against that proposed business on West Main, hoping that it would remain residential. We were overturned by the Council. So all we do is advise. We don't even consent. We advise the Council, but they will make the decision that is binding. And should you not be pleased with the decision here, you should certainly appear before the Council, because it is their opinion that will count. Again, in terms of your fears, I don't know if perhaps some sort of partially mortar, partially wrought iron fence between this area and the park would perhaps alleviate some of that. It strikes me as some fencing would be appropriate just so you don't have kids running into the parking lot. And that might be something that you want to take up with the developers. That's not something that we can do anything about.

6. Mr. Gasaway – At any point, that condition could be added, either here or at City Council. You all do have a wonderful neighborhood and we certainly appreciate your opinion. However the vote comes out tonight, I hope that all of you will go to City Council. I might just add that all of the minutes from tonight go to the City Council members. Most, if not all of them, do watch Planning Commission, so they are very much in tune with you all's feelings and the facts that have been presented here tonight.

Diana Hartley moved to recommend adoption of Resolution No. R-1112-4, Ordinance No. O-1112-1, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for TECUMSEH PROJECT, A Planned Unit Development, to the City Council. Tom Knotts seconded the motion.

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

YEAS	Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailles, Jim Gasaway
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis, Zev Trachtenberg
RECUSED	Andy Sherrer

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Resolution No. R-1112-4, Ordinance No. O-1112-1, the Site Development Plan and accompanying documentation, and recommend adoption of the Preliminary Plat for TECUMSEH PROJECT, A Planned Unit Development, to the City Council, passed by a vote of 5-0.

* * *



City of Norman, OK

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

Master

File Number: O-1112-1

File ID: O-1112-1

Type: Zoning Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item No. 45

In Control: City Council

Department: Planning and
Community
Development
Department

Cost:

File Created: 06/21/2011

File Name: O-1112-1 Tecumseh Project Rezone

Final Action:

Title: ORDINANCE NO. O-1112-1: 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 AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-1 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-1 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes: October 25, 2011, City Council Agenda
Postponed On October 11, 2011

Agenda Date: 10/25/2011

Agenda Number: 45

Attachments: O-1112-1, Tecumseh Project Site Plan, Tecumseh Project Location Map, Tecumseh Project Rezone Staff Report, Tecumseh Project PUD Narrative, 8-11-11 PC Minutes - Tecumseh Project, Protest Area Map October 12, Emails of protest 6-27-11 (4), Letters of protest 6-30 to 7-6 (5), Letters of protest 7-8 (4), Letters of Protest (9) July 11, Letters of

Protest (3) 7-12 to 8-8, Petition of Protest 6-27-11, Petition of Protest 7-8-11, Letter of Protest Frazier, Letter of Protest Chanda Lee, Letter of protest Larson, Letter of protest Knight, Letter from Chuck Real Property LLC, Protest Heitz

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	07/14/2011					
1	Planning Commission	08/11/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	Planning Commission	08/11/2011					
1	City Council	09/27/2011	Introduced and adopted on First Reading by title only				
	Action Text: Introduced and adopted on First Reading by title only						
1	City Council	09/27/2011					
1	City Council	10/11/2011	Postponed		10/25/2011		
	Action Text: Postponed						
1	City Council	10/11/2011					

Text of Legislative File O-1112-1

Body

SYNOPSIS: The Planned Unit Development of Cascade Estates was initially approved in January 1998, with the first final plat filed the next year. As approved, homes of various sizes were authorized in a design with a large amount of private and public open space interspersed throughout the subdivision, and connected by curvilinear streets. This tract abuts Tecumseh Road at the northern entrance to the Cascade Estates Addition, and lies directly across the street from St. Mark's Catholic Church. The final phase of this development was last reviewed and approved by the Planning Commission in 2007 as Section 8 of the Cascade Estates PUD. The plat was not filed of record and no development occurred on the tract. The owners of this tract have submitted a request to amend the PUD to allow office uses and eliminate the fourteen lots in the previously approved but never platted Section 8 of the subdivision.

ANALYSIS: The tract is roughly triangular in shape, which impacted the residential design, yielding fourteen relatively smaller lots served by a cul-de-sac connected to Astor Drive. More than half of the lots backed up to Tecumseh Road. The proposed PUD amendment would allow no more than four office lots, which would be interconnected to allow

cross-parking throughout the site. No retail use is proposed; the PUD limits the usage to professional offices, either medical or non-medical. The development restrictions echo the standard requirements in the O-1, Office-Institutional, zoning district. In response to neighborhood concerns expressed at a Pre-Development meeting, access to Astor Drive has been eliminated. Two driveways are now proposed onto Tecumseh Road, one of which has been designed as a "right-in, right-out" only, due to its proximity to the Astor Drive intersection. Traffic generation from this development will not be significant enough to warrant the signalization of that intersection, but should traffic on Tecumseh Road continue to increase due to other development, the proposed driveway would minimally impact the operation of that signal. Required landscaping will be installed around the entire perimeter of the project, and will include a low hedge as well as trees along Astor Drive, which will limit the visual impact from the street. No hard fences are proposed in the project, other than those required to screen dumpsters and equipment. Landscaping will be irrigated and commonly maintained. All buildings will have masonry exteriors and residential shingled roofs. Other than incidental attic space, all office buildings will be limited to one story in height. Each lot will be allowed one ground sign facing Tecumseh Road that is no taller than six feet in height. Other than a small dedication of additional public park land, all required open spaces have been dedicated with previous sections of this PUD, and total more than thirteen acres of private open space in this neighborhood. The additional parkland dedication will increase the adjacent public park to 5.2 acres in size. Only one final plat will be submitted (one phase) but individual lots will be separately improved. Because of the limited access provided to the development, elements of the parking and driveways will be constructed by the developer along with the individual lot owner so that full access for sanitation and emergency vehicles can be maintained during each phase of construction.

STAFF RECOMMENDATION: From a design perspective, this tract could be developed as originally proposed for residential use, given that a fourteen lot plat has previously been approved. The proposed office use would, along with the public park, provide a buffer from any traffic noise that impacts the existing residences further south, and provide enclosure around the public park that would enhance its enjoyment. Staff is able to support this amendment to the Planned Unit Development, and recommends adoption of the Ordinance, PUD narrative, and supporting documentation. At their August 11 meeting, filed protest was reported as 50.4 percent. That percentage would have required a super majority of the City Council in order to approve this request. Subsequent to the Commission's meeting, one protestor has rescinded his protest. The filed protest is now 48.8 percent, which only requires a simple majority of the Council in order to approve this request. The Planning Commission, by a vote of 5-0, forwarded this request with a recommendation that it be approved. As of printing of this Agenda Book, three more letters have been received and the filed protest is 52.1% which will require a super majority of the Council in order to approve the request.

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 AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O9798-24 IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

- § 1. WHEREAS, The Tecumseh Project, L.L.C., the owners of the hereinafter described property, have made application to amend the PUD created by Ordinance No. O-9798-24 by amending the allowable uses; 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 amend the PUD created by Ordinance No. O-9798-24 by amending the allowable uses from low-density residential to office, to wit:

A tract of land being a part of the NE ¼, Section 15, Township 9 North, Range 3 West, I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follow:

Commencing at the Northwest corner of the NE/4 of said Section 15; THENCE North 89°36'32" East along the North line of said Section 15, said line also being the centerline of West Tecumseh Road, a distance of 924.80 feet to the Point of Beginning; THENCE North 89°36'32" East continuing along the North line of said Section 15, a distance of 995.12 feet to a point on said North Section line; THENCE South 00°28'35" East a distance of 50.00 feet to a point on the South right-of-way line of West Tecumseh Road; THENCE South 89°36'32" West along said South right-of-way line of West Tecumseh Road a distance of 384.59 feet; THENCE South 02°18'02" West a distance of 127.39 feet; THENCE South 65°36'35" West a distance of 653.33 feet to a point of curvature; THENCE along a curve to the right having a radius of 25.00 feet (said curve subtended by a chord which bears South 75°13'45" West a distance of 8.36 feet) with an arc length of 8.39 feet; THENCE South 84°50'55" West a distance of 171.41 feet to a point of curvature; THENCE along a curve to the right having a radius of 10.00 feet (said curve subtended by a chord which bears North 75°00'24" West a distance of 6.89 feet) with an

arc length of 7.03 feet to a point on the East right-of-way line of Astor Drive; THENCE North 42°53'04" East a distance of 103.71 feet to a point of curvature; THENCE along a curve to the left having a radius of 280.00 feet (said curve subtended by a chord which bears North 21°21'36" East a distance of 205.47 feet) and an arc length of 210.38 feet; THENCE North 02°18'02" East a distance of 116.24 feet; THENCE North 44°43'19" East a distance of 35.43 feet to a point on the South right-of-way line of West Tecumseh Road; THENCE North 00°23'28" West a distance of 50.00 feet to the POINT OF BEGINNING.

Said tract contains 5.33 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 Preliminary Site Development Plan and Planned Unit Development Narrative, approved August 11, 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)

ATTEST:

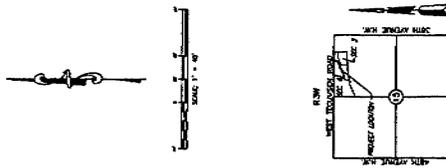
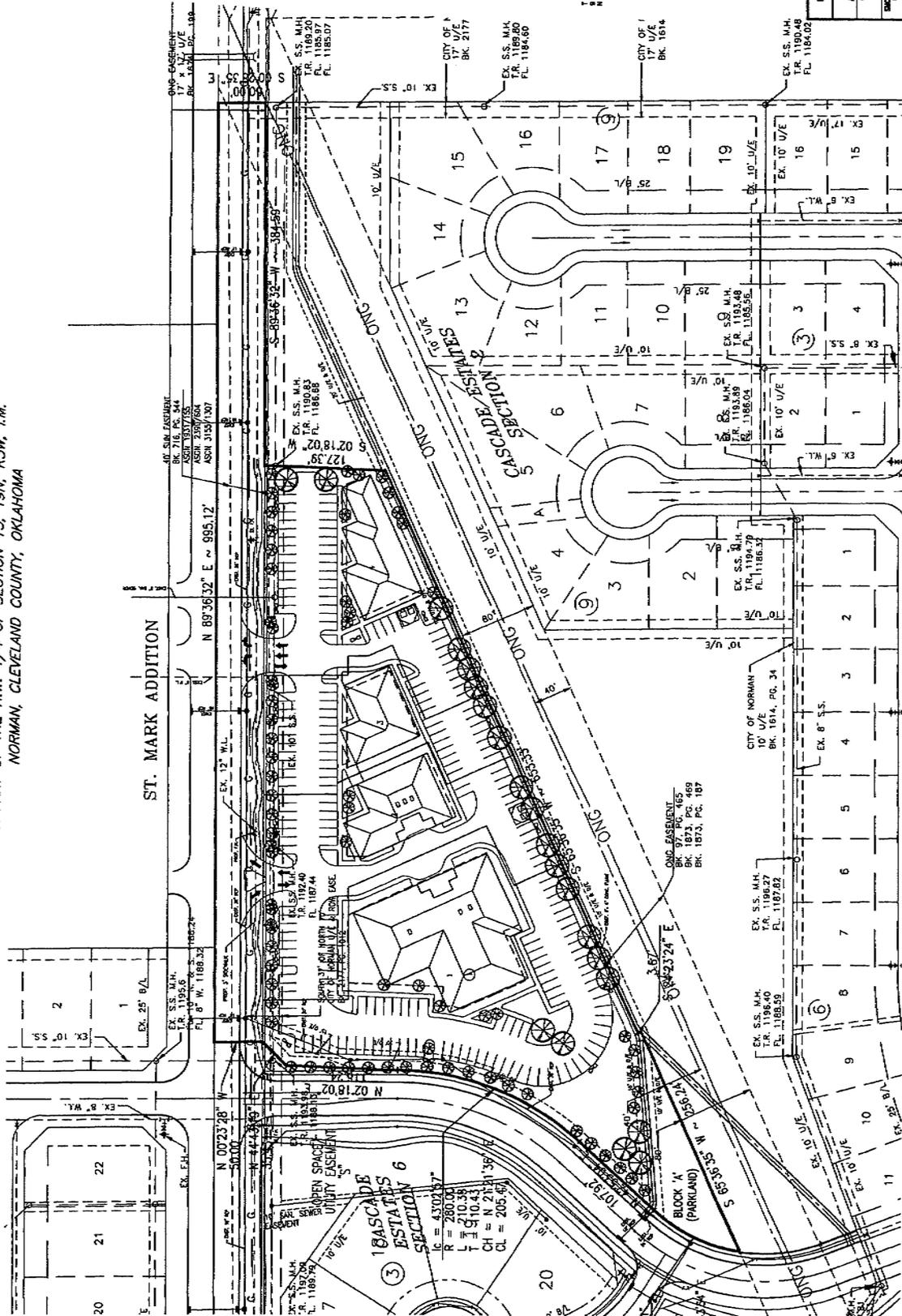
(City Clerk)

NOT ADOPTED this _____ day of _____, 2011.

(Mayor)

PRELIMINARY SITE DEVELOPMENT PLAN
TECUMSEH PROJECT

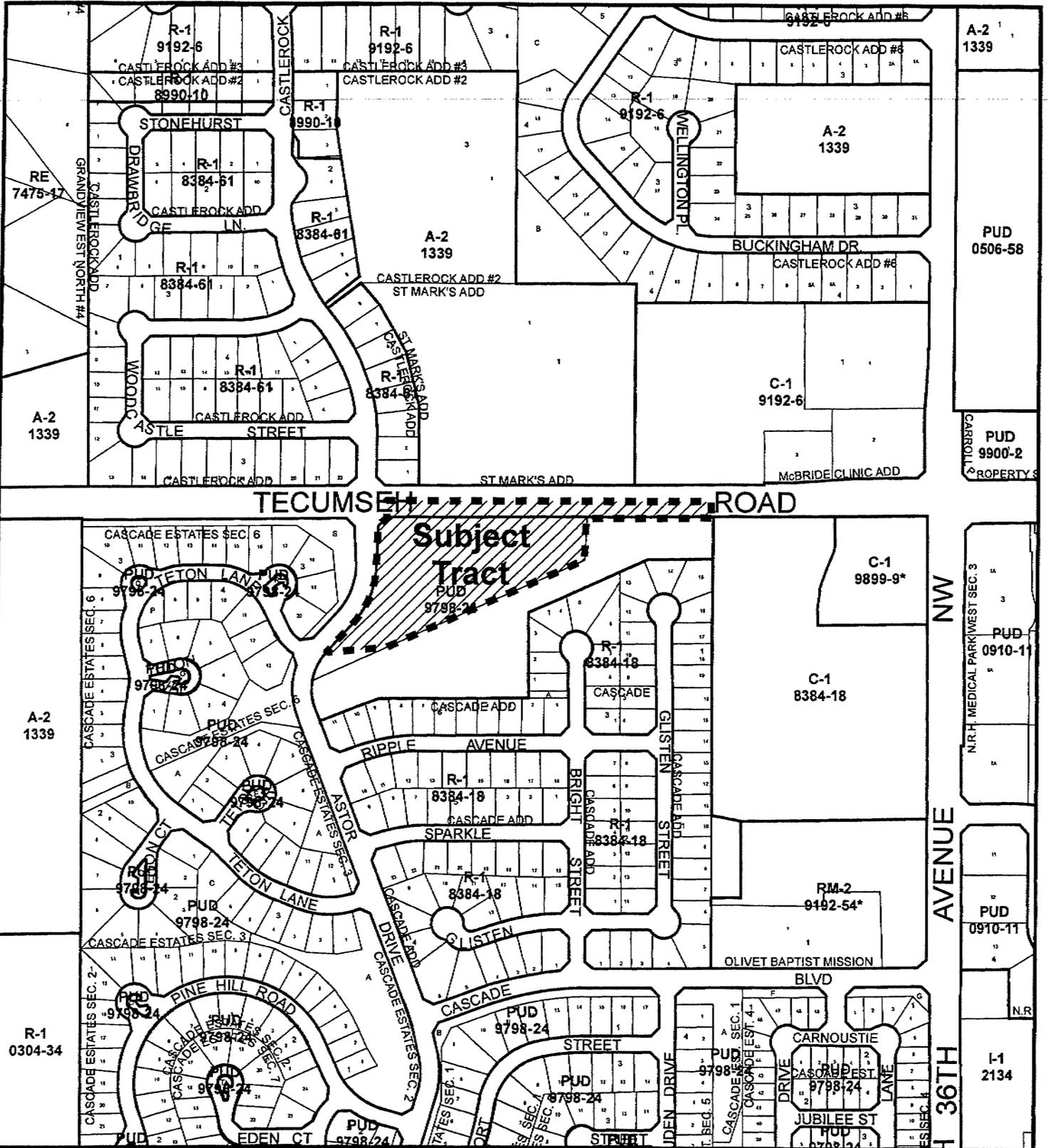
A PLANNED UNIT DEVELOPMENT
 A PART OF THE N.W. 1/4 OF SECTION 15, T9N, R3W, I.M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



OWNER'S ADDRESS
 CLEVELAND COUNTY, OKLAHOMA
 DESIGNED BY
 S.M.C. CONSULTING ENGINEERS, P.C.
 1000 WEST ROCK CREEK ROAD
 NORMAN, OKLAHOMA 73069
 PHONE: (405) 837-9719

PRELIMINARY SITE DEVELOPMENT PLAN

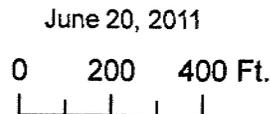
PROJECT	TECUMSEH PROJECT
OWNER	A PLANNED UNIT DEVELOPMENT
ADDRESS	N.W. 1/4 SECTION 15, T9N, R3W, I.M.
CITY	NORMAN, OKLAHOMA
DATE	NOVEMBER 2007
SCALE	AS SHOWN
DRAWN BY	J. W. WATSON
CHECKED BY	J. W. WATSON
DATE	NOVEMBER 2007
PROJECT NO.	1



Location Map



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



- Subject Tract
- Zoning

ORDINANCE NO. O-1112-1

ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Tecumseh Project, L.L.C.
REQUESTED ACTION	Amendment of the approved uses and the Site Development Plan approved with the Planned Unit Development established by Ordinance No. O-9798-24
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: A-2, R-1, and C-1 East: R-1, C-1, and Park South: Park West: PUD
LOCATION	South of West Tecumseh Road and east of Astor Drive
SIZE	5.33 acres, more or less
PURPOSE	Business, professional and medical offices
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Church East: Park, Single-family homes South: Single-family homes West: Single-family homes
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: Cascade Estates PUD was initially approved in January 1998, with the first plat filed the next year. As approved, homes of various sizes were authorized in a design with a large amount of private and public open space interspersed throughout the subdivision, and connected by curvilinear streets. This tract abuts Tecumseh Road at the northern entrance to the Cascade Estates addition, and lies directly across the street from St. Mark's Catholic Church. It was last reviewed and approved by the Planning Commission in 2007 as Section 8 of the Cascade Estates PUD. The plat was not filed and no development occurred on the

tract. The owners of this tract have submitted a request to amend the PUD to allow office uses in this area, which would eliminate the fourteen lots which were shown in the last section of the subdivision.

ANALYSIS: The tract is roughly triangular in shape, which limited the original residential design to fourteen relatively smaller lots served by a cul-de-sac which connected to Astor Drive. More than half of the lots backed up to Tecumseh Road. The proposed PUD amendment would allow four office lots, which would be interconnected to allow cross-parking throughout the site.

ALTERNATIVES/ISSUES:

USE No retail use is proposed; the PUD limits the usage to professional offices, both medical and non-medically related. The development restrictions echo the standard requirements in the O-1, Office-Institutional zoning district.

ACCESS In response to neighborhood concerns expressed at a Pre-Development meeting, access to Astor Drive has been eliminated. Two driveways are now proposed onto Tecumseh Road, one of which has been designed as a "right-in, right-out" only, due to its proximity to the Astor Drive intersection. Traffic generation from this development will not be significant enough to warrant the signalization of that intersection, but should traffic on Tecumseh Road continue to increase due to other development, the proposed driveway should minimally impact the operation of that signal.

LANDSCAPING AND SCREENING Required landscaping will be installed around the entire perimeter of the project, and will include a low hedge as well as trees along Astor Drive, which will limit the visual impact from the street. No hard fences are proposed in the project, other than those required to screen dumpsters and equipment. Landscaping will be irrigated and commonly maintained.

ARCHITECTURE AND DESIGN All buildings will have masonry exteriors and residential shingled roofs. Other than incidental attic space, all office buildings will be limited to one story in height. Each lot will be allowed one ground sign facing Tecumseh Road that is no taller than six feet in height.

OPEN SPACE Other than a small dedication of additional public park land, all required open spaces have been dedicated with previous sections of this PUD, and total more than thirteen acres of private open space in this neighborhood. The additional parkland dedication will increase the adjacent public park to 5.2 acres in size.

PHASES Only one final plat will be submitted (one phase) but individual lots will be separately improved. Because of the limited access provided to the development, elements of the parking and driveways will be constructed by the developer along with the individual lot owner so that full access for sanitation and emergency vehicles can be maintained.

OTHER AGENCY COMMENTS:

- **PARK BOARD** With the filing of a final plat, an additional 0.19 acres of public park land will be dedicated and added to the existing Cascade Public Park.
- **PUBLIC WORKS** The Public Works Department supports the request to waive the requirement for an alley, as cross access has been provided

STAFF RECOMMENDATION: From a design perspective, this tract could be developed as originally proposed for residential use, given that a fourteen lot plat has previously been approved. The proposed office use would, along with the public park, provide a buffer from any traffic noise that impacts the existing residences further south, and provide enclosure around the public park that would enhance its enjoyment. Staff is able to support this amendment to the Planned Unit Development, and recommends adoption of the Ordinance, PUD narrative, and supporting documentation.

THE TECUMSEH PROJECT, LLC **PUD NARRATIVE**

Norman, Oklahoma

PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING AND
PRELIMINARY DEVELOPMENT
PLAN/PLAT

February 5, 2001
Revised March 1, 2001
Revised June 13, 2011

PREPARED BY:

SMC Consulting Engineers, P.C.
815 W. Main
Oklahoma City, OK 73106

TABLE OF CONTENTS

COVER LETTER

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II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

- A. Location
- B. Existing Land Use and Zoning
- C. Elevation and Topography
- D. Drainage
- E. Utility Services
- F. Fire Protection Services
- G. Traffic Circulation/Access

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

- A. Use
- B. Perimeter Treatment
- C. Open Space
- D. Phasing
- E. Lighting
- F. Signs
- G. Architectural Controls and Material

EXHIBITS

- A. Preliminary Site Vicinity Plan
- B. Preliminary Site Development Plan
- C. Preliminary Elevations
- D. Maximum Building Area Plan
- E. Preliminary Landscaping and Parking Plan
- F. Phased Parking and Circulation Plan (4 pages)

NARRATIVE STATEMENT

Ms. Susan Connors
Director of Planning
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

Re: Amended Cascade Estates PUD now known as
The Tecumseh Project, LLC
Third Amendment

Dear Ms. Connors:

I. INTRODUCTION AND DEVELOPMENT CONCEPT

The third amended PUD, again only affects the remaining northeast portion of the original PUD that portion (5.4 acres) is hereby changed.

The developer, The Tecumseh Project, LLC, requests to add a different product to become available for professional offices. The new product will be professional/medical/office buildings. One per lot on only 4 lots. The buildings will be single story masonry exteriors with sloped roofs. The areas will have a common landscaped area with irrigation and maintenance in common and paid by a Ownership Association. The lots will have low level sharp cut-off lighting. No all night lights will be allowed except for security lighting. All buildings will be professionally supervised by Rick McKinney, owner of The McKinney Partnership Architects.

All lots will comply to the O-1 office district setbacks, parking, and other restrictions recited in the City of Norman code.

The developer has previously granted the Cascade Park located south of and abutting the remaining street. The Cascade Park is 4.94 acres. This park provides a minimum of a 100-foot buffer to the nearest residential lot. This is the width of a standard arterial road. In other locations this buffer is over 3 times that distance. The developer is deeding an additional 0.19 acres to the City of Norman. This additional tract is located at the southwest corner of the tract being revised by this application.

The additional tract will enlarge the Cascade Park to a new area of 5.13 acres. This area will be enhanced by an open space area located in the remaining tract. The developer will heavily landscape this area thus creating an additional landscaped buffer to the neighbors located west of Astor Drive.

In addition, the developer will add perimeter landscaping on the entire remaining tract of land. Privacy will be designed.

Lighting will comply to the new proposed ordinance.

A drive connecting the parking lot on Astor Drive, at the southwest portion of the tract was eliminated at the request of some concerned neighbors. The only access to the site will be from Tecumseh Road and there will be only two access points. A traffic impact analysis has been performed that documents the safety of this solution.

The PUD requirements and conditions represented in the initial Narrative Statement remain intact. A copy of the approved Narrative Statement is attached.

This revised Narrative Statement will only address that portion that is being changed and is the only area remaining undeveloped from the original submittal.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Location

Cascade is located northwest of Downtown Norman, southwest of the intersection of Tecumseh Road and N.W. 36th Avenue. It is part of the North Half, Section 15, Township 9, North, Range 3 West of the Indian Meridian in Norman, Cleveland County, Oklahoma.

B. Existing Land Use and Zoning for Previous PUD

The property is currently zoned PUD. The site has been platted and developed essentially as initially proposed.

This is the third amendment for the PUD. The initial PUD was approved by the Planning Commission on November 3, 1997. The City Council adopted the Ordinance to place the property in the PUD on January 3, 1998. The second amendment for this PUD was approved by the Planning Commission and City Council in 2001.

The initial application consisted of 106.79 acres and requested to construct 329 dwelling units for single family homes.

The open space minimum required was 10% but the PUD was predicting over 22%. The houses to be constructed were for semi-custom lots.

Because of the generous amount of open space, the PUD proposed more liberal lot coverage and set back requirements than a standard development.

Traffic circulation projected cul-de-sacs, looped streets, and very curvi-linear design to reduce speed and through traffic. Speed bumps have also been added by the City of Norman to further reduce speed of traffic. Pedestrian circulation was enhanced by separate pathways throughout the connecting open space areas.

Several Final Plats have been recorded that match the present PUD.

The following is a historical summary of the PUD:

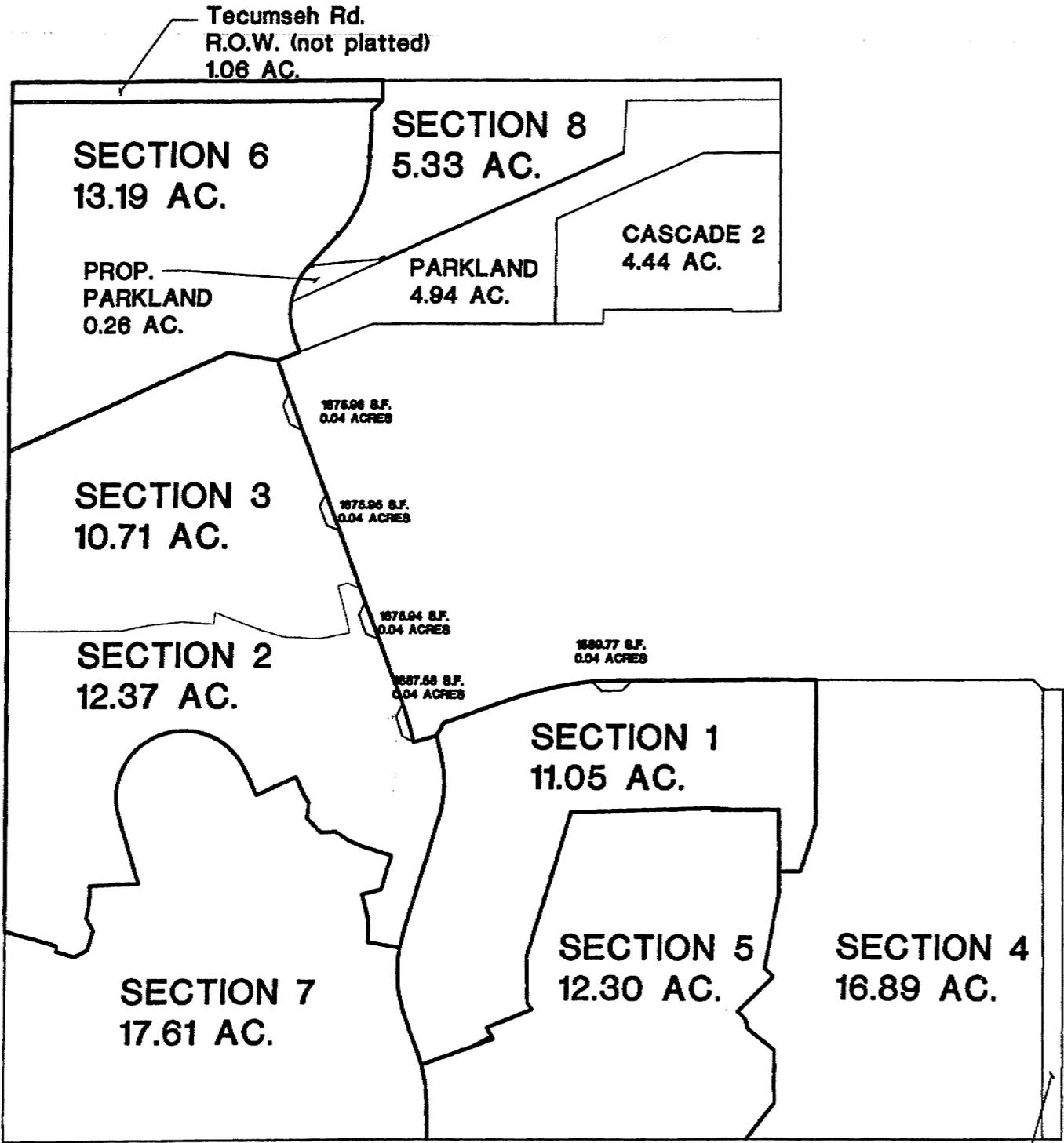
1. Area of initial Preliminary Plat		106.79 ac
2. Number of acres platted plus Section Line road right-of-way not platted	96.26 ac	
3. Parkland deeded to City of Norman or Proposed to deed to City of Norman	5.20 ac	
4. Remaining unplatted and proposed by this amendment	<u>5.33 ac</u>	
Total	106.79 ac	<u>106.79 ac</u>

5. Number of Recorded Plats – 7 plats
6. Table Summary

Cascade Estates PUD Plats	Parkland Acres	Lots	ROW acres	Open Space ac.
Cascade Estates Section 1		36	1.94	1.87
Cascade Estates Section 2		37	2.99	2.6
Cascade Estates Section 3		28	1.89	2.02
Cascade Estates Section 4		79	3.58	3.27
Cascade Estates Section 5		47	2.42	0.13
Cascade Estates Section 6		33	4	2.26
Cascade Estates Section 7		67	3.83	0.9
Parkland Deeded to City of Norman	4.94			
Parkland to be Deeded to City of Norman	0.26			
Remaining Unplatted land		4	2.1	0.8
Total	5.2	<u>331</u>	<u>22.75</u>	<u>13.85</u>

7. Comparison of Projected vs. Constructed (Gross Area Ratio)

	Estimated	Platted
Number of Lots	329	331
Private Open Space	16.1 ac (15.1%)	13.85 ac (12.96%)
Public Open Space	7.6 ac (7.1%)	5.2 ac (4.86%)
Street ROW	6 ac (5.6%)	22.75 ac (21.3%)



**CASCADE ADDITION
JUNE 8, 2011**

8. Final Summary (Gross Area)

		<u>Gross</u>	<u>Net</u>
ROW	22.75 ac	21.3%	
Open Space	19.05 ac	17.8%	22.6%
Lot Area	64.99 ac	60.9%	
	<hr/> 106.79 ac	<hr/> 100%	

The property is surrounded by land within the City of Norman City Limits. Along the north property line (across Tecumseh Road) is Castle Rock Subdivision, zoned R-1, with single-family homes (lot size approximately 70 ft. X 140 ft.). The adjacent land along the west property line is zoned A-2 and is vacant land and the Theodore Roosevelt Elementary School. To the South is the Berkeley Subdivision, zoned R-1 with single-family homes (lot size approximately 70 ft. X 120 ft.). The adjacent land to the east is part of the Cascade Subdivision, zoned R-1, with single-family homes (lot size approximately 60 ft. X 110 ft.). The property across N.W. 36th Avenue to the east is PUD, and is planned with mixed industrial, commercial, and multi-family uses.

C. Elevation and Topography

The site consists of gentle sloping terrain from the west to the east with slopes less than 2%. The elevation of the property is 1205 along the west property line and 1186 along the east property line with a total of 17 feet of grade change across the entire property.

D. Drainage

A detention study was approved with the initial PUD and all detention facilities have been constructed.

E. Utility Services

All of the required utility systems for the projects (including water, sewer, gas, telephone and electric) are currently located adjacent to the boundaries of the property.

F. Fire Protection Services

Fire protection services will be provided by the City of Norman Fire Department.

G. Traffic Circulation and Access

A Traffic Impact Analysis has been submitted.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Use

Design will meet requirement of the current O-1 zoning ordinance.

- 1) 25-foot front yard building set-back.
- 2) Five feet side yard set-back on both sides of the lot.
- 3) The rear yard set-back will be 10 feet for all lots.

B. Perimeter Treatment

The perimeter will be landscaped with a mixture of deciduous and evergreen trees that will exceed the City requirements.

C. Open Space

The open space meets City requirements.

D. Phases

The remaining property of revised PUD will be platted as one phase. Each lot will be sold on a lot by lot basis.

E. Lighting

Low level luminaires that restricts illumination beyond limits of site.

F. Project Signs

Four low profile masonry signs on Tecumseh Road. Not to exceed 6 feet in height and 5 feet wide with lights low profile.

G. Architectural Controls and Material

Exterior Building and Site Design

Tecumseh Office Park will be a campus of four residential-style office buildings through the application of masonry exteriors and sloped roofs similar in color to the surrounding neighborhoods. Window systems shall be of same color, finish and

material. All exterior landscaping will be coordinated, irrigated, and maintained through a common Property Owners Association (POA). All exterior lighting shall be sharp cut-off fixtures, identical in design and illumination, maintained, and controlled daily by the POA.

The design of each building shall be carried out by a licensed architect and reviewed for compliance with the Design Guidelines by an Architectural Review Committee (ARC) before a building permit can be issued.

Masonry: Exterior veneer of all structures shall be at least eighty (80%) masonry including modular face brick, natural stone with horizontal coursing, cultured stone, and "ground" or "rock" face integral color concrete units. The face brick shall contain at least three (3) colors from a five brick blend as manufactured by Acme Brick or approved equal. All other masonry materials shall be cream, tan, buff, or a light complimentary color to accent the masonry as approved by the ARC.

Stucco: Up to twenty percent (20%) of the exterior veneer may be cement stucco or exterior insulated finish system (EIFS) with a medium or light sandblast texture. All stucco type material must be installed a minimum of 36" above finish grade.

Roof: All exposed roof areas shall be sloped at a 6:12 pitch and may not exceed 27' in height above finish grade. Reinforced composition shingles shall be "Weathered Wood" in color, granular surface, as manufactured by GAF or approved equal. No flat roofs will be allowed except for the recessed roof areas shown on the Preliminary Development Site Plan for Lots 1 and 2 at the interior portion of the buildings.

Windows: All exterior windows shall be insulated gray glass within dark bronze anodized aluminum frames.

Doors: Exterior entry doors shall be a two light "French door" style, wide style with a center horizontal rail, dark bronze anodized finish, and gray insulated glass. Secondary and private entry doors may be French doors to match or solid insulated hollow metal.

Equipment Screening: All ground mounted equipment shall be screened with a masonry enclosure to prevent view from the parking, common areas, or surrounding neighborhood.

Wall Mounted Equipment: All wall mounted equipment shall be painted to match the material it is attached to.

Building Lighting: Light fixtures attached to buildings shall be sharp cut-off wall fixtures or recessed within the exterior soffits.

Site Lighting: Perimeter parking area lighting shall be mounted on 20' tall tapered dark bronze poles on 24" tall concrete bases. Fixtures shall be sharp cut-off type to contain light within the site. Lamps shall be metal halide. Lighting will be time clock controlled

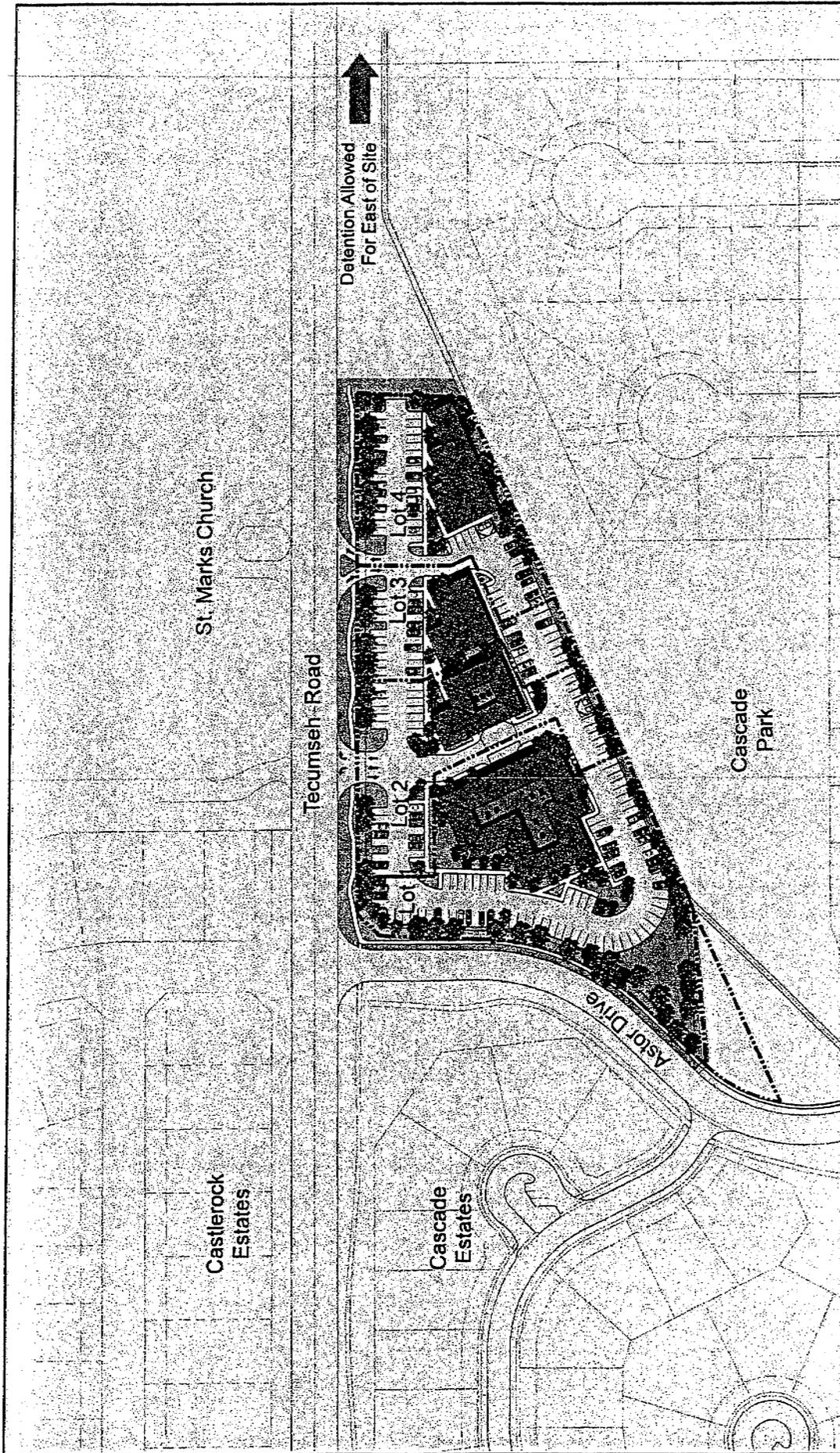
Signage: Four (4) low profile ground mounted signs (one per building) shall be located on Tecumseh Road with a maximum signage area per face of 40 square feet. In addition one (1) wall sign may be installed near each tenant entrance.

Landscaping: Site landscaping shall be uniform and exceed of City of Norman standards. Refer to attached Exhibit E.

Sidewalks: All walks shall be concrete with joints spaced equal to the width of the walk and a light broom cross-texture.

Paving: Site paving and curbing shall be concrete with heavy traffic paving at drive lanes and reinforced paving at dumpster loading areas. The Developer shall complete the drive lanes and dumpster enclosures beyond the limits of each lot required to provide full circulation and access for each building as required by the City and users. Refer to the attached Exhibit F for diagrams outlining the phased paving construction for each lot.

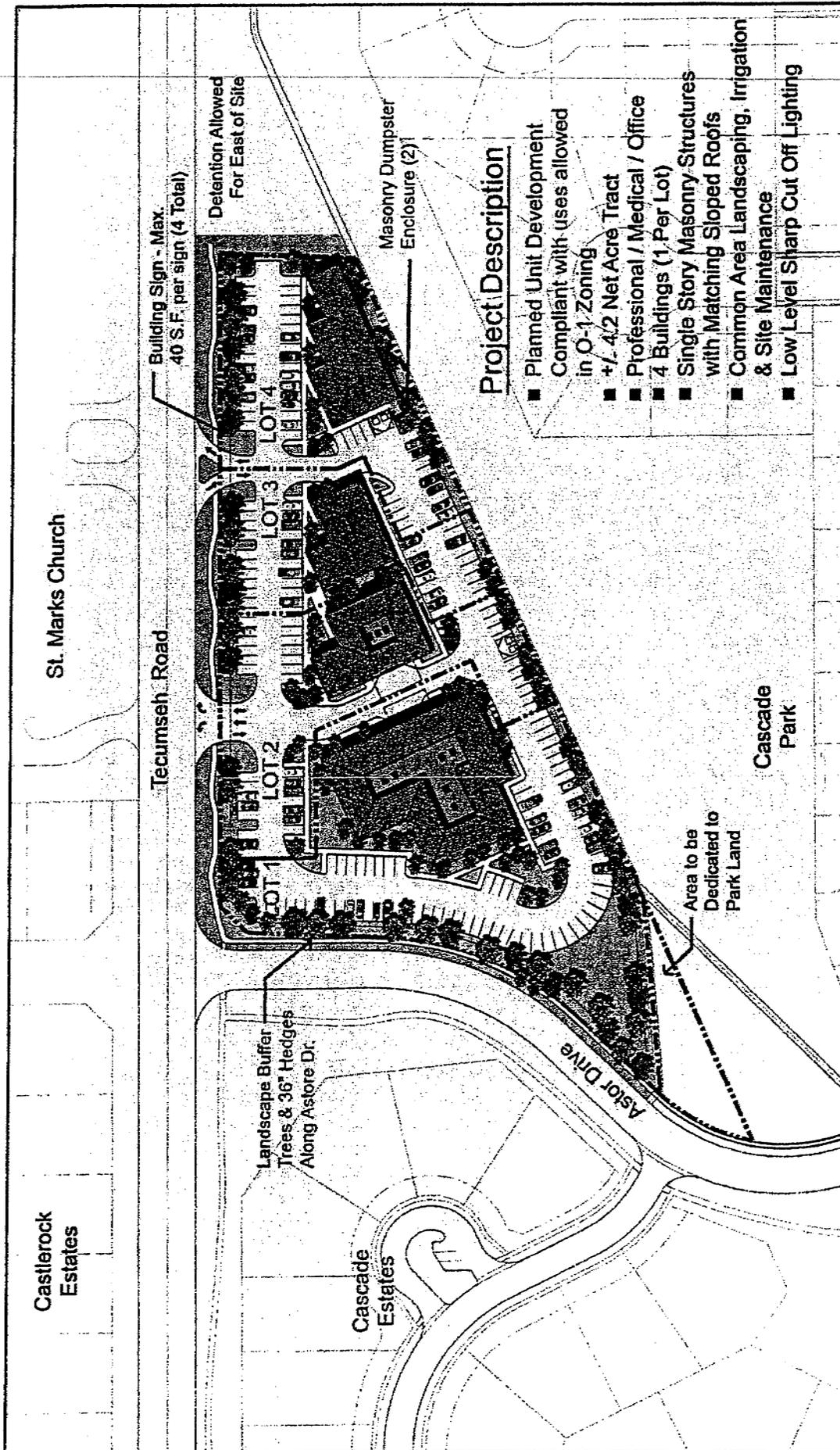
Dumpster Enclosures: Enclosures shall be brick masonry on CMU back-up with twin gates painted to match the roof color.



Tecumseh Project L.L.C.

PRELIMINARY SITE VICINITY PLAN

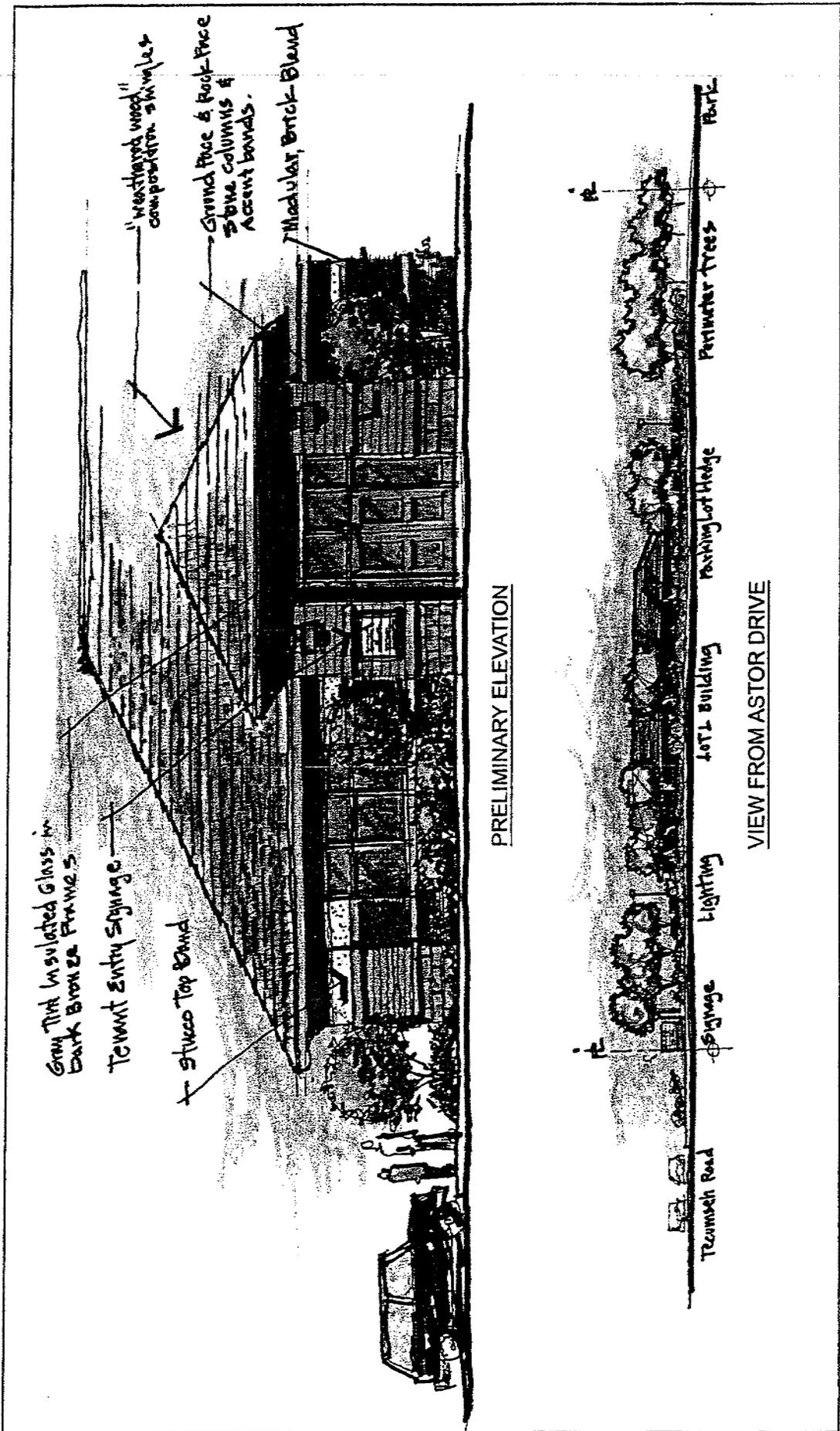




Tecumseh Project L.L.C.

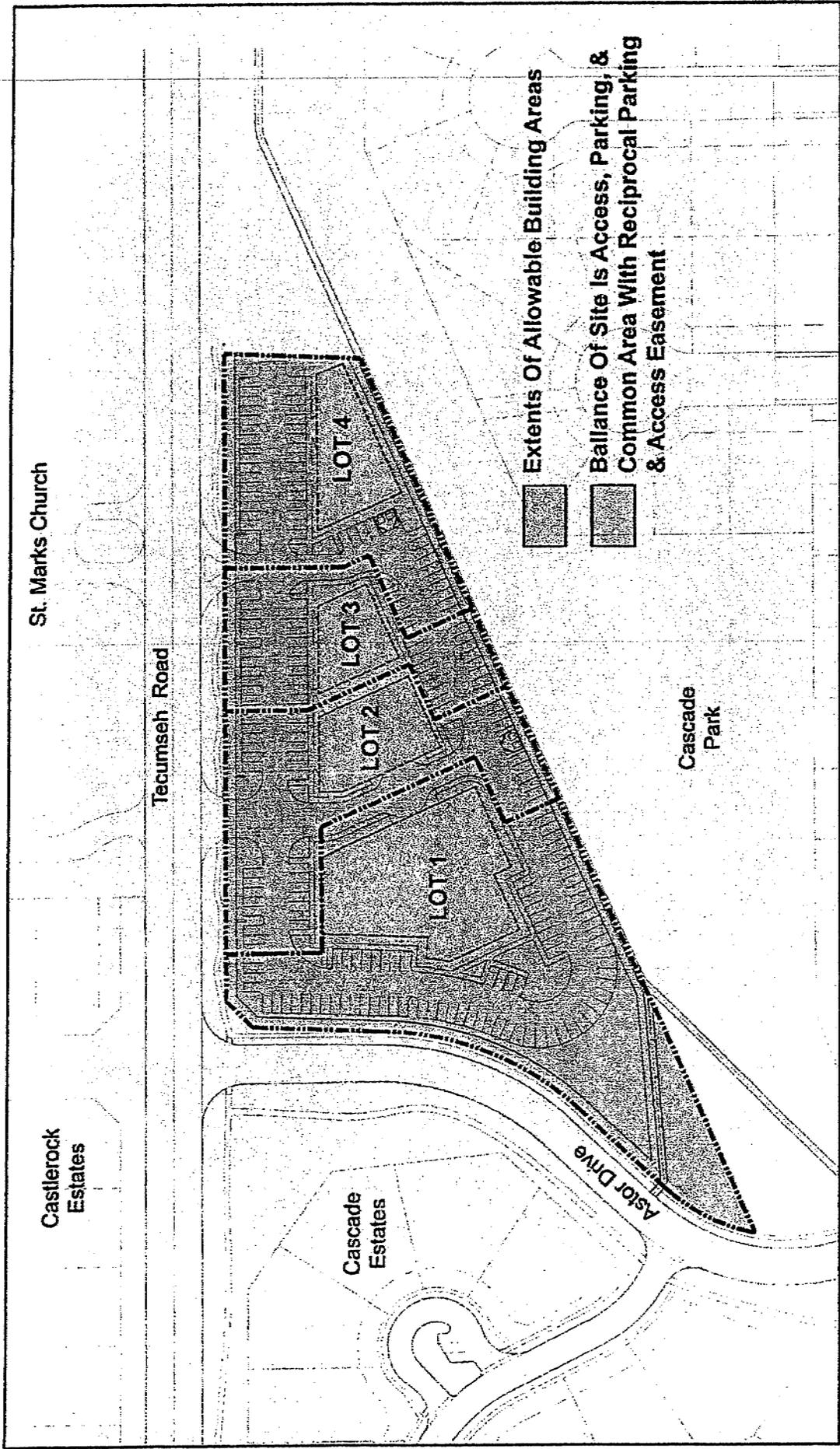
PRELIMINARY SITE DEVELOPMENT PLAN





Tecumseh Project L.L.C.

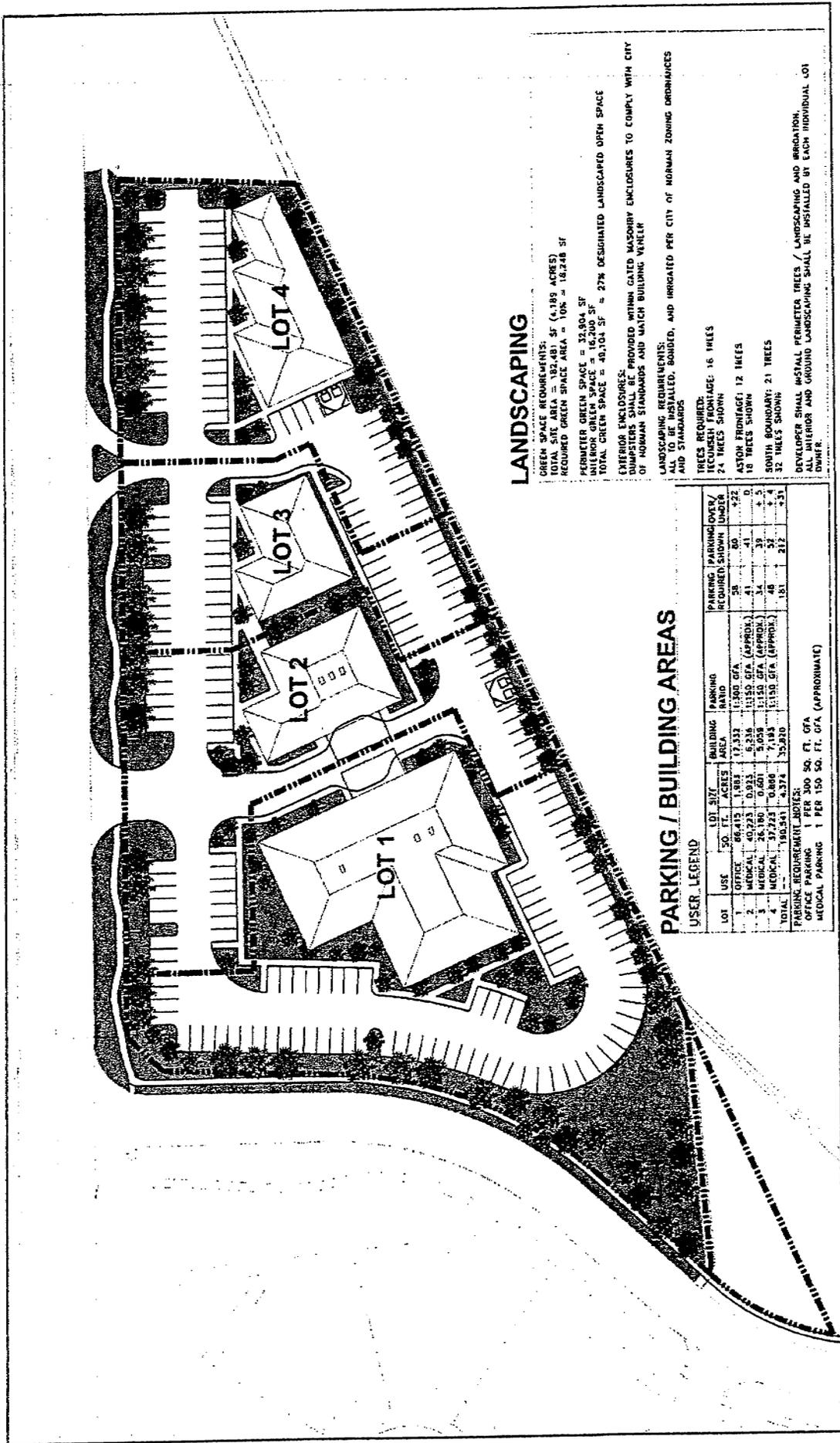
PRELIMINARY ELEVATIONS



Tecumseh Project L.L.C.

MAXIMUM BUILDING AREA PLAN





LANDSCAPING

GREEN SPACE REQUIREMENTS:
 TOTAL SITE AREA = 182,481 SF (4.189 ACRES)
 REQUIRED GREEN SPACE AREA = 10% = 18,248 SF
 PERMETER GREEN SPACE = 33,904 SF
 INTERIOR GREEN SPACE = 16,200 SF
 TOTAL GREEN SPACE = 49,104 SF = 27% DESIGNATED LANDSCAPED OPEN SPACE

EXTERIOR ENCLOSURES:
 PERMETERS SHALL BE PROVIDED WITHIN GATED MASONRY ENCLOSURES TO COMPLY WITH CITY OF NORMAN STANDARDS AND MATCH BUILDING VEHICLE AND STANDARDS

LANDSCAPING REQUIREMENTS:
 TO BE INSTALLED, MAINTAINED, AND IRRIGATED PER CITY OF NORMAN ZONING ORDINANCES AND STANDARDS

TREES REQUIRED:
 TREES TO BE PLANTED: 16 TREES
 24 TREES SHOWN

ASTON FRONTAGE: 12 TREES
 18 TREES SHOWN

SOUTH BOUNDARY: 21 TREES
 32 TREES SHOWN

DEVELOPER SHALL INSTALL PERMETER TREES / LANDSCAPING AND IRRIGATION. PERMETER AND GROUND LANDSCAPING SHALL BE INSTALLED BY EACH INDIVIDUAL LOT OWNER.

PARKING / BUILDING AREAS

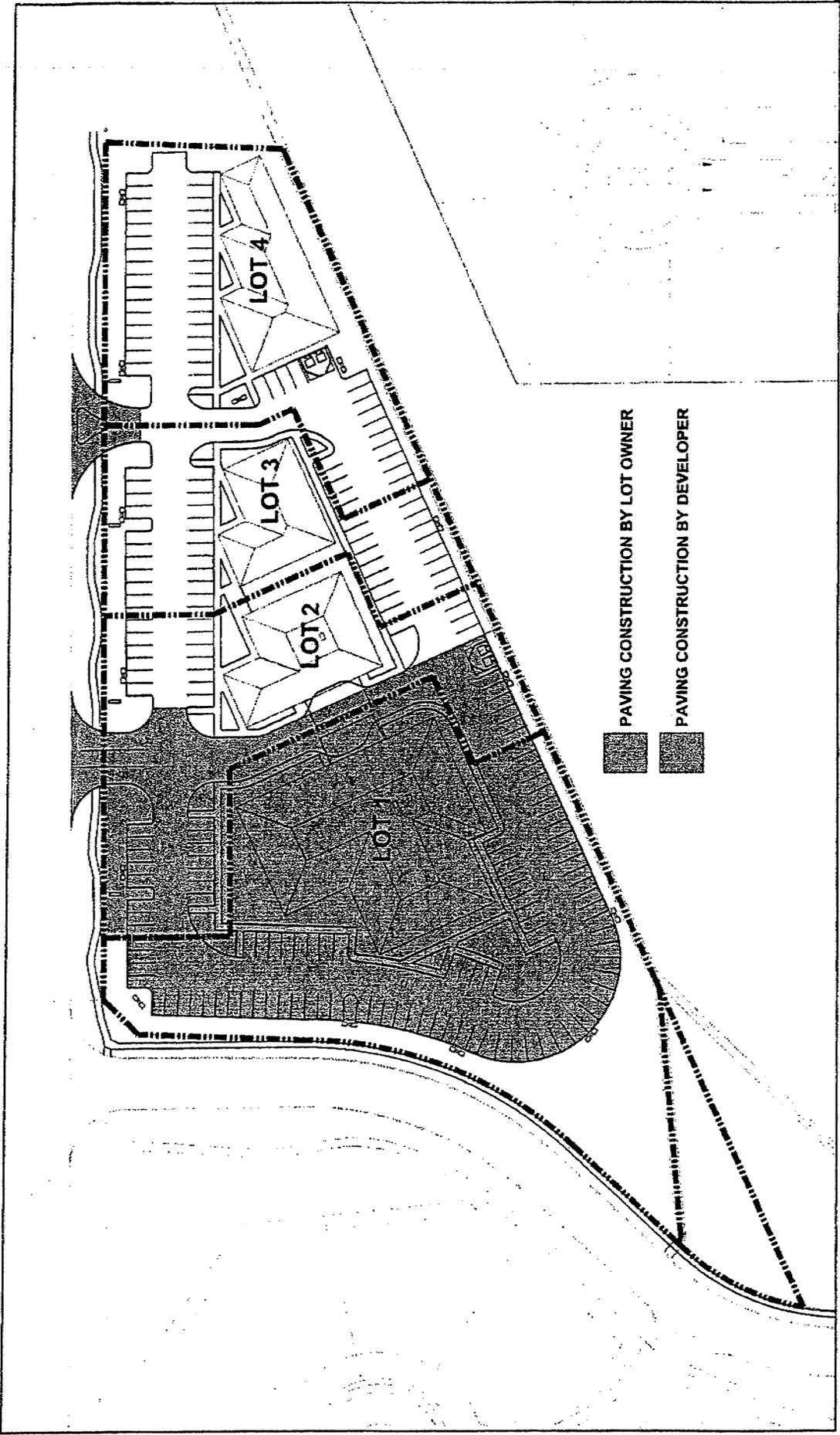
USER LEGEND

LOT	USE	SO. FT.	ACRES	BUILDING AREA	PARKING	PARKING	PARKING	PARKING	PARKING
				(SQ. FT.)	(GFA)	(GFA)	(GFA)	(GFA)	(GFA)
1	OFFICE	66,415	1.503	17,337	1,500	1,500	60	60	72
2	MEDICAL	40,223	0.913	8,238	1,150	1,150	46	46	55
3	MEDICAL	26,190	0.601	7,038	1,150	1,150	46	46	55
4	MEDICAL	70,544	1.614	25,220	1,150	1,150	46	46	55
TOTAL	REQUIREMENT (MIN.)						181	181	217
	PARKING REQUIREMENT PER 100 SQ. FT. GFA								
	MEDICAL PARKING 1 PER 150 SQ. FT. GFA (APPROXIMATE)								

Tecumseh Project L.L.C.

PRELIMINARY LANDSCAPING AND PARKING PLAN



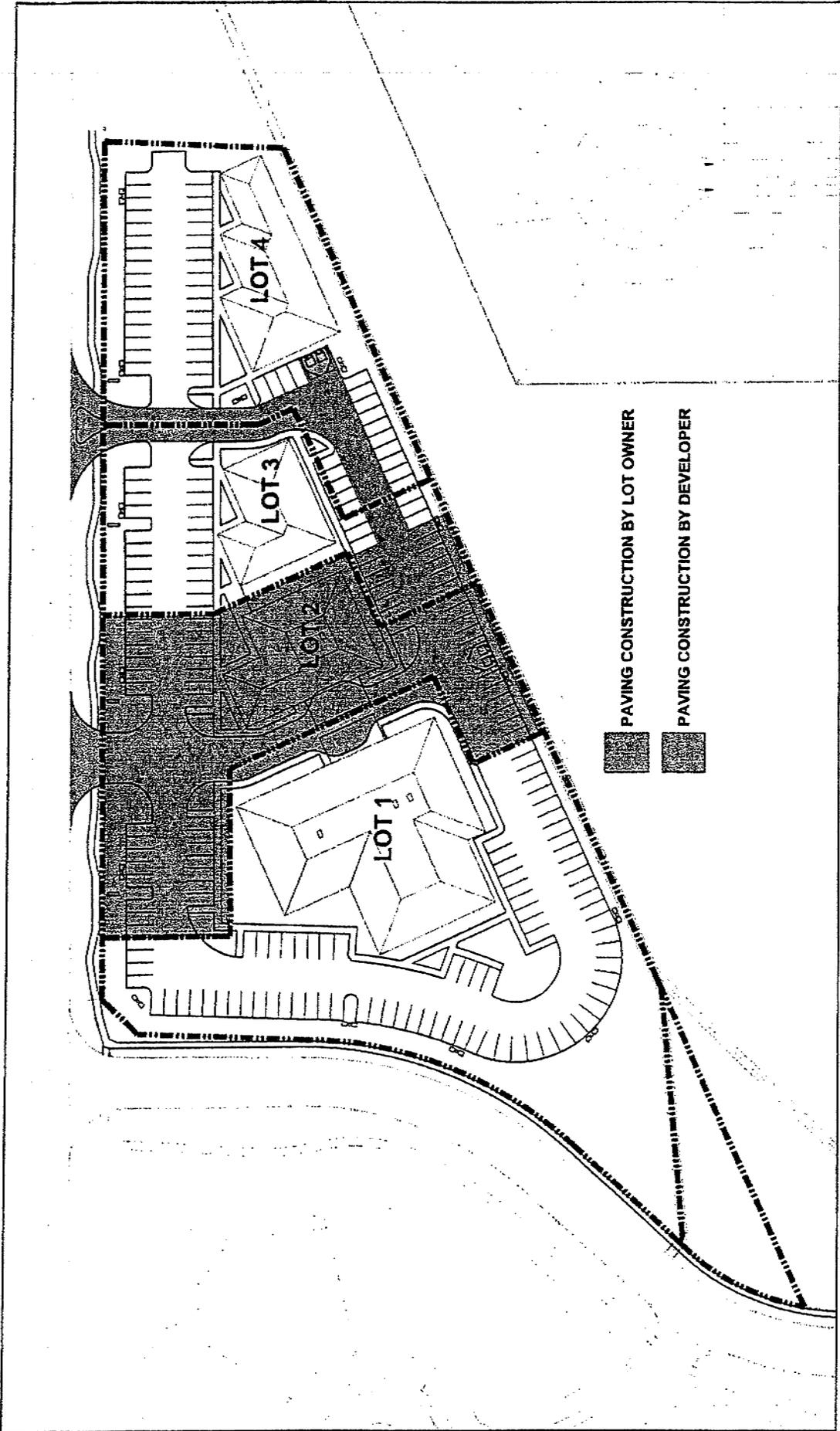


 PAVING CONSTRUCTION BY LOT OWNER
 PAVING CONSTRUCTION BY DEVELOPER

Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 1 DEVELOPMENT

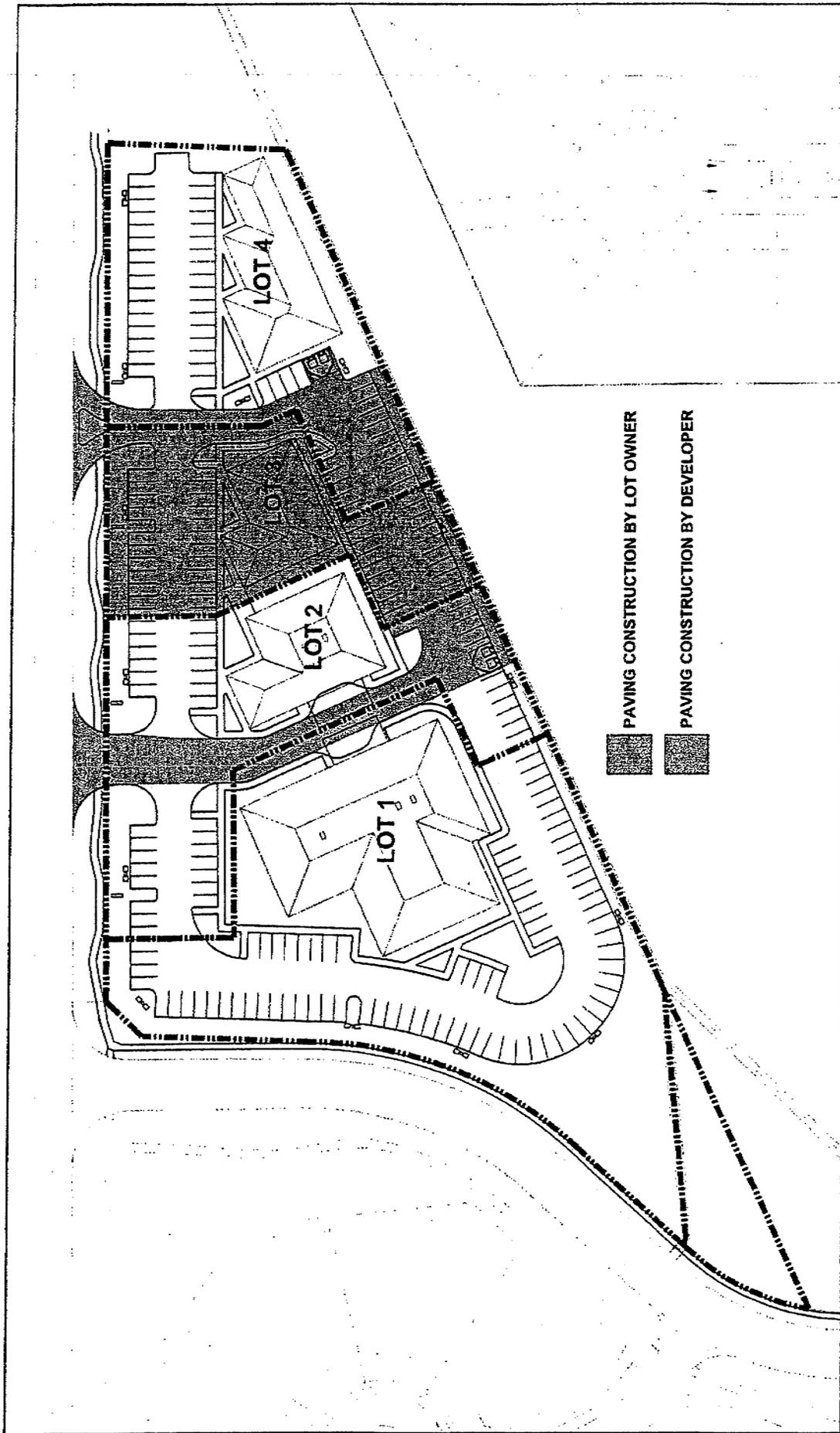




Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 2 DEVELOPMENT

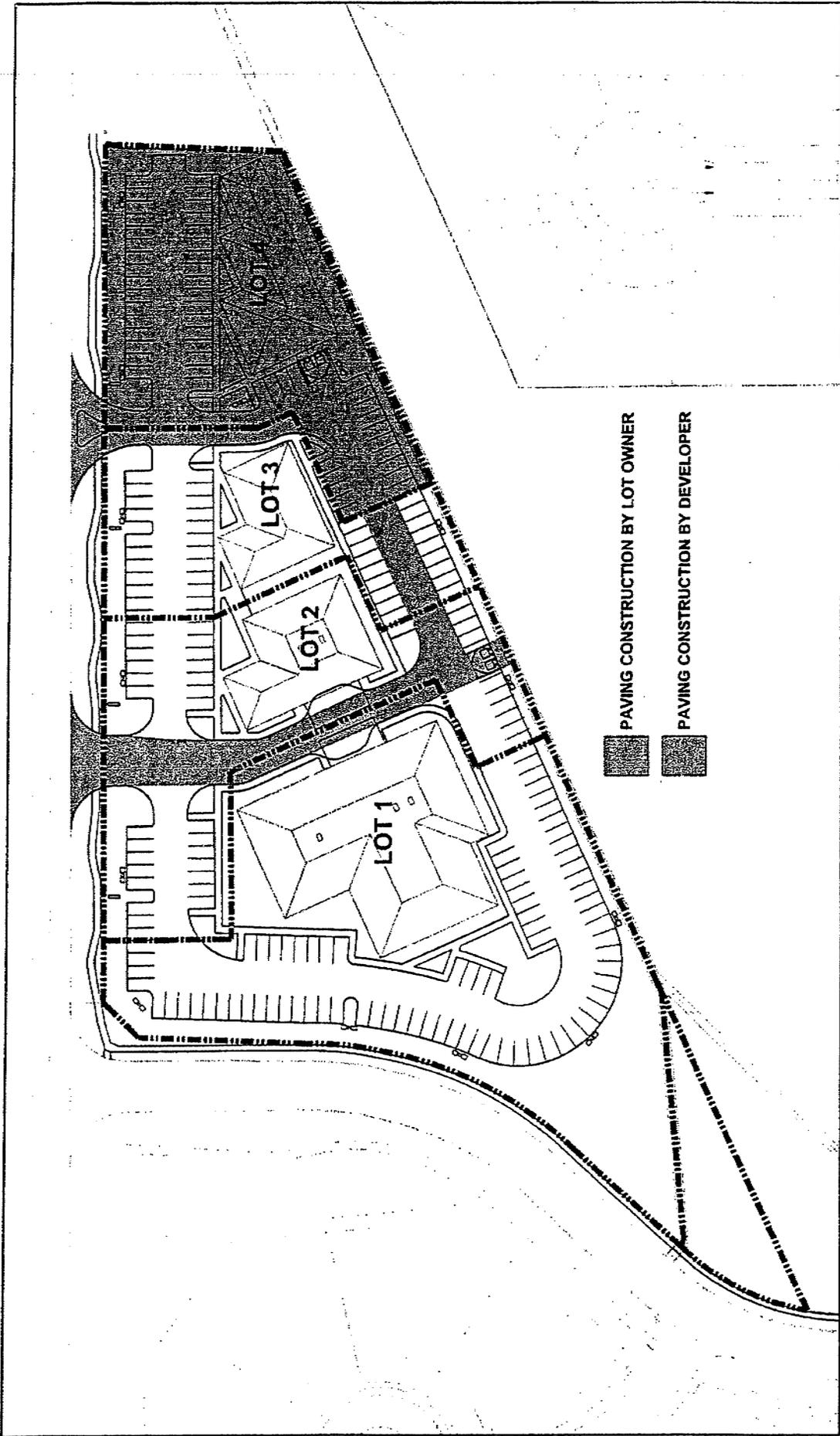




Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 3 DEVELOPMENT

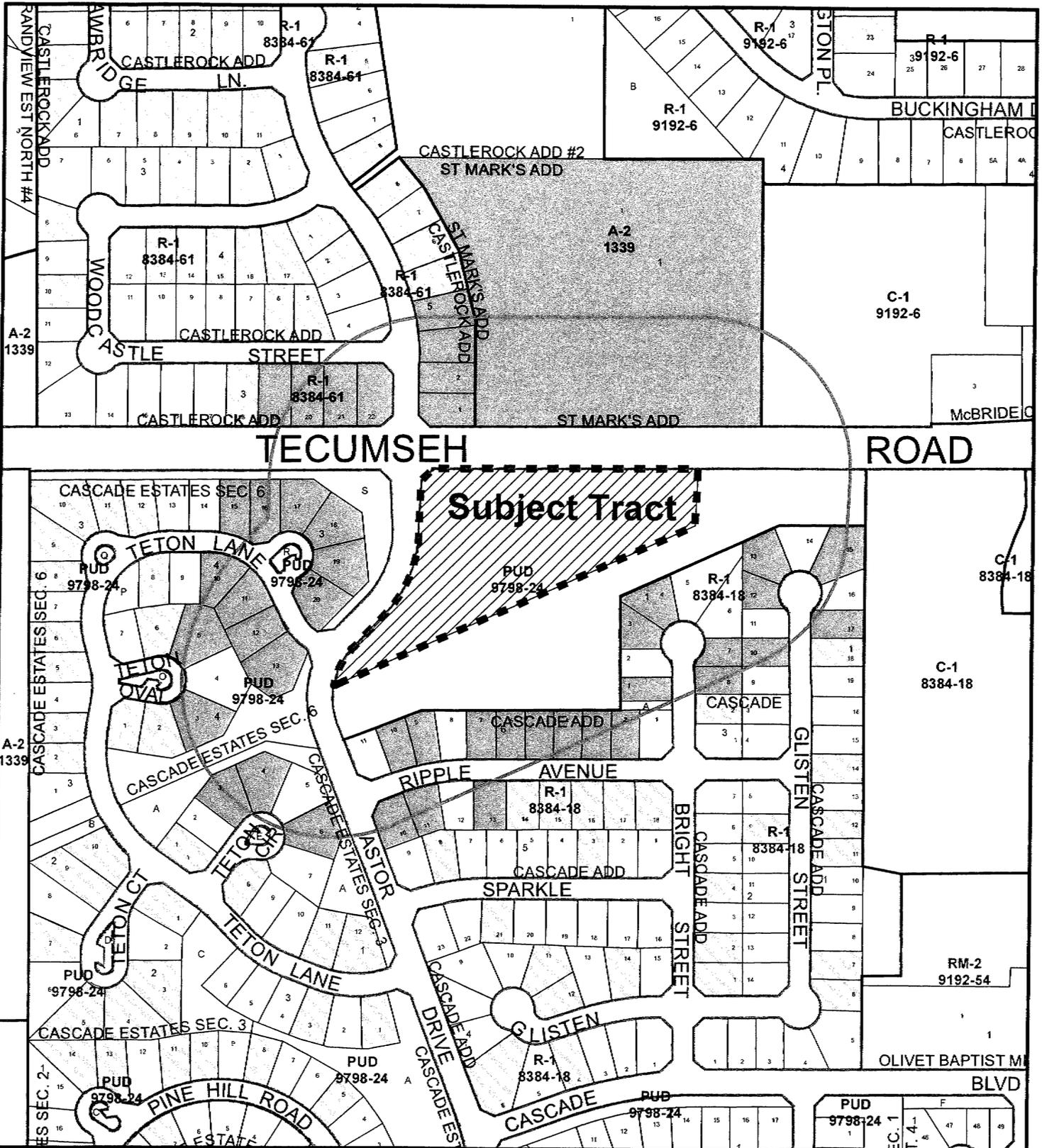




Tecumseh Project L.L.C.

PHASED PARKING & CIRCULATION PLAN - LOT 4 DEVELOPMENT



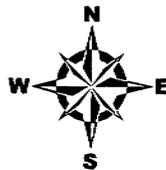


Protest Map

54.3% Protest Within Notification Area

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316

The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



Scale: 1" = 300'
October 12, 2011

-  Subject Tract
-  Protest
-  Notification Area
-  Protest Outside Notification Area

Yumi Davis

From: Yumi Davis [yumi@newlookmedia.com]
Sent: Thursday, March 24, 2011 11:48 PM
To: Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3@normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6@normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc: Myron Cunningham; Jerry Kershaw; catiejewell@gmail.com; Elaine and Grant; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; Tom/Susan Thurston; Angela Wright; Melissa Free; Vicki Hopkins; Susan Wood; Beth McCoy; mark.mccoy@sbcglobal.net; Peter Khor; ohpchampplain@aol.com; Jill/Floyd Smith; Jeff Davis; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; Justin Furnish; joe-aprilperry@cox.net; Karmen Tucker; Irene Woo; Becky Schmidt; jenannelliott@cox.net; Erin Williford; Heather Hack; Yumi Davis; Bonner Slayton; Destiny Merkley; Dan & Ashley Nickel; Luisa Lucas; Rex and Toni; Debbie Argo; Lindsey Williams; Oj Williams; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net
Subject: Zoning in Cascade Estates

Mayor Rosenthal and City Council Members,

I am writing regarding the recent preliminary discussions to rezone the property north of the Cascade Estates park located off Tecumseh. If you are not familiar with the issues that have recently surfaced, I will let you know that developers are requesting to change what has previously been approved by council to be residential area for 12 plots of land for single family homes to commercial property. Tonight, I attended a preliminary meeting at City Hall to discuss the possibility to rezone. I went in with an open mind, but left with a strong stand against rezoning!

I have several concerns that have influenced my decision to move forward against this development. My number one concern is safety. Cascade Estates is a very family friendly neighborhood. Kids play in the street. We have culdesac parties with families. We have parades in the street. This truly is a neighborhood that is a community. I feel that the possibility of bringing this commercial land will change the dynamic of the neighborhood and have a negative impact! Almost every home on my street, which is directly across from the property of concern, has small children. These children walk and ride bikes to school and to the park that is beside the property under discussion. The commercial property will attract traffic to this area. An area which has always been safe. It will also change the ability for the view to the park. A park that is hidden behind a medical building or has trees with empty parking lots would not have the same secure feel for parents.

Although developers showed us a plan, this is only an idea. They plan to sell off the land and homeowners will not be able to have any input to entrances that will attract traffic, how the aesthetic of the buildings will turn out, or landscaping. All of these issues could impact the property value of the homes. Moreover, homeowners were assured before the purchase of their property that the land by the park was marked for residential. This promise was backed by the approval of a residential zoning by the City Council. A rezoning would leave no guarantees for homeowners.

I am not alone in my opinion to reject the request for commercial property within our neighborhood. I hope you will take into consideration the voice of the homeowners who are the people who will be most affected by this change. I know that I will personally be disappointed if I am unable to count on my local government to protect my rights and look at the best interest of the families within their city.

Thank you so much! I appreciate any responses or thoughts concerning this matter.

Yumi Davis
4113 Teton Lane
Norman, OK 73072
(405) 202-8745

From: VICKI HOPKINS <vhopkins21@mac.com>

Subject: **Zoning in Cascade Estates**

Date: March 25, 2011 10:33:42 PM CDT

To: Mayor@NormanOK.gov, ward1@normanok.gov, ward3@normanok.gov, ward4@normanok.gov, ward2@normanok.gov, ward6@normanok.gov, ward5@normanok.gov, ward8@normanok.gov, ward7@normanok.gov



Mayor Rosenthal and City Council Members:

I am writing as a resident of Cascade Estates off Tecumseh. We recently had a rezoning meeting with the city regarding the property north of the Cascade Estates park located off Tecumseh and Astor. It is currently zoned as a Residential property, but the owners of the land, Cascade Development, want to rezone it as Commercial Office. That concerns not only me, but also many of my neighbors. At the meeting the developers showed us a plan for four proposed buildings with over 200 parking spaces. They would be sold off individually with no assurance it would be medical office space (which is what they are hoping for). Who knows who will buy each building, and their plan. There is so much uncertainty with the plan. They could not even give us assurances how the buildings would look.

I moved here almost three years ago and fell in love with my neighborhood. We have socials in our col-de-sacs, parades, easter egg hunts and so many other activities. Many children walk or ride bikes to and from school. At the Cascade Park, that would be located right behind the new development, we have many sport practices in addition to families visiting it in the neighborhood. This is what concerns me the most about the new development. The safety of our children. We have such a family oriented residential community. Adding a commercial complex right next to our neighborhood park, would ruin this environment. It would have traffic, which would be a danger to our children. It is already difficult to exit our neighborhood. I cannot imagine what it would be like with this new office park. It would add noise to our wonderful peaceful environment. When I sit on my back porch I hear birds chirping. I also do not want my property value to fall because now I live in a commercial area. When we bought our home we were told that was a residential property. That is why the area was so appealing to us.

Please help us keep our neighborhood a neighborhood. When my family hears about all the wonderful activities we do in our neighborhood they say I live in Mayberry. I love Norman. I want to keep my neighborhood just like Mayberry. Isn't that what we all want for our children? The safety to walk to the park, to school and ride bikes with friends. With this new development that wonderful environment would be taken away.

When this comes before the Planning Commission, I beg you to keep this Residential, and not allow the developers to rezone it to Commercial Office.

Thank you,

Vicki Hopkins
4112 Teton Oval
Norman, 73072

on f

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *AK*

Yumi Davis

From: Bonner Slayton
Sent: Friday, April 01, 2011 11:53 AM
To: 'Susan Wood'; Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3@normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6@normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc: 'Myron Cunningham'; 'Jerry Kershaw'; catiejewell@gmail.com; 'Elaine and Grant'; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; 'Tom/Susan Thurston'; 'Angela Wright'; 'Melissa Free'; 'Vicki Hopkins'; 'Beth McCoy'; mark.mccoy@sbcglobal.net; 'Peter Khor'; ohpchamplain@aol.com; 'Jill/Floyd Smith'; 'Jeff Davis'; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; 'Justin Furnish'; joe-aprilperry@cox.net; 'Karmen Tucker'; 'Irene Woo'; 'Becky Schmidt'; jenannelliott@cox.net; 'Erin Williford'; 'Heather Hack'; Yumi Davis; 'Destiny Merkley'; 'Dan & Ashley Nickel'; 'Luisa Lucas'; 'Rex and Toni'; Debbie Argo; 'Lindsey Williams'; 'Oj Williams'; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net; jamesreese@cox.net; brandyreese@cox.net
Subject: Rezoning in Cascade Estates

Dear Mayor and City Council:

As a citizen, taxpayer, parent, teacher, minister, community leader, Journey Church member, and Leadership Norman alumni, I am writing to oppose the change in zoning for the land north of Cascade Estates Park. I moved to Norman, Oklahoma, years ago because I knew that Norman was the place that I wanted to rear my children. After searching, saving, and working hard, I found the ideal house in Cascade Estates in Northwest Norman. My children and I have been happy ever since. I am afraid that rezoning this land will diminish our happiness, lower our property values, increase traffic, allow strangers more access to our neighborhood, and ruin the "family" atmosphere that our neighborhood enjoys.

There are many communities in this state who "get things wrong" in the name of economic development. **I am proud as a taxpayer and citizen that, more often than not, Norman, Oklahoma, gets it right.** Yet, rezoning the land north of the Cascade Park is the **wrong** thing to do. **First**, there is no guarantee of what the property will look like. The city has done a fantastic job in keeping this area of Norman attractive. There are no guarantees that the developers will follow through on their plans. **Second**, Cascade Estates and Castle Rock are both quiet neighborhoods with a family atmosphere. The addition of commercial properties within our neighborhood will ruin this dynamic. Why would we want more traffic within our neighborhood? **Third**, there is plenty of room for commercial entities to the east and the northeast of our neighborhood. There is not a need for this commercial area or medical area within our neighborhood. **Last**, this plan will LOWER our property values. I live in a house that backs up to the park. There is not much distance from my back gate to the edge of the proposed property line for this development. This development will cause the resale value of my house and others in Cascade Estates to plummet. **It is my understanding that the vast majority of citizens in Cascade Estates DO NOT approve for this land to be rezoned. It is my expectation that the Norman City Council and the City Planning Commission to do the right thing and LISTEN to the voices of concerned citizens and do what the majority of citizens ask.**

In a world where "family" values are eroding, why would we want to add a commercial interest in our neighborhood that would cause more traffic, allow more strangers access to our neighborhood, put children in danger who play in the park, and ruin the aesthetics of our neighborhood. This proposal does nothing to improve the quality of life for me, my family, or my neighborhood. **It actually diminishes the very family values and community togetherness that Norman, Oklahoma, is known for in Oklahoma and throughout the nation.**

1
Hand sig in petition

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 DM

45-30

I moved to Norman and into Cascade Estates with the understanding that the land north of Cascade Park would stay residential. I strongly oppose **ANY** and **ALL** plans to change this.

Sincerely,

Bonner Slayton, M.Ed., NBCT
4001 Ripple Avenue
Norman, Oklahoma 73072

Yumi Davis

From: Susan Wood [swood13@cox.net]
Sent: Friday, April 01, 2011 11:11 AM
To: Mayor@NormanOK.gov; ward1@normanok.gov; ward2@normanok.gov; ward3@normanok.gov; ward4@normanok.gov; ward5@normanok.gov; ward6@normanok.gov; ward7@normanok.gov; ward8@normanok.gov
Cc: 'Myron Cunningham'; 'Jerry Kershaw'; catiejewell@gmail.com; 'Elaine and Grant'; ourob@sbcglobal.net; reh7194@aol.com; soonerservants@hotmail.com; 'Tom/Susan Thurston'; 'Angela Wright'; 'Melissa Free'; 'Vicki Hopkins'; 'Susan Wood'; 'Beth McCoy'; mark.mccoy@sbcglobal.net; 'Peter Khor'; ohpchampplain@aol.com; 'Jill/Floyd Smith'; 'Jeff Davis'; mcullins1@cox.net; powerman2@cox.net; cbartrub@cox.net; tkahoe99@yahoo.com; 'Justin Furnish'; joe-aprilperry@cox.net; 'Karmen Tucker'; 'Irene Woo'; 'Becky Schmidt'; jenannelliott@cox.net; 'Erin Williford'; 'Heather Hack'; Yumi Davis; Bonner Slayton; 'Destiny Merkley'; 'Dan & Ashley Nickel'; 'Luisa Lucas'; 'Rex and Toni'; Debbie Argo; 'Lindsey Williams'; 'Oj Williams'; cbartrug@cox.net; paul.a.fagiano@usps.gov; consigliere@att.net; kbrews@cox.net; vjdicastro@att.net; jamesreese@cox.net; brandyreese@cox.net
Subject: letter re. rezoning

Dear Mayor and Council members,

I am writing you in regards to the proposed rezoning of the property on the corner of Tecumseh and Astor Dr. I am a homeowner in Cascade Estates and this proposal concerns me deeply.

My concerns include the **safety** of the MANY children who walk, play, ride bikes, etc. along Astor Dr. on a daily basis. The proximity to the park is also a serious concern.

Cascade park is a neighborhood park where families with children and pets play and have ball practice. Bordering the park with a commercial area will create a **less safe and desirable atmosphere**. As it is, anyone who is around the park area is most likely a resident or has a child practicing at the park. Locating businesses here would bring lots of people who have no connection to the park. I believe this would make parents feel less secure about their children's safety. The "sidewalk" to the park is also the drainage ditch. If businesses are built here the drainage will most certainly increase, creating unsafe access for families, children and pets.

Another issue is traffic. This area is a school pick up and drop off area as well as parking for the park. Every day, morning and afternoon both sides of the street are lined with cars, as well as many evenings, when teams practice at the park. Children and their families walk across Astor from the adjacent neighborhood as well as from their cars to access the park. Locating businesses here will make crossing this street hazardous. With all the current traffic it is already difficult for homeowners to enter and exit onto Tecumseh from Astor. Increasing this traffic with businesses on this corner is going to create a unimaginable bottleneck.

We are so proud of our neighborhood! I often brag about the "block party" atmosphere that exists here. Our addition has 4th of July parades on this street. At Halloween there are **hundreds** of children and their families walking the streets. Our children walk along Astor to the neighborhood pool. This neighborhood was designed with greenbelts and beautiful sidewalks that facilitate foot traffic, where our children play in their front yards and up and down Teton lane and across the street at the park. My sister is a city planner in another state and marvels at how beautifully this neighborhood is designed. We couldn't agree more. Please help us preserve the integrity of our family oriented atmosphere!

When we selected to build our home in this location we asked about the property in question and what future plans were for this property. We were told that it was zoned residential single family dwelling and due to its proximity to the park, church and school would stay that way. This was a deal breaker for us. The reassurance that this property was zoned residential and would stay that way made building our home in this location desirable. We hope that you will take the homeowners concerns into consideration in this matter and help us keep our neighborhood the beautiful, safe, family oriented, desirable jewel that it is now.

Sincerely, Susan Wood

Dear City of Norman Planning Commission,

I am writing today to talk to you about my neighborhood, Cascade Estates. I am strongly opposed to the pending rezoning request to change the land near Astor Drive and Tecumseh from residential to commercial.

Cascade is an amazing neighborhood, with a wonderful feeling of friendship among neighbors. On any given day, you will see families talking in their yards, and children riding their bikes to friends houses or playing ball in the street. We have neighborhood cookouts, parties and play-dates in our front yards. Our neighborhood pool is always filled with families cooling off from the heat. People in Cascade Estates say hello to each other. We know the names of our neighbors' children and pets. On Halloween, hundreds of children take to the streets to go trick-or-treating.

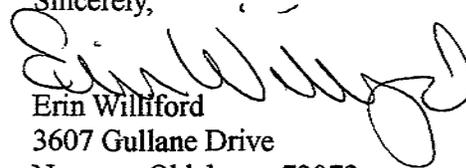
My husband and I purchased our home six years ago. We choose Cascade because we felt it was the perfect neighborhood to raise our then one-year-old son. It's a beautiful neighborhood, with trees, gardens, and lots of green space. Our son is now seven, and has a three-year-old little sister. We still feel our neighborhood is a wonderful place to raise children, but if a commercial property is built, that will change things.

When we purchased our home, we were happy knowing the empty land at the intersection of Astor Drive and Tecumseh was zoned residential. With the neighborhood park right there, and all the homes surrounding that land, we feel it should remain residential.

My son walks part of the way home from Roosevelt Elementary School. He takes the sidewalk down Tecumseh, and meets me on Astor Drive. This is a very important aspect of his day, because it teaches him about responsibility. He knows I trust him to walk straight to our meeting spot, and it gives him a feeling of pride that I trust him to do so. There isn't much traffic in Cascade. It's pretty much limited to those of us who live here. We are always careful driving through our neighborhood because we expect to see children and families playing outside. If a commercial property is built on Astor Drive, he will not be allowed to walk home anymore. There will be too much traffic, and it will no longer be safe.

We don't want a parking lot in our neighborhood. We don't want commercial buildings, even if it is aesthetically pleasing. It doesn't change the fact that we want our neighborhood to remain just that: a neighborhood. There is plenty of land to be developed in Norman. Please tell this developer to find a different spot to locate his commercial building.

Sincerely,



Erin Williford
3607 Gullane Drive
Norman, Oklahoma 73072
(405) 579-4370

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-30-11 *DM*

out

June 30, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission:

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office.

I have been a resident of the Cascade Addition since 1985. Many welcome changes have come to pass since I moved into that neighborhood. As a citizen of Norman, I am proud of the new hospital on the west side and enjoy the convenience of the businesses that have arrived in its wake. I understand that businesses associated with the hospital will want to locate in the area and believe there is sufficient property north of the hospital between NW 36th and I-35 for that purpose.

I oppose the changing of the above-mentioned parcel of land. This strip of land is surrounded by residential property and a neighborhood park and very near an elementary school. During the school year particularly (which in the near future may be year round), that area is very congested and it is already difficult to exit the Cascade and Castlerock Additions onto Tecumseh. I can only imagine how the traffic would multiply should the suggested change occur. The residences nearest to the land in question are in the six figure price range and I believe the change would negatively affect the investment made by those homeowners. This location and the adjacent property were never intended to be commercial and people chose to make their home there with that in mind. I feel it would negatively impact the lives of the citizens in the immediate area and would be dangerous to increase the traffic so near to Roosevelt elementary.

Sincerely,



Mary Lynne Cooper
3912 Glisten Court
Norman, OK 73072
Telephone: 405-360-6178

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/1/11

out

Dear Norman City Planning Commission,

I am writing this letter in regards to the property located on Tecumseh Road across from St. Mark's Catholic Church. The purpose for writing this letter is to state my families opposition to the proposed rezoning of this land from a residential designation to a commercial designation. I live at 4000 Teton Lane in Cascade Estates. My property is located directly across from the city park. The land in question along Tecumseh Road is diagonal to my home at 4000 Teton Lane. This land is what my family sees when we look out our front door.

My wife and I bought our house in 2007. The purchase of our home was a substantial investment for us. Like many families, the purchase of our home was the biggest financial investment we would ever make. Before buying our house at 4000 Teton Lane we checked with the city of Norman in regards to the zoning of the property immediately north of the park. We were told that this land was zoned residential and would be developed in this manner. We would not have bought our home at this location if this property was zoned commercial. We understood whatever was developed on this property would become our neighbor. We did not want our home to be across the street from a commercial development. We were assured that this property was zoned residential and would be developed with houses to complete the Cascade Estates residential development. After receiving this information from the city of Norman, we made the decision to purchase our home.

There are other reasons why we oppose changing this land from a residential to commercial designation. We are concerned about the safety of our children in this area as are many other families. We are also concerned about having a city park located next to a commercial development. We also realize this development would increase traffic in our area which would affect the safety and value of our home.

We want to see the continued commercial development of the city of Norman. There are many acres around the hospital and on 36th Avenue that have yet to be developed. These areas are currently zoned commercial and are ready for development. We also want to see the continued residential development of the city of Norman. The land in question along Tecumseh Road is zoned residential and should be developed in this manner.

As stated earlier, the zoning of this land had a direct impact on our decision to purchase our home at 4000 Teton Lane. We bought our home only after confirming with the city of Norman that the land in question along Tecumseh Road was zoned residential and would be developed in this manner. It is our request that this land maintain its residential zoning status.

Sincerely,



Phillip & Shannon Johnson
4000 Teton Lane
Norman, OK 73072

**FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/5/11**

✓

Gregory S. and Paula J. Cook
3102 Carnoustie Drive
Norman, OK 73072-1948

June 30, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

Please register this letter in protest of the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office.

We have been notified that our property, above address, is within three hundred and fifty (350) feet of the proposed change and agree with our neighbors that the above proposal and potential use of said property would ultimately devalue our property.

Two primary concerns are: immediately the ingress and regress from our home onto 36th would be seriously compromised and long term major infrastructure issues. Construction is not complete on the medical park east of said zone, not to mention any additional construction in the above area and south of Tecumseh Road, and when that has occurred we are deeply concerned about the City of Norman's ability to maintain the infrastructure and demands thereon.

Bottom line, as homeowners that will directly affected by this proposed change, we oppose.

Respectfully Submitted


Paula J. Cook


Gregory S. Cook

out

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OF THE CITY CLERK
ON 7-6-11 

Mark and Beth McCoy
4021 Teton Lane
Norman, Oklahoma 73072

Date: July 4, 2011

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. We have been notified that our property at 4021 Teton Lane is within 350 feet of the proposed change.

We oppose this change for the following reasons:

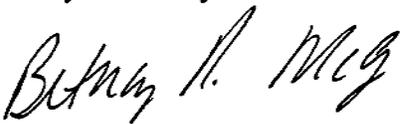
1. The property was promised to remain low density residential and there is plenty of commercial/ office property available at the intersection of Tecumseh and 36th street.
2. Rezoning this area reduces our property values.
3. This change would increase traffic in a residential area with many children that play at the adjacent city park and walk to Roosevelt Elementary School.
4. This area is adjacent to a city park and it is unwise and unsafe to have commercial/office property next to a city park.

Sincerely,

Mark R. McCoy



Bethany D. McCoy



FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-6-11 GMC

Address: 4000 Ripple, Norman, OK

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 7, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 4000 Ripple Ave. is within 350 feet of the proposed change.

I oppose this change for the following reasons:

1. Commercial use in a neighborhood. No one wants to look out their front door and see office buildings.
2. Purchased home in area because of neighborhood feel. This feeling will be lost with the proposed change from residential to commercial buildings. Very upset that this proposal is even being considered.
3. Safety in the neighborhood.

Sincerely,

Janelle Borden

Legal Homeowner Name:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-7-11 JMC

St. Mark The Evangelist Catholic Church

July 5, 2011

Office of the City Clerk
P.O. Box 370
201 West Gray
Norman, OK 73070

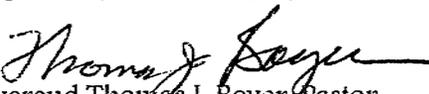
Dear Members of the Norman City Planning Commission:

With this letter I wish to file formal protest regarding the proposed amendment of the existing PUD for the property located on the south side of Tecumseh Road east of Astor Drive across Tecumseh Road from this Church.

The Roman Catholic Church consistently and deliberately builds its churches in the heart of residential communities. The Church has no history of building churches on Freeways or in Commercial or Shopping Districts. The very nature and identity of our church is family and it is rooted in a residential/neighborhood setting. Sites for new churches are considered only in residential areas, and the spirit of our communities is always about home-life, and neighborhood. In cities all over the country, Catholic Parishes are always active and concerned with the renewal of housing projects and residential communities. Catholic Churches are found where people live, not where they shop or work.

For this reason, the Tecumseh Road site was chosen about twenty-five years ago on the belief that the City of Norman would preserve this part of the city for a residential community. We trusted that this planning and vision would be preserved. With consideration of the proposed change, the parish community feels somewhat betrayed and disappointed. Consequently we do take this opportunity to object to any amendment to the PUD or the zoning adjacent to our property that removes this property from residential use. This proposal moves people further away from what we hoped would be a church "home" and creates more distance from the kind of community and development with which we are identified.

Respectfully submitted July 7, 2011


Reverend Thomas J. Boyer, Pastor

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-7-11

Robert & Stacy Morey
4009 Teton Ln.
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7-1-2011

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property, at address 4009 Teton Lane, is within 350 feet of the proposed change.

I oppose this change for the following reasons:

First, the proposal calls for an entrance to the office area to be constructed off of Astor Drive. As you may be aware, Roosevelt Elementary school is only blocks away from Astor Drive. As such, many children, including our youngest son who will begin pre-K this fall, walk to school from our neighborhood. In fact, Astor Drive has historically been utilized as the major pick-up and drop-off location for children pre-K through fifth grade, second only to the school lot. Therefore, as you can imagine, we are extremely concerned about the increased traffic which will be created not only from the office development itself, but also from the placement of the proposed entrances. As long-time residents of the neighborhood and parents of school age children, we are accustomed to the young pedestrians in our area, as are all of our neighborhood residents. However, introducing sales and client traffic into this area would bring in a large number of people to our street who are unaware of the potential problems. As a result, this residential street simply cannot adequately handle the school and office traffic without creating an unnecessary hazard to young children.

Second, there is a wonderful park which sits adjacent to the proposed office development. The park is constantly used by neighborhood children and their friends, youth softball and baseball teams, and pet owners. Within this area, is also the continuation of a green belt which runs throughout the entire neighborhood of Cascade Estates. Our neighbors who have homes which are adjacent to the green belt have worked diligently and in a united front to keep the green belt from being infringed upon. For example, none of the individuals within the green belt have erected fences or any other structure which would infringe upon the environment. If the new

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OF THE CITY CLERK
ON 7/8/11

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plans are accepted, their efforts will be in vain, and the environmental sanctity of the area will be destroyed.

Third, on a more personal note, the proposed office development, will negatively impact our family's lifestyle and finances. We bought this home in large part because of its natural surroundings, and the promise that any development within the area in question would be of a residential nature. Altering the surrounding area in the suggested manner will hurt our property values and the aesthetic nature of our home. The increased traffic and noise will impact our ability to use our home in the manner to which we have become accustomed and envisioned since we first viewed the property.

While I am certain that the tenants of the office development would find their surroundings to be quiet and serene, the same cannot be said of how the neighborhood views the proposed development. Please don't allow our neighborhood to become a better place to work than it is to live.

Sincerely,



Robert Morey



Stacy Morey

City of Norman
Planning Commission
P.O. Box 370
Norman OK 73070

6 July 2011

Dear Sir/Ma'am,

The purpose of this letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office Use. I have been notified that my property at 3912 Ripple Ave is within 350 feet of the proposed change.

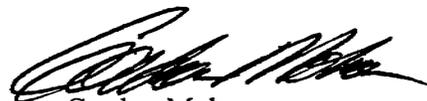
I oppose this change for a number of reasons. Foremost is the issue of fairness. The current residents of Cascade Estates made important personal and financial decisions based upon the finalized Cascade Estates Residential PUD created 13 years ago. Now, well after all lots have been sold and people have settled into their homes, this major change requested will significantly degrade the character of the entire neighborhood, detract from current aesthetics, and perhaps most importantly lower property values.

Other concerns include the issue of safety. Adding a heavily trafficked office complex with over 200 parking spaces creates a potential risk for those who use adjacent streets and park land. This change would also potentially facilitate loitering or even criminal activity by miscreants (or worse) posing as office patrons while awaiting/stalking victims in the park.

A primary purpose of city planning is to allow individuals and business to anticipate future land use. This land parcel has been reserved for residential user ever since it was first taken out of agricultural uses. Changing the use of this parcel now negates decades of wise planning and blurs the line separating commercial and residential use. This is important as conflicts can arise when commercial use evolves in similar settings...reference the problems associated with the recent Porter Avenue Study.

In conclusion, I cry foul and respectfully request the City of Norman deny any and all such requests for amending the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan.

Sincerely,



Gordon Mohon
3912 Ripple Ave
Norman OK 73072

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/8/11

out

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

July 8, 2011

Re: *Proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan*

To the Members of the Norman Planning Commission,

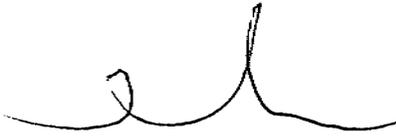
This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at 3520 Bright St., Norman, OK 73072 is within 350 feet of the proposed change.

I oppose this change for the following reasons:

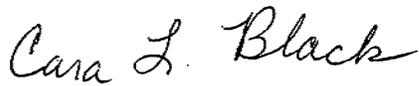
- The increase in traffic. Roosevelt Elementary School is located at 4250 W. Tecumseh Road and St. Mark's Catholic Church, Mother's Day Out is located across the street at 3939 W. Tecumseh Road. Also, the Cascades Estate Park would be just south of the building project. At one point, they were also discussing an entrance into the building off of Astor Drive, which would be even more dangerous for children walking home from school or the park.
- The extended construction period. We have been advised by the Tecumseh Project, LLC that they do not plan to build the entire office center at one time, but will build each additional office building as it is sold. This means that the construction could drag on for several years.
- The construction noise. Since it is unclear how quickly this building project would be completed, there could be construction noise off and on for several years.
- Decrease in home values. Our home is located just southeast of the proposed building site. The building would not only impede our view, but if a two story design is built, the occupants of the upper floors may be able to see into our fenced and private back yard.

We appreciate your consideration of our reasons to protest this change in the zoning law.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy D. Black', with a stylized, cursive script.

Timothy D. Black

A handwritten signature in black ink, appearing to read 'Cara L. Black', in a cursive script.

Cara L. Black

3520 Bright St.
Cascade Estates Addition
Norman, OK 73072

✓²

3921 Ripple Ave.
Norman, OK 73072
405-473-6662 (cell)

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

July 7, 2011

To the Members of the Norman Planning Commission,

This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates Planned Unit Development (PUD) and the Norman 2025 Land Use and Transportation Plan by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that our residence at 3921 Ripple Ave is within 350 feet of the proposed change; our property is just across the city park from the subject parcel.

We oppose this change because it is unfair to change a residential PUD plan after nearly all the homes have been built, it will change the character of the neighborhood and the neighborhood association will lose aesthetic control of this parcel. Finally, we think it is poor planning to extend the extent of the boundary line between commercial and residential properties in this area, inviting future conflict. This document will explain our position on each of those points.

Unfair

In 1997 Cascade Development Company, led by Mr. Newcomer and Mr. Clagg, proposed the current PUD including a City Park and a cul du sac with 12 residential lots between my property on Ripple Ave. and Tecumseh Road. This PUD was approved by the Parks Board, the Planning Commission and the City Council. I spoke at the City Council meeting in support of this PUD. Although I was a little disappointed that their plan cut-off that green space right at the north edge of the pipeline easement, I was content with plan for homes on the opposite side of the park and I thought they had a good plan for the neighborhood overall. I would not have spoken in favor of a plan that included any commercial development on Tecumseh Road.

A few years later, the owners erected a "For Sale or Lease" sign in that area. I phoned asked about the intent of the sign. At that time Mr. Newcomer told me he was trying to see if a church would interested in buying that property and that I should not be concerned because the land was zoned residential, was part of an established PUD and thus was very restricted in what could be built there. Because of those assurances I was not concerned about the use of that land and

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OF THE CITY CLERK
ON 7/8/11

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when we considered buying other property in Norman, one of the factors in our decision not to relocate was thinking our current location had distinct advantages, including the proximity to the park. If the land across from the park becomes commercial we feel it will detract from the advantages we factored into the decision process.

Beyond our experience, there are literally hundreds of people who bought homes or built homes in Cascade Estates with the expectation – from the published plan – that Cascade Estates was going to be entirely residential. The owners gave no indication that commercial offices would be built there until March of 2011, after nearly every lot and home in the remainder of the development had been sold to builders or individuals.

Change in Character

This area of Northwest Norman is a very attractive area for families and has long been planned to have a nearly continuous strip residential, park, school and church usage from Robinson Street north to Franklin Road. The contiguous strip makes for a zone where people can jog, bike and walk through the adjoining neighborhoods with low traffic, noise, etc, due to the lack of commercial development. Astor Drive is a bike route, for this reason. This is a result of wise planning that has been carried through many versions of the Norman Comprehensive Plan.

Changing this parcel to office use changes the character of not only Cascade Estates but the adjacent Castlerock subdivision and Cascade Park. In west Norman there is no other neighborhood park that is bounded by a commercial land, with the lone exception of Russell Bates Park which is within a commercial development. In addition to that increased traffic for the 211-space parking lots, there is some concern that the parking lots surrounding the office buildings could be used by criminals who might prey on people using the park, posing as office patrons while watching activity in the park. In contrast, a stranger loitering in the planned cul du sac would be more easily detected and reported police.

This corner is the north entrance to Cascade Estates, putting an office building at this location detracts from the residential character of our subdivision's "front door", affecting the first impression of visitors and potential home buyers entering from the north.

Although the office use is less intrusive to the residential character than, say, retail or restaurant use, it will put the property in the commercial use category and, as such, it begins a slippery slope toward other commercial use with relatively minor re-zoning consideration over the long term future.

Loss of Aesthetic Control

The aesthetic qualities of Cascade Estates and Castlerock are preserved through homeowner covenants enforced by the neighborhood homeowner associations. These covenants and their enforcement are important to preserve the aesthetic condition of the properties in the area for the

long term and hence preserve property values, safety and quality of life for the residents. If the Cascade Estates PUD is completed as originally planned, the 12 homes on the parcel will be subject to such covenants and subsequent long-term enforcement.

The Tecumseh Project owners are proposing building plans and covenants for the office property that they envision for this parcel. While the current owners can come up with some plans that might be aesthetically appealing when first built, their covenants would be controlled and enforced by the future office building owners and as such there is no guarantee to the neighboring homeowners that such enforcement would be effective, nor that the covenants would not be changed in the future. Given the harsh weather in Oklahoma, landscape maintenance is key to maintaining an attractive appearance. We are concerned, in particular, that the eventual building owners will not have a long term interest in maintaining the appearance and landscaping of back side of their office buildings, the side that will face the park and many Cascade homeowners.

Furthermore, all plans are being shown by the Tecumseh Project owners, but they will not be the eventual builders, owners or operators of the buildings. They intend to subdivide and sell the office lots. So what is stated or shown as example buildings or landscaping is not legally binding and the present owners will be far out of the picture should a problem arise with the eventual owners not properly landscaping or maintaining their buildings or landscaping.

Poor Planning

We believe that allowing a change to the current 2025 Plan represents poor planning. Part of the purpose of a published plan is to allow all citizens and developers to know the future intended use of land in the area where they are considering moving or building. If the plan is changed it is nullifying the wise choices of decades of city planners. Furthermore, the additional of a commercial use of land in this parcel will increase the length of the most sensitive and critical city planning line, that line that divides commercial property from single-family residential property. The recent Porter Street Study highlighted the problems surrounding this line and how it invites future conflict as commercial use of properties evolves with time. Extending the length of the line is inviting increased future problems – wise development avoids the need for future expensive revitalization projects.

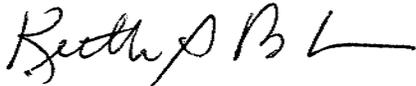
The critical commercial-residential line near Cascade currently affects only the homes on the east side of Glisten St., about 14 homes. Allowing commercial office use will extend the line to also affect parts of Bright St., homes on the north side of Ripple Ave., the east end of Teton Lane and also one home in Castlerock, a total of 35 homes plus Cascade Park.

Changes should be made when there is a compelling reason driven by outside changes. So what compelling reason does the Tecumseh Project present for changing the Cascade Estates PUD? Is there a dire and compelling need for office space? There is good demand for single family homes in Northwest Norman so it is quite reasonable to expect that the home lots in the Cascade

PUD will sell. Meanwhile, there appears to be considerable unused commercial land adjacent to the Norman Healthplex and in the surrounding area. In the area from Rock Creek Rd to north of Tecumseh Rd along and east of 36th Avenue NW we count more than 230 acres of land developed or zoned for commercial development. In addition there is about 250 acres of land available just across I-35 in the University North Park planned mixed use development north of Rock Creek Rd. See attached map. We see no advantage to the City of Norman or its citizens to add this relatively small parcel to the land available for offices in this part of the city.

We urge the Norman Planning Commission and the City Council to reject any use of this property other than low-density single-family homes. We are open to redrawing the individual lot boundaries within the parcel if that is needed to improve their marketability.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith Brewster".

Keith Brewster

A handwritten signature in cursive script, appearing to read "Crystal Brewster".

Crystal Brewster

3921 Ripple Ave.
Norman, OK 73072
405-473-6662 (cell)

City of Norman
Planning Commission
c/o City Clerk
P.O. Box 370
Norman, OK 73070

August 8, 2011

To the Members of the Norman Planning Commission,

This letter is in regard to the proposal by The Tecumseh Project, LLC to amend the Cascade Estates Planned Unit Development (PUD) and the Norman 2025 Land Use and Transportation Plan (2025 Plan) by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. Our home is just across the city park from the subject parcel.

My wife and I oppose this change and we have sent a letter describing our reasons last month (letter dated July 7). Since that time I have attended another public meeting with the applicants and read the city staff report. The purpose of this letter is to demonstrate that the justification for change to the 2025 Plan is weak and based on inaccurate assumptions. The strong opposition from the residents in Cascade and nearby subdivisions should clearly demonstrate that the change is also detrimental to the interests of the citizens.

The rules for revising the 2025 Plan require that there be a change in the general area that necessitates an amendment to the plan. Logic dictates that such changes should have occurred after the writing of the 2025 Plan (dated December, 2004) and that such changes are significant and directly relevant to the parcel in question. The applicants have asserted that the change in traffic on Tecumseh Road have made R-1 home lots that back to Tecumseh road undesirable, and imply that they will be difficult to sell. They state that changes in traffic are due to the extension of Tecumseh Road from Porter Avenue east to 12th Avenue East and two new churches, St Mark the Evangelist Catholic Church and Journey Church. This is echoed by the city staff report without any supporting data.

Let's look at the facts. The initial St Mark's building was built in 1993 and membership grew rapidly via transfers from other Norman Catholic churches in the early years. The main sanctuary was completed in 2000 and by the end of 2002, two years before the creation of the 2025 Plan, the church membership had grown to 1100 families. In the following 9 years the church has continued to grow, but at a much smaller rate, today comprising 1356 families. The

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ON 8/8/11

primary growth at St Mark's church clearly preceded the 2025 Plan. Journey Church is indeed a new addition to the area, being complete in January, 2006, but my observation is that most of the Journey Church members turn left from the Journey Church Parkway to go east on Tecumseh Rd., and continue east or enter I-35. In fact, there are two dedicated left turn lanes to handle the large volume of traffic heading east on Tecumseh Rd.

The changes to Tecumseh Road in east Norman are not at all relevant to traffic west of 36th Ave NW. The only reason for residents of that part of town, or even HealthPlex visitors, to travel west of 36th Ave NW would be to go to residences in the immediate vicinity or to horse farms in 10-mile flats. Data from the Association of Central Oklahoma Governments (ACOG) traffic map, Fig. 1, shows the most recent traffic counts on Tecumseh Rd. Note that there are two points with 14,000 vehicles-per-day traffic count east of 36th Ave NW, likely a result of some of the factors cited by the applicants, but the traffic drops sharply to below 8,000 west of 36th Ave NW. Historical data provided by Norman Assistant City Traffic Engineer David Riesland that I plotted in Figure 2, show the rate of increase on Tecumseh Rd east of I-35 is much higher than the gradual rate of increase west of 36th Ave NW (there is no historical data for the point just east of 36th Ave NW, only the 2010 count).

So the traffic rate is moderate on Tecumseh Rd at Astor Road and is relatively unaffected by the factors cited by the applicants. From my observation the biggest single factor causing a change to traffic since the opening of Astor Drive in 2004, would be the addition of the proposed office buildings, adding 1000 trips per day (applicant's traffic study). While being concerned about their own property, the applicants don't address the negative impact their project's traffic would have on the existing residences at the north end of Bright St and Glisten St.

To address the implication that increased traffic in the area has made the planned Cascade Estates Section 8 residential lots difficult to sell, I examined past land and home sales for Cascade Estates. There are lots along Ladybank Lane that back to 36th Ave NW with similar lots across the street. The Ladybank lots adjacent to 36th Ave NW sold for an average of \$30.8k each, slightly more than corresponding lots across the street, selling at an average \$29.0k each. While the interior lots sold sooner, the lots adjacent to 36th Ave NW increased in price with time and the developers were able to capture that increase. During the years that the Ladybank homes sold the traffic counts on 36th Ave NW were between 7700 and 9700 vehicles per day.

Specific to Tecumseh Rd, I conducted a similar review of land and home sales on Teton Lane in Cascade Estates. The lots on Teton Lane that back to Tecumseh Rd all sold for \$40k, exactly the same as the home lots on the other side of the street. Home sales were actually slower on the interior lots. Traffic counts of around 6500 vehicles per day on Tecumseh Rd did not deter new home buyers on Teton Lane who bought homes valued between \$214k to \$329k. New home values per square foot at time of initial sale were \$109/sq ft for the interior lots and \$106/sq ft for those along Tecumseh Rd. It should be noted that the developers' own plan amendment filed in 2007, more than doubled the number of lots that backed to Tecumseh Rd from 3 to 7. If they

were concerned about traffic on Tecumseh Rd, it is not reflected in their 2007 PUD amendment. The developers are now telling Cascade Residents that in that amendment they also removed plans for a brick wall and an entrance sign to pair with the entrance sign on the west side of Astor Drive. The other changes by the developers in 2007 to reduce the size of the Section 8 lots (from 8000-9000 sq ft each to 6000 sq ft) and replacing the brick barrier with stockade fencing are contributing to making these lots less desirable to builders and home buyers.

The applicants have stated that a recent significant change in this area was the acquisition of land for the HealthPlex and subsequent build-out of the HealthPlex area. According to the deed transfer records of the Cleveland County Clerk (Table 1) the acquisition of land by the Norman Regional Hospital Authority for the HealthPlex actually occurred between January, 2001 and April, 2003. The building of the HealthPlex was included in the NRH Master Plan of 2004 and the land around the HealthPlex is thus properly indicated as institutional, commercial and office in the Norman 2025 Plan. While the details of the buildout were uncertain, the planned use was established. The first land sale preceded the final approval of the Cascade Estates Preliminary Plat (March, 2001). A developer in this area would surely be aware of a \$4M land sale. As I detailed in my July 7 letter, there are over 200 acres of undeveloped or recently-developed land zoned commercial and office along and east of 36th Ave NW. Most of that was included in the original 2025 Plan.

So, again, I ask the Norman Planning Commission and the City Council to listen to the citizens of this area and reject any use of this property other than low-density single-family homes. The residents are open to redrawing the individual lot boundaries within the parcel if that is needed to improve their marketability. We ask the Planning Commission to recommend that the developers work with the current residents and builders to find such a plan that will retain the promised features of Cascade Estates with marketable lots that provide a reasonable profit to the developers as measured in the context of the entire 300-lot Cascade Estates project.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Brewster", followed by a long horizontal flourish line extending to the right.

Keith Brewster

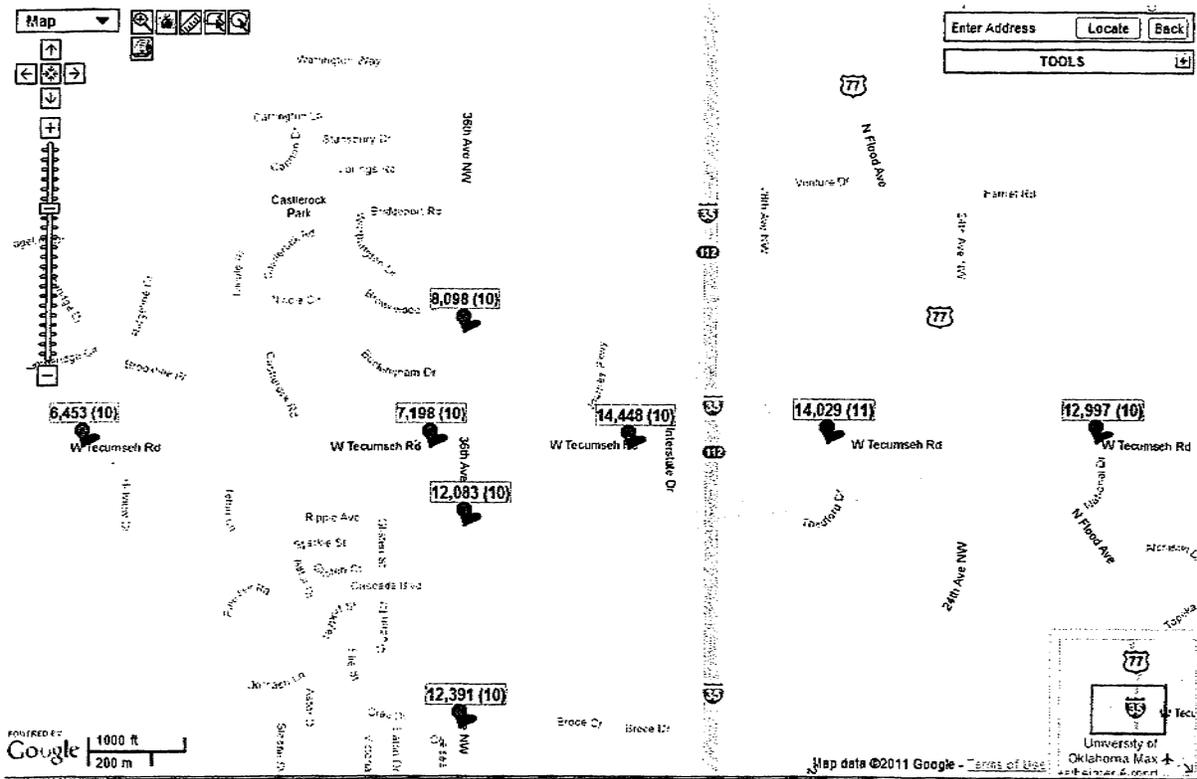


Figure 1. Two-way traffic volume map (average vehicles per day) in the vicinity of West Tecumseh Road and 36th Ave. NW in Norman. Number in parentheses is the year of latest measurement. From Association of Central Oklahoma Governments (ACOG). Accessed August 7, 2011.

Two-Way Traffic Volume West Tecumseh Road

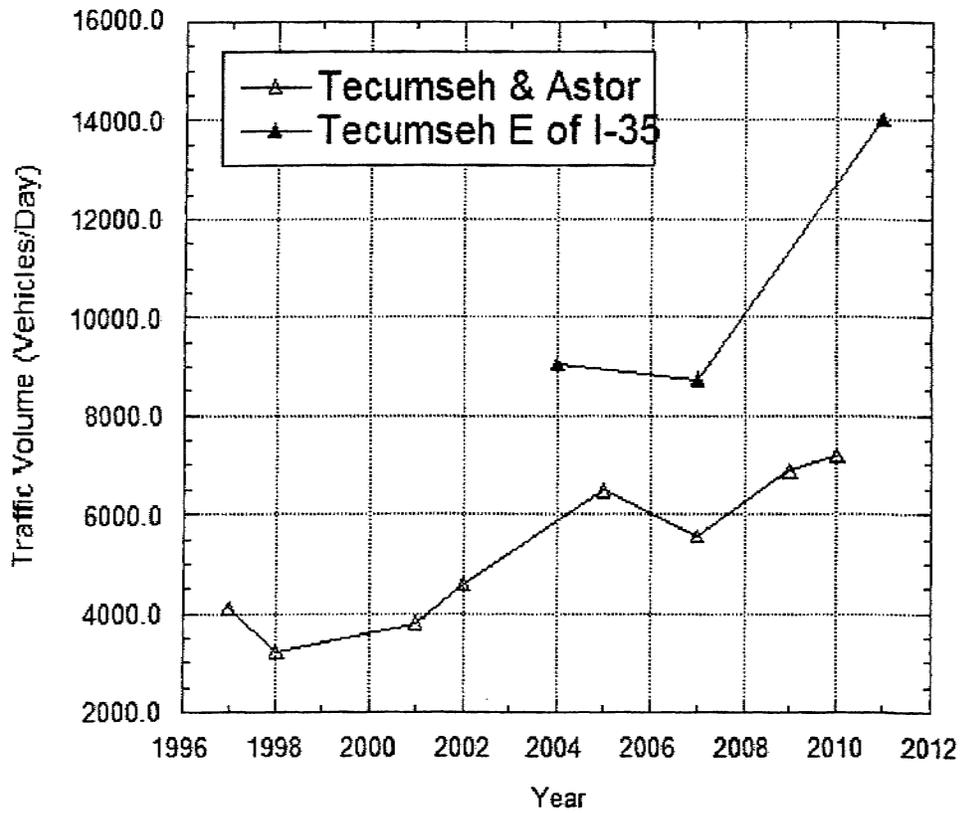


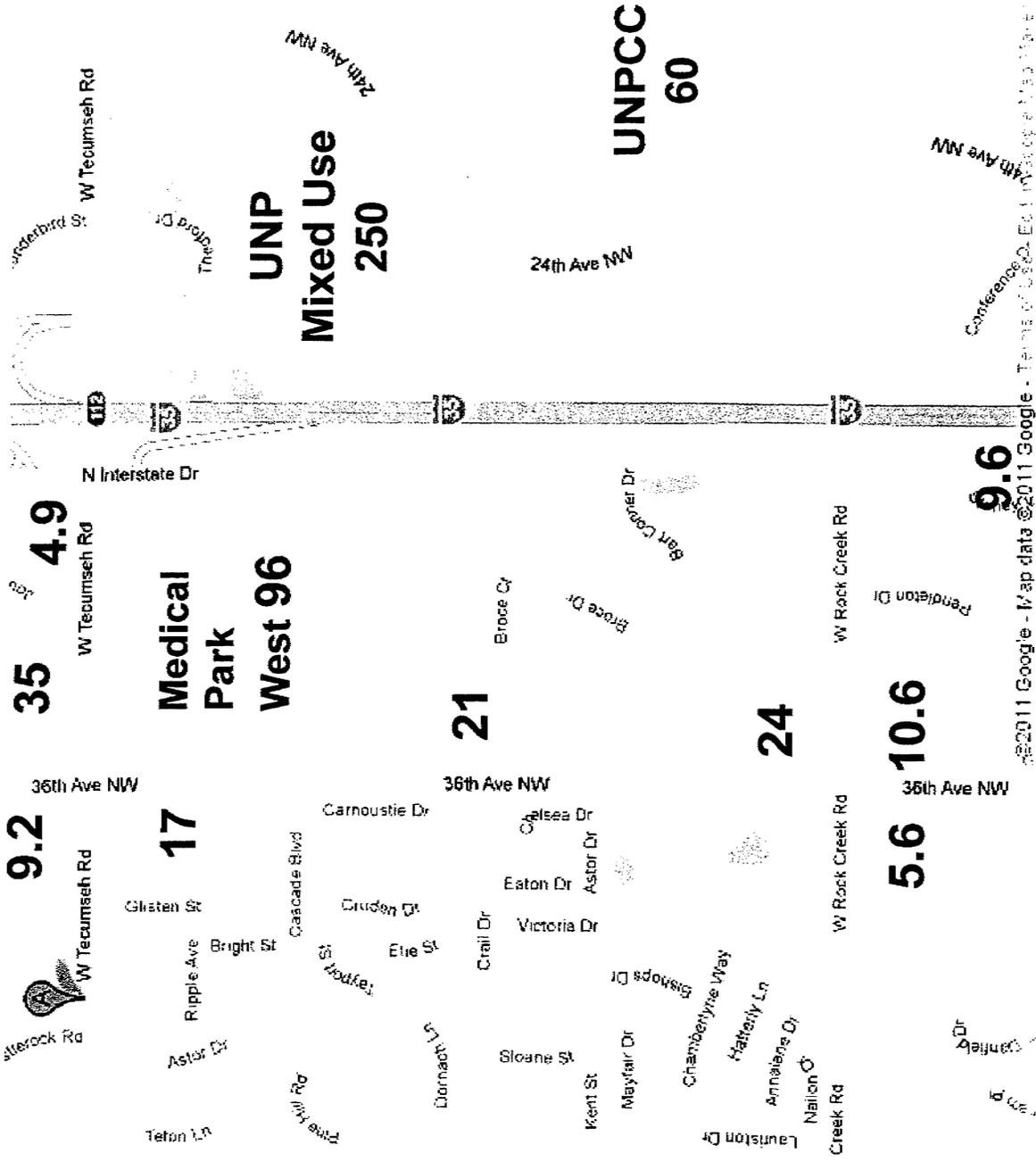
Figure 2. Traffic Volumes on West Tecumseh Rd. Data from City of Norman Traffic Engineering.

Table 1 Warranty Deed Transfers to Norman Regional Hospital Authority for the HealthPlex

Date of Sale	Seller	Price	Book/Page
1/3/2001	Don Young et al.	\$3.966M	3225/1343
3/5/2001	Don Young et al.	\$348K	3241/1360
8/29/2002	Donroe LLC	\$1M	3467/961
12/20/2002	Marvin Sturtz Trust et al.	\$805k	3526/20
4/30/2003	Norman Industrial Devel. et al.	\$7.419M	3614/40

Data from Cleveland County Clerk database.

Undeveloped/Recently-Developed Land for Office Space Zoned Office or Commercial (Acres)



West of I-35 : 233 acres
 UNP N of Rock Creek Rd:
 Mixed Use: ~250 acres
 Corp Centre: ~60 acres

Address: 3516 Bright St.
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7/7/11

To the Members of the Norman Planning Commission,

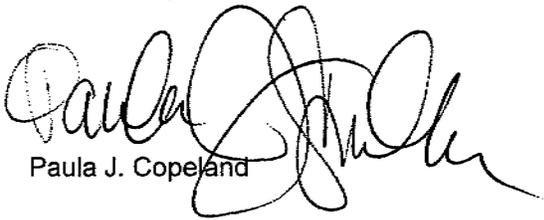
This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at address 3516 Bright St. is within 350 feet of the proposed change.

I oppose this change for the following reasons: poor planning, safety, and neighborhood character. One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the length of the line separating commercial and residential use. The line is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Porter Avenue Study. If this should be rezoned the fact that it could have over 200 parking spaces there is a safety risk now involved. Office parking lots adjacent to the park could aid a criminal who could loiter there posing as an office patron while awaiting a victim. Finally the proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from Robinson Street north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.

We sincerely hope you take the interest of those who actually live and make their homes here. While we certainly don't begrudge anyone from trying to make a profit from their property, we think the city as a whole would benefit more from single residential homes being built on this parcel.

Sincerely,


R. Scott Copeland


Paula J. Copeland

in, already have

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 JMC

Address: 3917 Ripple
Norman, OK

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7-8-11

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by rezoning a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3917 Ripple is within 350 feet of the proposed change.

I oppose this change for the following reasons: *See attached.*

Sincerely,

Cheryl Conley

Legal Homeowner Name:

Margaret Crawford

Second Homeowner Name, if owned jointly:

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OF THE CITY CLERK
ON 7-11-11 DM

Alex Chadwick
Address: 3908 Ripple Ave
Norman OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: 7/7/11

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3908 Ripple Ave, Norman, OK is within 350 feet of the proposed change.

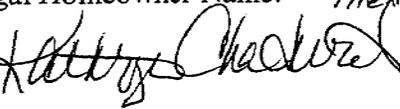
I oppose this change for the following reasons:

We bought our property with the expectation that this area would remain residential as it was zoned. This was a large selling point for us as this creates a safe, quiet community atmosphere. Close enough to the conveniences of the city yet removed enough to feel secure and welcoming. We don't feel it is fair that we're forced to accept such a drastic change that could negatively affect our property value, especially considering that the alternative of selling and moving with the current housing market is ill advised at best. We fear that opening our neighborhood to commercial offices and parking threatens its safety with increased traffic and people accessing the area, especially right next to a park regularly used by our children. This will also make it more difficult exiting from Astor and Tecumseh.

Sincerely,

X 

Legal Homeowner Name: Alex Chadwick

X 

Second Homeowner Name, if owned jointly: KATHRYN CHADWICK

in attached
out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 

Address: 3904 Ripple Ave
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: Thursday, July 7th, 2011

Dear Norman Planning Commission,

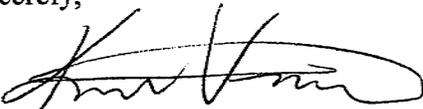
This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3904 Ripple Ave is within 350 feet of the proposed change.

I oppose this change for the following reasons:

Safety Risk \Rightarrow Many recreational visitors in the area
Neighborhood Character \Rightarrow diminish the quality of
the neighborhood & attractiveness for families

Sincerely,

X



Legal Homeowner Name:

X

KRISJANIS VERMEILS

Second Homeowner Name, if owned jointly:

in
out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 DM

Address: 3916 Ripple Avenue
Norman, Oklahoma
73072-1914

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 8, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3916 Ripple Avenue is within 350 feet of the proposed change.

I oppose this change for the following reasons:

SEE ATTACHMENT.

Sincerely,

X *Monte L. Stutterheim*

Legal Homeowner Name:

X *Monte L. Stutterheim*

Second Homeowner Name, if owned jointly:

Berda Stutterheim

did, already have

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 *MS*

Some Objections

These are personal opinions gathered from discussion among several of the residents and do not represent the official position of any one person or entity and are presented in no particular order.

1. **Fairness:** The current Cascade Estates Residential PUD was created 13 years ago and since then many important personal and financial decisions were made by Cascade residents based on that plan. Now the same authors of the PUD are asking to make a major change after all the lots have been sold and people have settled into their homes. The timing and the way that this has been handled seems unfair to the residents.
2. **Neighborhood Character:** The proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from Robinson Street north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.
3. **Loss of Aesthetic Control:** Placement of office property and large parking lots could detract from the aesthetics of the neighborhood and Cascade Park that border the rear and sides of the commercial buildings. The covenants will be completely controlled by the office owners, removing control and enforcement from the neighborhood association. Over the long term there is the risk of deterioration of the appearance of the buildings and landscaping and coincident reduction in nearby property values. While the current owners promise nice buildings and landscaping, they will not be the ultimate owners so they cannot guarantee quality long term maintenance.
4. **Safety:** Office buildings and vehicles utilizing over 200 parking spaces added to this area pose a potential safety risk to those who use adjacent streets and park land. The area has many recreational visitors using the nearby park, green space, sidewalks and designated bike route. Office parking lots adjacent to the park could also aide a criminal who could loiter there posing as an office patron while awaiting a victim in the adjacent park.
5. **Poor Planning:** One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the length of the line separating commercial and residential use. The line is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Porter Avenue Study.

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OF THE CITY CLERK
ON 7-11-11 *ML*

James C. and Brandy M. Reese
4100 Teton Ln.
Norman, OK 73072-1973

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 11, 2011

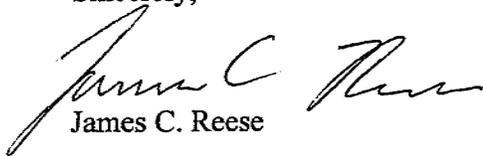
To the Members of the Norman Planning Commission,

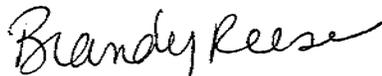
This letter is to protest the proposal by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office. I have been notified that my property at address 4100 Teton Ln. is within 350 feet of the proposed change.

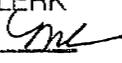
I oppose this change for the following reasons:

- The proposal would increase vehicle traffic and congestion along Tecumseh Road and Astor Drive.
- The proposal would increase the safety risk to Cascade residents and younger pedestrians accessing Roosevelt Elementary School.
- The proposal exacerbates the underutilization of already established commercial and office zoning immediately East of 36th Ave. N.W.

Sincerely,


James C. Reese


Brandy M. Reese

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 

is, already have

Address: 3509 Bright St
Norman, OK 73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 8, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3509 Bright Street 1997 is within 350 feet of the proposed change.

I oppose this change for the following reasons:

When we purchased our lot and had our house built we expected the area to become housing not business in the area being considered for change. There is already plenty of commercial areas on Tecumseh + 36th which creates traffic and noise. It seems unfair to change this now. It also will cause a problem with safety because children + families will be at the adjacent park. The neighborhood residents work to make this area an aesthetically attractive area. This change will be detrimental because of noise and traffic. Please leave this area as residential.

Sincerely,

X Goyce F Harris

Legal Homeowner Name:

X Douglas Harris

Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-11-11 DM

in, already have

Address: 3513 Bright Street
Norman Oklahoma
73072

City of Norman
Planning Commission
P.O. Box 370
Norman, OK 73070

Date: July 7, 2011

Dear Norman Planning Commission,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3513 Bright Street is within 350 feet of the proposed change.

I oppose this change for the following reasons:

I would like the area west of 36th street and south of Tecumseh to remain exclusively residential.

Sincerely,

X *James W. Gentry*

Legal Homeowner Name:

X JAMES WALTER GENTRY

Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-12-11 *JK*

4104 Dornoch Lane
Norman, OK 73072
paul.phelps@eac.edu
July 20, 2011

City of Norman
ATTN: Planning Commission
P.O. Box 370
Norman, OK 73070

To the Members of the Norman Planning Commission,

Since the July 14 Planning Commission meeting did not deal with the following subject, and we will be unable to attend your August 9 and 11, 2011, meeting(s), we are sending this letter to protest the proposal by The Tecumseh Project, LLC, to amend the Cascade Estates Planned Urban Development and the Norman 2025 Land Use and Transportation Plan by changing the use of a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from "Low Density Residential" to "Office," OR any other use than residential.

Our property at 4104 Dornoch Lane, Norman, 73072, is not within 350-feet of the proposed change, but we are property owners in Cascade subdivision and our concern is the same as if we were within the designated/affected 350 feet of the proposed change.

We oppose this proposed change for the following reasons:

- There is sufficient commercial property on Tecumseh east of 36th NW on which to build the proposed commercial/office buildings.
- The proposed change area is adjacent to a public park area and a church area which would be adversely impacted (*additional traffic, noise, trash, large buildings, etc.*) by creating commercial/office space.
- The traffic at the intersection of Astor and Tecumseh, particularly during the school year, is already problematic and the proposed rezoning for commercial building would only add to the problem.
- Although the public Park area is still rather primitive in its beauty, it will get better, but adding a bunch of commercial buildings would detract from the park's current/future beauty.
- Once a zoning change occurs it will only encourage further "domino-effect" rezoning requests and, no doubt, subsequent approvals in the future.
- The property owners in the Cascade and Castlerock subdivisions purchased their homes there so as to be separated from commercial building and the aforementioned problems that such building would inevitably bring.

If the Planning Commission thinks that commercial/office building should take place in a residential/park/church/school area, then we would suggest that one, or all, of you should recommend your personal residential neighborhood(s) in which to have the requested commercial interest built.

Commerce is great, BUT putting that interest ahead of a residential neighborhood's interest and stability is wrong and inappropriate.

Sincerely,



Paul E Phelps & Erica B. Phelps

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-21-11 *JML*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property within 350 feet of the subject property hereby submit this protest petition in opposition to the above captioned and described application.

PROPERTY OWNER*	ADDRESS	DATE
<i>Myron K. Cunningham</i>		
✓ Myron K. Cunningham	4001 Teton Lane	4/14/11
<i>Maxine A. Cunningham</i>		
✓ Maxine A. Cunningham	4001 Teton Lane	4/14/11
<i>Jennifer Elliott</i>		
✓ Jennifer Elliott	4104 Teton Oval	4/14/11
GORDON MOHON	3912 RIPPLE AVE	4/14/11
out <i>Gordon Mohon</i>		
out Alex Chadwick <i>Alex Chadwick</i>	3908 Ripple Ave	4/14/11
→ Kerthy Chadwick	" "	4/14/11
out Brenda Stutterheim	Brenda Stutterheim	4-14-11
out <i>Morde Stutterheim</i> ^{3916 Ripple Ave}	<i>Morde Stutterheim</i>	4/14/11
out Roxanne M Johnson ^{3505 BRIDGE ST}	<i>Roxanne M Johnson</i>	4-14-11

*Provide legible printing of name AND signature.
*If property jointly owned, all owners should sign.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *JM*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property within 350 feet of the subject property hereby submit this protest petition in opposition to the above captioned and described application.

PROPERTY OWNER*	ADDRESS	DATE
<i>out</i> DANNY HALBS <i>Danny Halbs</i>	3513 GUSTEN ST.	4/14/11
<i>✓</i> Kelly Foster <i>Kelly Foster</i>	3525 GUSTEN ST	4/14/11
<i>✓</i> Brandy Reese <i>Brandy Reese</i>	4100 Teton Lane	4/14/11
<i>✓</i> Donna Wright <i>Donna Wright</i>	3512 GUSTEN ST	4/14/11
<i>not owner ✓</i> <i>not owner ✓</i> R. Scott Copeland <i>R. Scott Copeland</i>	3576 BRIGHT ST	4/14/2011
<i>not owner ✓</i> Cara L. Black <i>Cara L. Black</i>	3520 BRIGHT ST.	4/14/2011
<i>✓</i> Kevin Foster <i>Kevin Foster</i>	3525 GUSTEN ST.	4-14-11

*Provide legible printing of name AND signature.
*If property jointly owned, all owners should sign.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *MK*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
(2) proposed rezoning to Commercial Office

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	PROPERTY OWNER*	ADDRESS	DATE
not ✓ owner	<u>Timothy D Black</u>	<u>3520 Bright St</u>	<u>4/14/11</u>
✓	<u>Joyce Harris</u>	<u>3509 Bright St</u>	<u>4/14/11</u>
✓	<u>Joyce Harris</u>	<u>3509 Bright St</u>	<u>"</u>
✓	<u>Douglas Harris</u>	<u>Douglas M Harris</u>	
✓	<u>Warren Hsieh</u>	<u>3343 Teton Circle</u>	<u>4/11/11</u>
	<u>Warren Hsieh</u>		
✓	<u>Kevin L. Haney</u>	<u>4013 Ripple Ave</u>	<u>4/14/11</u>
	<u>Kevin L. Haney</u>		
✓	<u>Kay S. Beavers (Haney)</u>	<u>4013 Ripple Ave</u>	<u>4/14/2011</u>
	<u>KAY. S. BEAVERS (HANAY)</u>		
letter ✓	<u>Robert Mosey</u>	<u>4009 Teton Ln.</u>	
	<u>Robert Mosey</u>		<u>4-14-2011</u>
✓	<u>Vicki Hundley</u>	<u>4017 Teton Ln</u>	<u>4-28-11</u>

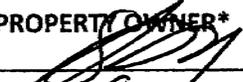
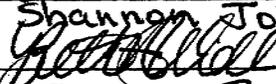
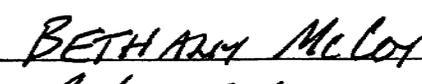
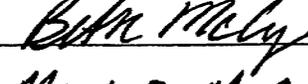
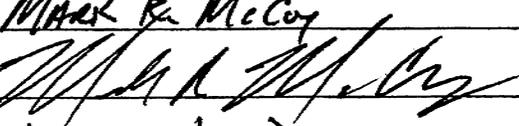
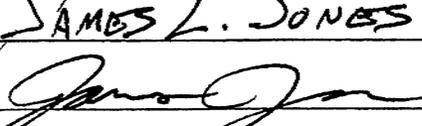
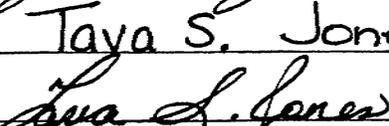
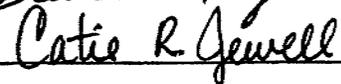
*Provide legible printing of name AND signature.
*If property jointly owned, all owners should sign.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *me*

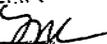
BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
		
Stacy Morey	4009 Teton Lane	4/14/11
		
Shannon Johnson	4000 Teton Lane	4/14/11
	BETHA WINDHAM	
	4004 TETON LN	4/14/11
Mike Wilder	" " "	"
<i>already have</i> 	4021 TETON LN	4-14-11
<i>already have</i> 		
<i>already have</i> MARK R. MCCOY	4021 TETON LN	4-14-11
		
JAMES L. JONES		
	3524 GLISTEN ST	4-14-11
Taya S. Jones		
	3524 Glisten St.	04-14-11
	4005 Teton Lane	4-14-11

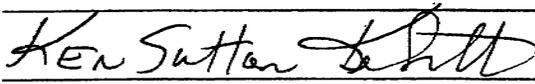
*Provide legible printing of name AND signature.
*If property jointly owned, all owners should sign.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
out ✓ Ken Suttan 	4009 SPARKLE	4-14-11
✓ Bridget Furnish	4100 Teton Oval	4-14-11
✓ Bridget Furnish		
✓ Peter S. KHOR 	4105 Teton Oval	4/14/11
✓ Irene Woo-Khor 	4105 Teton Oval	4/14/11
✓ Susan Wood	4008 Teton Ln	4/14/11
✓ Susan Wood	4008 Teton Ln.	4/14/11
✓ Tonya Edmunds	4016 Ripple Ave	4/14/11
✓ Tonya Edmunds	4016 Ripple Ave	4/14/11
✓ RANDAL H EDMUNDS	4016 RIPPLE AVE	4/14/11
✓ 	4016 RIPPLE AVE	4/14/11
✓ Paula J. Copeland	3516 Bright St.	4/14/11
✓ 	3516 Bright St.	4/14/11

*Provide legible printing of name **AND** signature.
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FILED IN THE OFFICE
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ON 6-27-11 

BEFORE THE
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CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
already have ✓ Keith Hunley Keith Hunley	4017 Taton Lane	4-14-11
✓ JEANNE CRAIG Jeanne Craig	3913 Ripple Ave	4-14-11
✓ THOMAS L. COLE Thomas L. Cole	3900 Ripple Ave	4-14-11
✓ BONNER SCOTT Bonner Scott	4001 Ripple Ave	4-14-11
✓ Berner Slayton	4009 Ripple Ave	4-14-11
out ✓ Carolyn Cole Carol Cole	3900 Ripple Ave	4-14-11
✓ Lauren Cornwell	4010 Ripple Ave	4-14-11
✓ Lauren L. Cornwell		
✓ Ben Cornwell	4010 Ripple Ave	4-14-11
✓ [Signature]		
✓ Justin Furnish	4100 Taton Ave	4-14-11
✓ [Signature]	4100 Taton Ave	4-14-11

*Provide legible printing of name AND signature.
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FILED IN THE OFFICE
 OF THE CITY CLERK
 ON 6-27-11 *DK*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
out <u>Bruce Kennedy</u>	<u>3909 Sparkle St.</u>	<u>4-14-11</u>
<u>Phillip Johnson</u>	<u>4000 Teton Lane</u>	<u>4-14-11</u>
<u>James Reese</u>	<u>4100 Teton Ln.</u>	<u>4/14/11</u>
<u>Gregg Parker</u>	<u>3905 Ripple Ave.</u>	<u>4/14/11</u>
<u>Gregg Parker</u>		
<u>Michelle Parker</u>	<u>3905 Ripple Ave.</u>	<u>4/14/11</u>
<u>Michelle T. Parker</u>		
<u>Chris Dunlap</u>	<u>3517 Glesden Street</u>	<u>4/14/11</u>
<u>Leticia Manning</u>	<u>3909 Ripple Ave</u>	<u>4/14/11</u>
<u>[Signature]</u>		

*Provide legible printing of name AND signature.
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FILED IN THE OFFICE
 OF THE CITY CLERK
 ON 6-27-11 DK

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
✓ Ryan Jewell	4005 Teton Lane	4/28/11
✓ Donald Lee Elliott	4104 TETON OVAL	4/28/11
✓ MHSui Misty Hsieh	3343 Teton Circle	4/28/11

*Provide legible printing of name AND signature.
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FILED IN THE OFFICE
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 ON 6-27-11 *MLC*

BEFORE THE
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CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
<i>Kendall Speer</i>		
Kendall Speer	3107 Ladybank Lane	4/14/11
MICHAEL HOUCK	4017 DORNOCH LN	4/14/11
<i>Michael Houck</i>		
<i>Andres Lucas</i>	3351 Teton Circle	4-14-11
ANDRES LUCAS	3609 GULLANE DR	4/14/2011
LUISSA LUCAS	3609 Gullone Dr	4/14/2011
<i>Jayela Winters</i>	4108 TETON LN	4-14-11
<i>William B Winters</i>	4108 TETON LANE	4-14-11
<i>Michelle Camp</i>	3020 CRUDEN DR.	4/14/11
<i>Harvill Brooks</i>	3809 Elie St.	4-14-11
<i>Damen Brooks</i>	3809 Elie St.	4/14/11

*Provide legible printing of name AND signature.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *JMC*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
✓ <u>Mick & Linda</u>	<u>3401 Bright St</u>	<u>4/14/11</u>
✓ <u>Shari Erikson</u>	<u>3823 Tanager St</u>	<u>4/14/11</u>
✓ <u>Debra & Bill Shalen</u>	<u>3301 Teton Ln</u>	<u>4-14-11</u>
✓ <u>David Grogan</u>	<u>4125 PINE HILL RD</u>	<u>4-14-11</u>
✓ <u>D. Wampler</u>	<u>3921 Glisten Ct</u>	<u>4-14-11</u>
✓ <u>Kenneth Ducken</u>	<u>4109 TETON</u>	<u>4-14-11</u>
✓ <u>Nick & Destiny Merkley</u>	<u>3801 Tanager</u>	<u>4/14/11</u>
✓ <u>Jim & Steve Hase</u>	<u>4157 Pine Hill</u>	<u>4/14/11</u>
<u>Terresa Verboke</u>	<u>3313 Bright St</u>	<u>4/14/11</u>
<u>Ronald Dean Springfield</u>	<u>4129 Eden Court</u>	<u>4-14-11</u>
<u>Wayne R. Ruess</u>	<u>4108 Troon St</u>	<u>4-14-11</u>
<u>Cheryl</u>	<u>3016 CRUDEN DR</u>	<u>4-14-11</u>
<u>Quigley R. Noble</u>	<u>3009 Pine Hill Rd</u>	<u>4-14-11</u>
✓ <u>John Lane</u>	<u>3520 Teton Ln</u>	<u>4-14-11</u>

*Provide legible printing of name AND signature.

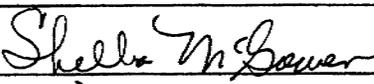
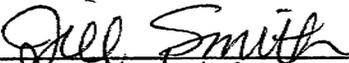
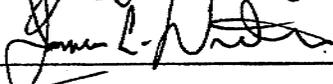
out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 ML

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
	3520 Teton Lane	4-14-11
	3504 Teton Lane	4-14-11
	3924 Irvine Dr	4-14-11
	3120 TAYLOR ST	4/14/11
Rumen Nikolov	3062 Elie St	4/14/11
Carrie Vincent	3016 Cruden Drive	4-14-11
Jill Henniges	4114 Pine Hill Rd	4/14/11
 PETER DUCHENE	4114 PINE HILL RD	4/14/11
Rake Parthey ^{RAMENAR} _{PARTHEY}	4109 DORNOCH LN	4/14/2011
Joni Pace	3408 GILSKEN ST.	4/14/11
Matthew Pempin	3307 Teton Ln	4/14/11
	3912 Clister Ct.	4-14-11
	4105 Dornoch Lane	4-14-11

*Provide legible printing of name AND signature.

ant

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *MU*

**BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA**

**PROPERTY OWNERS' PETITION IN PROTEST OF:
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PROPERTY OWNER*	ADDRESS	DATE
<i>Matthew [Signature]</i>	4112 Eden Ct	4/14/11
<i>Sean Pitts</i>	4116 Donoch Ln	4/14/11
<i>Cecyle Haley</i>	3124 Pine Hill Rd	4/14/11
<i>V. [Signature]</i>	3124 Pine Hill Rd	4/14/11
<i>Vicki G. Medlen</i>	3104 Pine Hill Rd	4/14/11
<i>Jerry J. Medlen</i>	3104 Pine Hill Rd	4/14/11
<i>Dessandre [Signature]</i>	3436 Teton Court	4/14/11
L. CHIDAMBARAM & A. LAKSHMANAN	3408 TETON CT	4/14/11
<i>Luther Lee / Luther Lee</i>	3001 Ladybank Lane	4/14/11
<i>Mary Lee / Marcy Lee</i>	3001 Ladybank Lane	4/14/11
<i>Beverly Nelson</i>	4137 Pine Hill Rd	4-14-11
<i>Vicki [Signature]</i>	4112 Teton Oval	4-14-11
<i>[Signature]</i>	3607 Gullone Dr.	4-14-11
<i>[Signature]</i>	3109 Lady Bank	4/14/11

*Provide legible printing of name AND signature.

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *DMC*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
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PROPERTY OWNER*	ADDRESS	DATE
Melissa Free	4109 Teton Oval	4-14-11
Alan J. Free	4109 Teton Oval	4-14-11
Judy Foster	3132 Pine Hill	4-14-11
Debbie Dull	4150 Pine Hill Rd	4-14-11
Marydunne Cooper	3912 Glisten Court	4-14-11
Susan L. Ackman	4109 Dornoch Lane	4-14-11
Robert A. Oil	4100 Dornoch Lane	4-14-11
Mrs. Tracy A. Mikkonen	3409 Glisten Street	4-14-11
W	3607 Gullane	4-14-11
Ace Ann Bartrug	4125 Eden Ct.	4-14-11
Amy McKehee	4108 Teton Oval	4-14-11
Tom McKehee	4108 Teton Oval	4-14-11
Orvil & BARBARA CORLEE	4112 DORNOCH LN	4-14-11

*Provide legible printing of name AND signature.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *me*

out

BEFORE THE
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CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
<i>Steph Helcher</i>	3012 Carmouste	4/14/11
<i>Ruby Hoelscher</i>	3012 Carmouste	4-14-11
<i>Mary Ann Lovett</i>	3920 Glisten ct	4-14-11
<i>Shelley Ann Hawter</i>	3016 Pine Hill Rd	4-14-11
<i>Carl</i>	4004 Dornoch Ln	4-14-11
<i>Jaine Mincher</i>	3432 Teton Ct.	4-14-11
<i>Jay Mincher</i>	3432 Teton Ct	4-14-11
<i>Margaret Cullins</i>	3015 Ladybank Ln	4-14-11
<i>Anne Bunker</i>	3045 Glisten	4-14-11
<i>Christi Smith</i>	3109 Tappan St	4-14-11
<i>Ragun</i>	3113 Ladybank Lane	4-14-11
<i>Dorsey Mung</i>	3113 Ladybank Lane	4/14/11
<i>Paula Cook</i>	3102 Carmouste	4/14/2011

*Provide legible printing of name AND signature.

out

FILED IN THE OFFICE
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ON 6-27-11 PM

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PROPERTY OWNER*	ADDRESS	DATE
<u>Gregory S Cook</u>	<u>3102 Carnoustie Dr</u>	<u>4/14/11</u>
<u>[Signature]</u>	<u>3308 Teton Ln</u>	<u>4/14/11</u>
<u>Jana Nuber</u>	<u>3516 Teton Ln</u>	<u>4/14/11</u>
<u>Leo J. Nuber</u>	<u>3516 Teton Ln</u>	<u>4/14/11</u>
<u>Curran Lawson</u>	<u>3300 TETON LN</u>	<u>4/14/11</u>
<u>Dale [Signature]</u>	<u>3606 Ladybank</u>	<u>4/14/11</u>
<u>Kathryn Checkers</u>	<u>3908 Ripple Ave</u>	<u>4/14/11</u>
<u>Carol E [Signature]</u>	<u>4149 Pine Hill Rd</u>	<u>4/14/11</u>
<u>Krista Fselic</u>	<u>3606 Jubilee</u>	<u>4-14-11</u>
<u>Jim Dombowski</u>	<u>3309 Bright St.</u>	<u>4/14/11</u>
<u>Leigh W. Dombowski</u>	<u>3309 Bright St</u>	<u>4/14/11</u>
<u>Linda J. Duch</u>	<u>3406 Teton Ct.</u>	<u>4/14/11</u>
<u>Lucrea Elder</u>	<u>3309 Glisten St</u>	<u>4-14-11</u>
<u>[Signature]</u>	<u>3615 CARNOUSTIE DR</u>	<u>4-14-11</u>

*Provide legible printing of name AND signature.

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 [Signature]

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

PROPERTY OWNERS' PETITION IN PROTEST OF:
Application of Cascade Development, LLC for
(1) Land Use Plan amendment to Office Designation and
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PROPERTY OWNER*	ADDRESS	DATE
<i>[Signature]</i>	3412 Teton Ct	April 14, 2011
<i>[Signature]</i>	3412 Teton Ct	April 14 2011
<i>[Signature]</i>	3032 Elie St	4.14.11
<i>[Signature]</i>	3032 Elie St	4.14.11
Angela Wright	4113 Teton Oval	4-14-11
Dustin Nichols	3813 Elie St.	4-14-11
Sheena Nicholas	3813 Elie St.	4-14-11
<i>[Signature]</i>	4117 Teton Lane	4-14-11
CLAY BARTRUG, III	4124 Eden Ct	4-14-11
<i>[Signature]</i>	4161 Pine Hill Rd	4-14-11
<i>[Signature]</i>	4100 Troon St	4-14-11
<i>[Signature]</i>	4145 Pine Hill	4-14
Jan Brink	3416 TETON CT	4-14-11
Seest K. Tumblo	3610 Ladybank Ln.	4-14-11

*Provide legible printing of name AND signature.

out

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *[Signature]*

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
	3610 Ladybank	4-14-11
	3606 Gullane	04-14-2011
Becky Schmidt	3323 Teton Ln	4-14-2011
Michelle Troja	4125 Pine Hill Rd.	4-14-2011
Doris Saubis	3116 Pine Hill Rd	4-14-2011
Beth Martin	4108 Eden Ct	4-14-2011
Grant Ozymert	3532 Teton Ln	4-17-11
Maria C. Ozymert	3528 Teton Ln	4-14-11
	Box 6321 NORMAN	4/28/11
	73070 3101 Cuden Dr	4/28/11
	3106 Carnoustie Dr	4/28/11
	4009 Tivon St.	4/28/11
Paul FAGIANO	3605 Ladybank Ln	4/28/11
	3717 Glisten Ct	4-28-11

*Provide legible printing of name AND signature.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-27-11

out

BEFORE THE
CITY COUNCIL AND PLANNING COMMISSION
CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
B. Ernestine Trelford	3424 Teton Ct.	4-16-11
Susan T Thunston	3508 Teton Ln	4-16-11
Kathleen Kuhn	3705 GUSTEN CT	4/16/11
Phyllis J. Elzy	3009 Elie	4/28-11
Lucian P. Elzy	3009 Elie Street	4/28-11
Cynthia A. Creech	3117 Tayport St.	4-28-11
Erica B Phelps	4104 Dornoch Lane	4-28-11
Paul E. Phelps	4104 Dornoch Ln	4/28/11
Christy McDonald	3005 Elie St.	4/28/11
Melennie Maxm	3ell Carnoustie Dr.	4/28/11
Paula Brown	3112 Tayport St	4/28/11
Kevin Brown	3112 Tayport St	4/28/11
DW	3436 Teton Court	4/28/11

*Provide legible printing of name AND signature.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-27-11 *me*

out

BEFORE THE
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CITY OF NORMAN, OKLAHOMA

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PROPERTY OWNER*	ADDRESS	DATE
<u>Jane Cal</u>	<u>3610 Carnovite Dr</u>	<u>4/28/11</u>
<u>Lindsay Cal</u>	<u>3610 Carnovite Dr.</u>	<u>4/28/11</u>
<u>Kamshul/Nita Saran</u>	<u>3024 Elie St</u>	<u>4/28/11</u>
<u>Wanda B. Wellhall</u>	<u>3606 Gillane Dr</u>	<u>4/28/11</u>
<u>Jamie Spa</u>	<u>3816 IRVINE DR</u>	<u>4-28-11</u>
<u>Abandavalli Masilammami</u>	<u>3816 IRVINE DR</u>	<u>4-28-11</u>
<u>Cathy Delaney</u>	<u>4101 Dornoch Drive</u>	<u>4-28-11</u>
<u>Jerel Delaney</u>	<u>4101 Dornoch Ln.</u>	<u>4-28-11</u>
<u>Kim Smith</u>	<u>4100 Troon St</u>	<u>4-28-11</u>
<u>Susan K. Bruns</u>	<u>3417 Glisten St.</u>	<u>4/28/11</u>
<u>Heidi G. Bruns</u>	<u>3417 GLISTEN ST</u>	<u>4/28/11</u>
<u>Christi Gore</u>	<u>4000 Sparkle St.</u>	<u>4-28-11</u>
<u>Alan Gore</u>	<u>4000 Sparkle St.</u>	<u>4-28-11</u>
<u>Paul Gore</u>	<u>3408 GLISTEN ST.</u>	<u>4-28-11</u>

*Provide legible printing of name AND signature.

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PROPERTY OWNER	ADDRESS	DATE
Curtis Burch	4121 Castlerock	4/22/11
Otto Cox	4105 Castlerock	4/22/11
CF Flowman	4101 Castlerock	4/22/11
Andy Flowman	4101 Castlerock	4/22/11
Mandy Meyer	4013 Castlerock	4/22/11
Brenda Argo	4000 Castlerock Rd	4/22/11
Suzanne Dull	4012 Castlerock	4/22/11
D. H.	4159 Castlerock Rd	4/22/11
Wally Hunt	4109 Castlerock Rd	4/22/11
Jason Love	4104 Castlerock Rd.	4/22/11
David Stensrud	411d Castlerock Rd	4/22/11
David Stensrud	4108 Castlerock Rd	4/23/11
Carl D. Mahan	4116 Castlerock Rd	4/23/11
Pauline Mahan	4116 Castlerock	4/23/11
JACK LOERWALD	4132 CASTLEROCK RD	4/23/11
Mark LaCrosse	4113 Castlerock Rd	4/23/11
Cheryl LaCrosse	4113 Castlerock Rd	4/23/11

FILED IN THE OFFICE
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PROPERTY OWNER	ADDRESS	DATE
✓ <u>Saba Tahmassebi</u>	<u>4013 Wood Castle St</u>	<u>4/23/2011</u>
✓ <u>Carol Moore</u>	<u>4016 Wood Castle St</u>	<u>4/23/11</u>
<u>JEFF SPEARS</u>	<u>3825 CASTLEROCK RD</u>	<u>4-23-11</u>
✓ <u>ROSS WHITE</u>	<u>3705 CASTLEROCK RD</u>	<u>4-26-11</u>
✓ <u>Bob Bledsoe</u>	<u>3813 Castlerock Rd</u>	<u>4/27/11</u>
✓ <u>Jimmy Givens</u>	<u>3708 Castlerock Rd</u>	<u>4/27/11</u>
✓ <u>JAMES O. SCOTT</u>	<u>3712 CASTLEROCK RD</u>	<u>4/27/2011</u>
✓ <u>DAWN BOWEN</u>	<u>3801 CASTLEROCK RD</u>	<u>4/27/2011</u>
✓ <u>Shad Williams</u>	<u>3713 CASTLEROCK</u>	<u>4/27/2011</u>
✓ <u>Linda D. Hart</u>	<u>3709 Castlerock Rd.</u>	<u>4/28/11</u>
_____	_____	_____
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_____	_____	_____

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PROPERTY OWNER	ADDRESS	DATE
Robert Cook	4005 Stonehurst	5-3-11
Russell Shunk	4001 Stonehurst	5-3-11
✓ Shell Cramer	4000 Stonehurst	5/3/11
✓ Scott Miller	4004 STONEHURST	5/3/11
✓ Matt Seep	4100 Stonehurst	5/3/11
✓ Liz Robertson	4104 Stonehurst St	5-3-11
✓ Michelle Heflin	4108 Stonehurst St	5-3-11
Fran Allen	4109 STONEHURST ST	5-3-11
J. Allen Schones	4105 Stonehurst st	5/3/11
Amy Slovacek	4017 Brownwood Ln	5-21-11

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PROPERTY OWNER	ADDRESS	DATE
✓ Cheryl Alexander	3812 Drawbridge	4-20-11
✓ David Kenny	4105 Drawbridge Lane	4-20-11
✓ Malcolm Johnston	4101 Drawbridge Lane	4-20-11
✓ Connie L. Hall	4000 Drawbridge Ln.	4/20/11
✓ Cynthia M. Schl	4100 Drawbridge Ln	4/20/11
✓ Joe DeCh...	4113 Stonchurst	4-20-11
✓ Jerry Puff	3820 Drawbridge Ln	4-25-11
✓ [Signature]	3804 Drawbridge Ln	4-25-11
✓ Ken Saraghi	3800 Drawbridge Ln	4-25-11
✓ Marian C. Hall	4108 Drawbridge Lane	4-26-11
✓ KENNETH W. SAY	4065 DRAWBRIDGE LANE	4-26-11

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①

PROPERTY OWNER*	ADDRESS	DATE
<u>Kristi Gray</u>	<u>4108 Moorgate Cir</u>	<u>4-15-11</u>
<u>Karla Hanson</u>	<u>3805 Warrington Way</u>	<u>4-15-11</u>
<u>CHRIS ELLIOTT</u>	<u>3705 LORINGS RD</u>	<u>4/15/2011</u>
<u>Dyonda Elliott</u>	<u>3705 Longwood</u>	<u>4/15/2011</u>
<u>Carol Hanson</u>	<u>3805 Warrington Way</u>	<u>4/15/2011</u>
<u>Rachelle Selensky</u>	<u>4104 Moorgate Circle</u>	<u>4-15-2011</u>

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PROPERTY OWNER	ADDRESS	DATE
✓ Daniel Emery	3809 Wellington Place	4/25
✓ Eileen Jensen	3805 Wellington Pl	4/25
Joe Shannon	3813 Wellington Pl	4/25
Jane Williams	3817 Wellington Place	4/25/11
Junko Gramoll	3816 Wellington Pl	4.25.11
Kurt Gramoll	3816 Wellington Pl	4/25/11
Tracy Campbell	3812 Wellington Pl	4/25/11
Mark Campbell	3812 Wellington Pl	4.25.11

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PROPERTY OWNER	ADDRESS	DATE
<u>Loueta L. Hayes</u>	<u>2817 Brompton Dr. Norman</u>	<u>4/21/11</u>
<u>Tricia R. Carleton</u>	<u>2801 Chelsea Dr.</u>	<u>4/22/11</u>
<u>Crystal Ferguson</u>	<u>4113 Sloane St</u>	<u>4/23/11</u>
<u>Kathy Cardott</u>	<u>2400 Lauriston</u>	<u>4/25/11</u>
<u>Richard Catton</u>	<u>2801 Chelsea Dr.</u>	<u>4/26/11</u>
<u>Rosemary Quillin</u>	<u>2824 Eaton Dr</u>	<u>4/27/11</u>
<u>Bary Quilli</u>	<u>2824 Eaton DR.</u>	<u>4-27-11</u>
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PROPERTY OWNER*	ADDRESS	DATE
✓ Donna Hamis	4008 Knights Bridge	4-26-11
✓ Mike Boreeding	4601 Knight Bridge	4-26-11
✓ Coy Gause	4009 Knights Bridge St	4-26-11
✓ Jeff Perkins	4005 Knights Bridge St	4-26-11
✓ [Signature]	3716 Wood Castle	4/26/11
✓ [Signature]	3708 Wood Castle	4/26/11
✓ Kankali Nall	4108 Knights bridge	4/26/11
✓ [Signature]	4100 Knights Bridge	4/26/11
✓ [Signature]	4104 Glasgow Dr.	4/26/11
Beth Grant	" "	" "

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PROPERTY OWNER	ADDRESS	DATE
<u>Monica Rauch</u>	<u>4020 Nicole Pl</u>	<u>4/27/11</u>
<u>Jan G. Gage</u>	<u>4032 Nicole Pl</u>	<u>4/26/11</u>
<u>Angela Elliott-Teague</u>	<u>4032 Nicole Pl</u>	<u>4/26/11</u>
<u>Queen D. Samuels</u>	<u>4048 Nicole Place</u>	<u>4/26/2011</u>
<u>Maryland [Signature]</u>	<u>4048 Nicole Place</u>	<u>4/26/11</u>
<u>[Signature]</u>	<u>4028 Nicole Place</u>	<u>4/26/11</u>
<u>Michael Brubaker</u>	<u>4029 Nicole Place</u>	<u>4/27/11</u>
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PROPERTY OWNER

ADDRESS

DATE

Terry Goss
Marty Pratt
Satter Family

4114 Nicole Pl.

4117 NICOLE PL

4128 NICOLE PL.

042711

4-27-11

4-27-11

Empty table rows for additional property owners, addresses, and dates.

**FILED IN THE OFFICE
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(1) Land Use Plan amendment to Office Designation and

(2) proposed rezoning to Commercial Office

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property in Castlerock, Carrington, Warwick, Berkley, Rock Creek Polo, and Grand View Additions hereby submit this protest petition in opposition to the above captioned and described application.

PROPERTY OWNER	ADDRESS	DATE
<u>Gene Rodriguez</u>	<u>4000 NICOLE PLACE</u>	<u>4/22/11</u>
<u>Joyce Fulyk</u>	<u>4012 Nicole Place</u>	<u>4/22/11</u>
<u>Jill Holt</u>	<u>4024 Nicole Pl.</u>	<u>4/22/11</u>
<u>Shannon Goodman</u>	<u>4024 Nicole Pl</u>	<u>4/22/11</u>
<u>R. L. Holt</u>	<u>4040 Nicole Pl.</u>	<u>4/22/11</u>
<u>Beverly Reese</u>	<u>4040 Nicole P</u>	<u>4/22/11</u>
<u>Chang Li</u>	<u>4037 Nicole Pl</u>	<u>4/22/11</u>
<u>Liu Li</u>	<u>"</u>	<u>4/22/11</u>
<u>KEITH GAWAN</u>	<u>4045 Nicole Pl</u>	<u>4/25/11</u>
<u>GARY DAVIS</u>	<u>4044 Nicole Pl</u>	<u>4/25/11</u>
<u>RAYMOND CALLAN</u>	<u>4052 NICOLE PLACE</u>	<u>4/25/11</u>
<u>ROBERT OCHSNER</u>	<u>Robert Ochsner ^{4053 Nicole Pl.}</u>	<u>4/25/11</u>
<u>BOBBIE OCHSNER</u>	<u> ^{4053 Nicole Pl.}</u>	<u>4/25/11</u>
<u></u>	<u>4004 Nicole Pl</u>	<u>4/26/11</u>
<u>Jim Rauch</u>	<u>4020 Nicole Pl</u>	<u>4/27/11</u>

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7-8-11

**PROPERTY OWNERS' PETITION IN PROTEST OF:
 Application of Cascade Development, LLC for
 (1) Land Use Plan amendment to Office Designation and
 (2) proposed rezoning to Commercial Office**

This application, if approved, will change the subject property located south of Tecumseh Road at Astor Drive in Norman, Oklahoma, from its current residential designation to commercial offices. A change from residential to commercial use and ensuing commercial development of the subject property will forever adversely alter the well-established quality and residential characteristics of the Cascade and Castlerock Additions to Norman, will adversely affect residential property values in the vicinity, and will pose serious threats to neighborhood safety. Accordingly, for these and other valid reasons, the undersigned owners of real property in Castlerock, Carrington, Warwick, Berkley, Rock Creek Polo, and Grand View Additions hereby submit this protest petition in opposition to the above captioned and described application.

PROPERTY OWNER*	ADDRESS	DATE
<u>Marla J. Mann</u>	<u>4033 Nicole Place</u>	<u>4/14/11</u>
<u>Ledra Williams</u>	<u>3800 Loring's Road</u>	<u>4/14/11</u>
<u>Kevin Benjamin Williams</u>	<u>3800 LORINGS ROAD</u>	<u>4/14/11</u>
✓ <u>Ed Wilford</u>	<u>4104 Drawbridge Ln</u>	<u>4/14/11</u>
✓ <u>Michl D. Mohr</u>	<u>4104 Drawbridge Ln</u>	<u>4/14/11</u>
✓ <u>Jack L. Spier</u>	<u>4004 Drawbridge</u>	<u>4/14/11</u>
✓ <u>Cheryl Patrick</u>	<u>4012 Knights Bridge</u>	<u>4-14-11</u>
✓ <u>Steve Patrick</u>	<u>4012 KNIGHTS BRIDGE</u>	<u>4-14-11</u>
<u>Andy O'Pherson</u>	<u>3901 Brunswick Lane</u>	<u>4-16-11</u>
<u>Teri Emery</u>	<u>3809 Wellington Pl.</u>	<u>4-16-11</u>
<u>Randy Lipske</u>	<u>3916 Nicole Cid</u>	<u>4/16/11</u>
<u>Andrea Kaplan</u>	<u>3916 Nicole Circle</u>	<u>4-16-11</u>
<u>Kelly Bright</u>	<u>4636 Nicole Place</u>	<u>4-25-11</u>
<u>Jim Bright</u>	<u>4036 Nicole Pl</u>	<u>4-25-11</u>

FILED IN THE OFFICE
 OF THE CITY CLERK
 ON 7-8-11

Address: 3331 Teton Circle
NORMAN, OK 73072

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

Date: 10/3/2011

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3331 Teton Circle is within 350 feet of the proposed change. NORMAN, OK 73072

I oppose this change for the following reasons:

- Poor Planning - Purpose of city planning is to anticipate future land use. The subject parcel was reserved for residential use. This is why we bought our property. We based our financial plan on this information. There are plenty of other properties available along 36th Ave NW - which are zoned Commercial!
- Safety - Traffic in this area will increase dramatically if this is changed to commercial. Children and adults walk, bike and play in the areas around here. There is a park along this property. I question the safety of children in this park if proposed changes go through. Also, criminals could loiter in parking areas awaiting a victim in adjacent park.

Sincerely,

X

Legal Homeowner Name:

Deanna L. Larson

X

Second Homeowner Name, if owned jointly:

Paul R. Larson

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-5-11

- Neighborhood character. We bought this property with the understanding that it was completely zoned residential. That was the community we were seeking. If proposed changes go through it will break up the character of this neighborhood. Currently it consists of residences, churches, green spaces, parks and schools. We bought property and built here because that's the community we wanted to be a part of.

- Fairness. - The current Cascade Estates Residential PUD was created 13 years ago & since then, many important personal & financial decisions were made by Cascade Estates residents - based on that plan. Now the same authors of the PUD are asking to make a major change after all lots have been sold & we've settled into our homes. The timing & the way this has been handled seems extremely unfair to residents.

(I think you for your consideration)

Address: Matt and Jessa Franke
4013 Tecumseh
Norman OK 73072

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

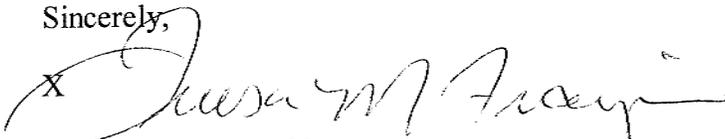
Date: 10-3-11

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 4013 Tecumseh is within 350 feet of the proposed change.

I oppose this change for the following reasons:

Sincerely,

X 

Legal Homeowner Name:

X Matthew and Jessa Franke

Second Homeowner Name, if owned jointly:

Matthew P Franke

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-5-11

Address: Chanda Lee
4000 Wood Castle
Norman, OK 73072

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

Date: 10/3/11

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 4000 Wood Castle Street is within 350 feet of the proposed change.

I oppose this change for the following reasons:

Safety. I have a 6 year old that enjoys riding his bike around the neighborhood. With added traffic due to the office buildings, I am afraid someone will get hit by a car.

Sincerely,

X Chanda Lee

Legal Homeowner Name:

X Chanda Lee, Rick Lee

Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-4-11

Gary G Knight
3601 Castlerock Rd
Norman OK 73072

Address:

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

Date:

10/6/11

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3601 Castlerock Rd is within 350 feet of the proposed change.

3601 Castlerock Rd
Norman, OK 73072

I oppose this change for the following reasons:

I live on the corner of Castlerock's Tecumseh Rd. Approximately 1 1/2 years ago my son Mark Knight was almost killed at that intersection. I believe that we do not need any more traffic in that area. From 6:30^{AM} - 8:00^{AM} traffic the elementary school Roosevelt school around 3pm pickup those children, and some walk home. If you allow this new construction it may cause loss of lives, which is more important! People or Building! You Decide!

Sincerely,

X

Legal Homeowner Name:

X

Gary G. Knight

Second Homeowner Name, if owned jointly:

Grenda R. Knight

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-7-11

Address: 3613 Castlerock
Norman, OK 73072

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

Date: 10/7/2011

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3613 Castlerock is within 350 feet of the proposed change.

I oppose this change for the following reasons:

Attached Statement 5 reasons

Sincerely,

X *Chuck Real Property*

Legal Homeowner Name:

X *Chuck*

Second Homeowner Name, if owned jointly:

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-7-11

Some Objections

These are personal opinions gathered from discussion among several of the residents and do not represent the official position of any one person or entity and are presented in no particular order.

1. **Fairness:** The current Cascade Estates Residential PUD was created 13 years ago and since then many important personal and financial decisions were made by Cascade residents based on that plan. Now the same authors of the PUD are asking to make a major change after all the lots have been sold and people have settled into their homes. The timing and the way that this has been handled seems unfair to the residents.
2. **Neighborhood Character:** The proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from Robinson Street north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.
3. **Loss of Aesthetic Control:** Placement of office property and large parking lots could detract from the aesthetics of the neighborhood and Cascade Park that border the rear and sides of the commercial buildings. The covenants will be completely controlled by the office owners, removing control and enforcement from the neighborhood association. Over the long term there is the risk of deterioration of the appearance of the buildings and landscaping and coincident reduction in nearby property values. While the current owners promise nice buildings and landscaping, they will not be the ultimate owners so they cannot guarantee quality long term maintenance.
4. **Safety:** Office buildings and vehicles utilizing over 200 parking spaces added to this area pose a potential safety risk to those who use adjacent streets and park land. The area has many recreational visitors using the nearby park, green space, sidewalks and designated bike route. Office parking lots adjacent to the park could also aide a criminal who could loiter there posing as an office patron while awaiting a victim in the adjacent park.
5. **Poor Planning:** One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the number of residences adjacent to commercial properties. The boundary between commercial and residential properties is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Norman Porter Avenue Study.

Address: 3520 Glisten St
Norman OK 73072

Norman City Council
c/o City Clerk
P.O. Box 370
Norman, OK 73070

Date: October 6, 2011

Dear Norman City Council,

This letter is to protest the request by The Tecumseh Project, LLC to amend the Cascade Estates PUD and the Norman 2025 Land Use and Transportation Plan by changing a parcel of land southeast of the intersection of Tecumseh Road and Astor Drive from Low Density Residential to Office use. I have been notified that my property at 3520 Glisten St. is within 350 feet of the proposed change.

I oppose this change for the following reasons:

See attached.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10/12/11

Sincerely,

X *Melinda Heitz*

Legal Homeowner Name:

X Melinda Jane Heitz

Second Homeowner Name, if owned jointly:

Some Objections

These are personal opinions gathered from discussion among several of the residents and do not represent the official position of any one person or entity and are presented in no particular order.

1. **Fairness:** The current Cascade Estates Residential PUD was created 13 years ago and since then many important personal and financial decisions were made by Cascade residents based on that plan. Now the same authors of the PUD are asking to make a major change after all the lots have been sold and people have settled into their homes. The timing and the way that this has been handled seems unfair to the residents.
2. **Neighborhood Character:** The proposed changes will alter the residential character of the Cascade Estates and Castlerock neighborhoods. This change would break-up what is now a contiguous strip of quality neighborhood space, consisting of residences, green space, neighborhood parks, churches and schools running from north of Main Street, north to Franklin Road, and beyond. This makes it a very attractive area for families, the result of careful consideration and planning by many citizens, developers and civic leaders over the last few decades.
3. **Loss of Aesthetic Control:** Placement of office property and large parking lots could detract from the aesthetics of the neighborhood and Cascade Park that border the rear and sides of the commercial buildings. The covenants will be completely controlled by the office owners, removing control and enforcement from the neighborhood association. Over the long term there is the risk of deterioration of the appearance of the buildings and landscaping and coincident reduction in nearby property values. While the current owners promise nice buildings and landscaping, they will not be the ultimate owners so they cannot guarantee quality long term maintenance.
4. **Safety:** Office buildings and vehicles utilizing over 200 parking spaces added to this area pose a potential safety risk to those who use adjacent streets and park land. A traffic study indicates the offices will add 1000 vehicle trips per day. The area has many recreational visitors using the nearby park, green space, sidewalks and designated bike route. Office parking lots adjacent to the park could also aide a criminal who could loiter there posing as an office patron while awaiting a victim in the adjacent park.
5. **Poor Planning:** One purpose of city planning is to allow individuals and business to anticipate future land use. The subject parcel has been reserved for residential use ever since it was first taken out of agriculture use. At the same time, there are large areas along 36th Ave NW which have long been zoned for commercial and light industrial use. Changing the use of this parcel now negates decades of wise planning and increases the number of residences adjacent to commercial properties. The boundary between commercial and residential properties is important because conflicts can arise as commercial use evolves – a lesson learned from the recent Norman Porter Avenue Study.



City of Norman, OK

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

Master

File Number: PP-1112-1

File ID: PP-1112-1	Type: Preliminary Plat	Status: Non-Consent Items
Version: 1	Reference: Item No. 46	In Control: City Council
Department: Public Works Department	Cost:	File Created: 06/21/2011
File Name: Preliminary Plat Tecumseh Project	Final Action:	

Title: CONSIDERATION OF PRELIMINARY PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

ACTION NEEDED: Motion to approve or reject the preliminary plat for the Tecumseh Project Addition, a Planned Unit Development, and waiver of alley requirements.

ACTION TAKEN: _____ -

Notes: October 25, 2011, City Council Agenda
Postponed on October 11, 2011

Agenda Date: 10/25/2011

Agenda Number: 46

Attachments: Attachment A-Traffic Table, Tecumseh Project Location Map, Tecumseh Project Prelim Plat, Tecumseh Project Site Plan, Staff Report - Tecumseh Project Prelim Plat, Tecumseh Project Traffic Impact, Tecumseh Project Alley Waiver, Tecumseh Project Pre-Dev Summary 3-11, Tecumseh Road Medical GES, Tecumseh Project Greenbelt Comments, Pert Excerpts Aug 11 PC Minutes

Project Manager: Ken Danner, Development Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	07/14/2011					

1	Planning Commission	08/11/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council		
1	Planning Commission	08/11/2011		
1	City Council	10/11/2011	Postponed	10/25/2011
	Action Text:	Postponed		
1	City Council	10/11/2011		

Text of Legislative File PP-1112-1

body

BACKGROUND: This item is a preliminary plat for Tecumseh Project Addition and is generally located one-quarter of a mile west of 36th Avenue N.W. on the south side of Tecumseh Road. This property consists of 5.53 acres and four (4) office lots. Planning Commission, at its meeting of August 11, 2011 recommended to City Council the amending of the NORMAN 2025 Land Use and Transportation Plan to designate this property as Offices and removing it from Low Density Residential Designation. Also, Planning Commission recommended amending Ordinance No. O-9798-24 of the Planned Unit Development for this property to include offices. In addition, Planning Commission recommended the approval to waive alley requirements and approval of the preliminary plat for Tecumseh Project Addition.

DISCUSSION: The mixed use office (18,000 square feet) and medical office (22,100 square feet) space in this preliminary plat are expected to generate approximately 1,045 trips per day and 174 trips during the PM peak hour. 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. (Reference Attachment "A" for data).

Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact analysis. The study was completed by Traffic Engineering Consultants, Inc., and was submitted in May, 2011.

No off-site improvements were recommended in the traffic impact analysis as submitted. The site will be served by two driveways along Tecumseh Road to the east of the Astor Drive intersection. The spacing of these two driveways will violate the spacing requirements in Section 4018 of the Engineering Design Criteria. However, staff supports the variance of the City's driveway spacing requirements in this case because the developer has agreed to configure the westernmost driveway closest to Astor Drive to accommodate only right-in and right-out traffic. This configuration will also work best should the intersection of Tecumseh Road with Astor Drive/Castlerock Road be signalized in the future.

Public improvements for this property consist of the following:

Alley. The engineer for the developer has submitted a request to waive alley requirements. Sufficient circulation is available for the property and Staff recommends approval of the alley request. Planning Commission, at its meeting of August 11, 2011 recommended waiver of alley requirements.

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

Sanitary Sewers. Sanitary sewer main is existing.

Sidewalks. Sidewalks will be constructed adjacent to Tecumseh Road and Astor Drive.

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. An existing detention facility will be utilized.

Streets. Tecumseh Road and Astor Drive are existing.

Water Mains. Water mains are existing.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

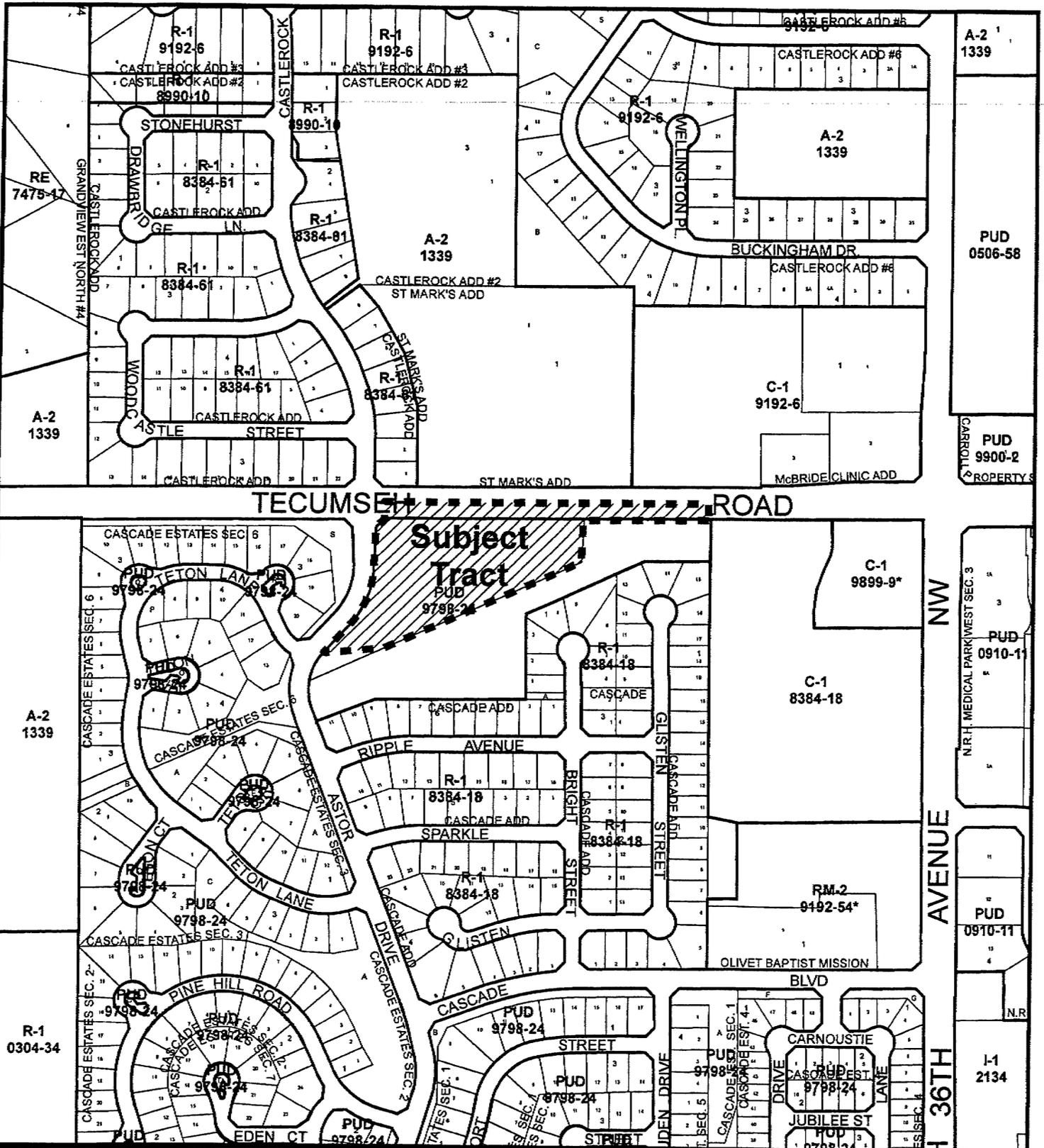
RECOMMENDATION: Based on the above information, staff recommends approval of the request to waive alley requirements and approval of the preliminary plat for Tecumseh Project Addition subject to City Council approval of Resolution No. R-1112-4 and Ordinance No. O-1112-1.

ATTACHMENT "A"

TRAFFIC TABLE
Tecumseh Project Addition

Traffic Impact Chart

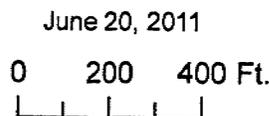
Street	No. of Lanes	Proposed Development (Veh/day)	Existing Traffic (Veh/day)	Total Projected Traffic (Veh/day)	Roadway Capacity L.O.S. "E"	% Capacity Used (Existing)	% Capacity Used (Projected)
Tecumseh Road	4	1,045	7,198	8,243	34,200	21.05	24.10



Location Map



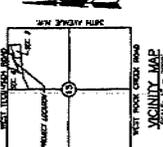
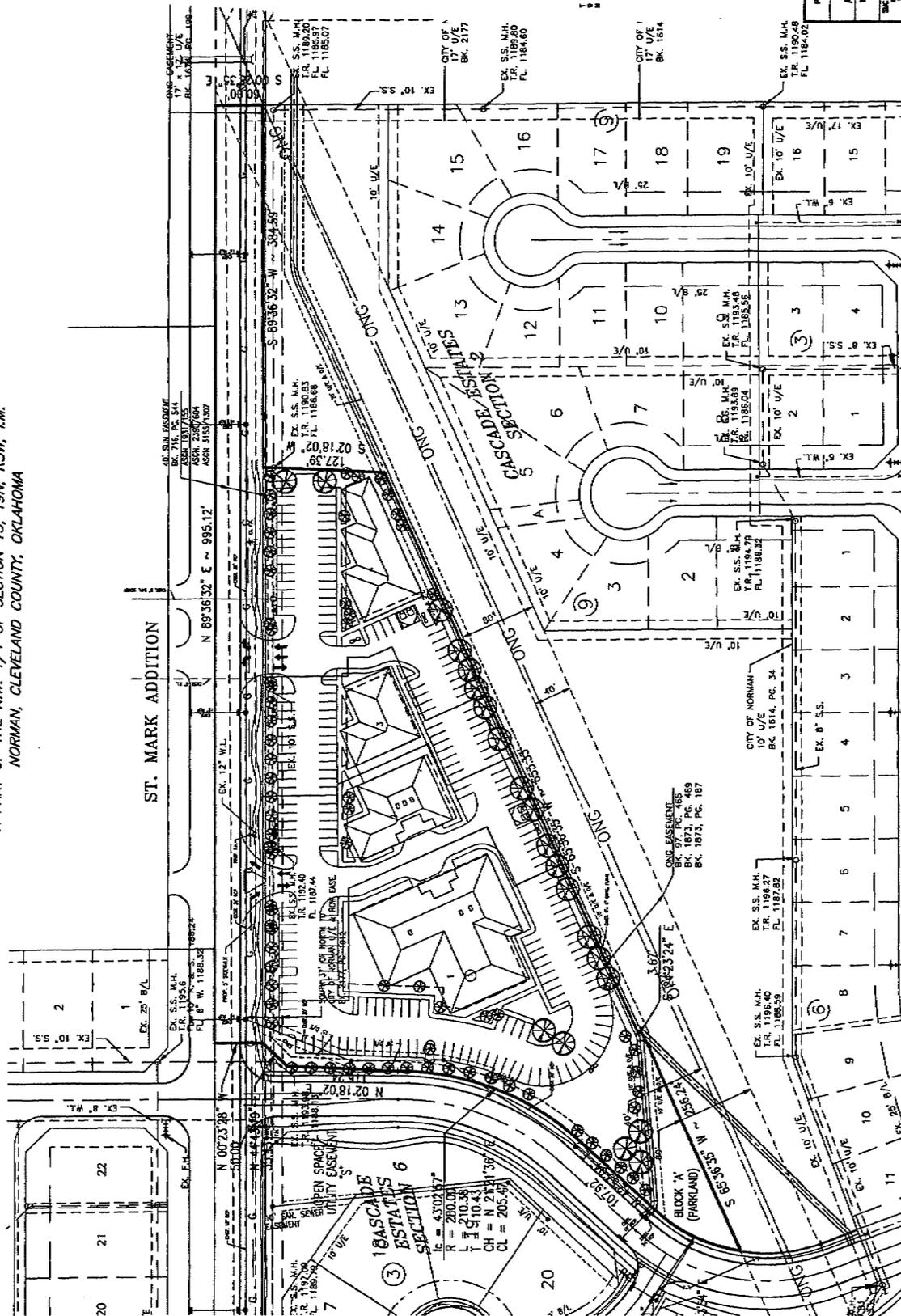
Map Produced by the City of Norman
 Geographic Information System.
 (405) 366-5316
 The City of Norman assumes no
 responsibility for errors or omissions
 in the information presented.



- Subject Tract
- Zoning

PRELIMINARY SITE DEVELOPMENT PLAN
TECUMSEH PROJECT

A PLANNED UNIT DEVELOPMENT
 A PART OF THE N.W. 1/4 OF SECTION 15, 19N, R3W, 1.M.
 NORMAN, CLEVELAND COUNTY, OKLAHOMA



OWNER'S ADDRESS
 TOWN OF TECUMSEH, L.L.C.
 1000 W. 10TH ST., SUITE 100
 NORMAN, OK 73069
 PHONE (405) 324-7171

PRELIMINARY SITE DEVELOPMENT PLAN

TECUMSEH PROJECT
 A PLANNED UNIT DEVELOPMENT
 W. 10TH ST. & 17TH AVE. N.W.
 NORMAN, OKLAHOMA

SMC CONSULTING ENGINEERS, P.C.
 1000 W. 10TH ST., SUITE 100
 NORMAN, OK 73069
 PHONE (405) 324-7171

DATE	NOV 15 2011
SCALE	AS SHOWN
PROJECT NO.	111111
DRAWN BY	J. SMITH
CHECKED BY	M. JONES
APPROVED BY	[Signature]
DATE	NOV 15 2011

PRELIMINARY PLAT

ITEM NO. 6c

ITEM: Consideration of a Preliminary Plat for TECUMSEH PROJECT, A PLANNED UNIT DEVELOPMENT.

LOCATION: Generally located one-quarter of a mile west of 36th Avenue N.W. on the south side of West Tecumseh Road.

INFORMATION:

1. Owner. Tecumseh Project, L.L.C.
2. Developer. Tecumseh Project, L.L.C.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. July 7, 1983. The Norman Board of Parks Commissioners, on a vote of 6-0, recommended fee in lieu of park land dedication.
2. July 14, 1983. Planning Commission, on a vote of 7-1, recommend to City Council that this property be placed in R-1, and removed from A-2 zoning classification.
3. July 14, 1983. Planning Commission, on a vote of 8-0, tabled the preliminary plat for Cascade Addition.
4. August 9, 1983. City Council adopted Ordinance No. O-8384-2 placing this property in R-1 and removing it from A-2, zoning classification.
5. August 11, 1983. Planning Commission, on a vote of 3-4, made no recommendation to City Council placing this property in R-1 and removing it from A-2 and R-1, zoning classifications.
6. August 11, 1983. Planning Commission, on a vote of 9-0, approved the preliminary plat for Cascade Addition containing the proposed R-1 single family property.

6c-3

7. November 15, 1983. City Council adopted Ordinance No. O-8384-18 placing this property in R-1 and removing it from A-2 and R-1 zoning classifications.

8. August 11, 1988. In accordance with Section 19-505 of the City Code, the approval of the preliminary plat for Cascade Addition became null and void.
 9. February 1, 1996. The Norman Board of Parks Commissioners, on a vote of 9-0, recommended approval of private park land.
 10. February 8, 1996. Planning Commission, on a vote of 9-0, approved the preliminary plat for Cascade Addition.
 11. November 13, 1997. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in the Planned Unit Development (PUD) and removed from the R-1, zoning classification.
 12. November 13, 1997. Planning Commission, on a vote of 8-0, approved the preliminary plat for Cascade Estates Addition, a Planned Unit Development.
 13. January 13, 1998. City Council adopted Ordinance No. O-9798-24 placing this property in the PUD and removing it from R-1, zoning classification.
 14. March 8, 2001. Planning Commission, on a vote of 9-0, recommended to City Council that the amendment of the Cascade Estates Planned Unit Development be approved.
 15. March 8, 2001. Planning Commission, on a vote of 9-0, recommended to City Council that the preliminary plat for Cascade Estates Addition, a Planned Unit Development be approved.
 16. April 10, 2001. City Council adopted Ordinance No. O-0001-45 amending the Planned Unit Development.
 17. April 10, 2001. City Council approved the preliminary plat for Cascade Estates Addition, a Planned Unit Development
 18. March 8, 2006. Approvals of the preliminary plat became null and void.
 19. August 9, 2007. Planning Commission, on a vote of 7-0-1, recommended to City Council that the preliminary plat for Cascade Estates Addition, Section 8, a Planned Unit Development, be approved.
- 6c-4
20. September 11, 2007. City Council approved the preliminary plat for Cascade Estates Addition, Section 8, a Planned Unit Development.

21. September 11, 2010. Approvals of the preliminary plat for Cascade Estates Addition, Section 8, a Planned Unit Development become null and void.
22. July 14, 2011. The applicant made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential to Office Designation.
23. July 14, 2011. The applicant made a request to amend the Planned Unit Development Ordinance No. O-9798-24 to allow business, professional and medical offices.
24. July 14, 2011. Planning Commission, at the request of the applicant, postponed an amendment to the Norman 2025 Land Use and Transportation Plan from Low Density Residential Designation to Office Designation.
25. July 14, 2011. Planning Commission, at the request of the applicant, postponed the amendment to the Planned Unit Development (PUD) established by Ordinance No. O-9798-24 to allow business, professional and medical offices.
26. July 14, 2011. Planning Commission, at the request of the applicant, postponed the preliminary plat for Tecumseh Project Addition.
27. August 11, 2011. The applicant has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Office Designation.
28. August 11, 2011. The applicant has made a request to amend the Planned Unit Development Ordinance No. O-9798-24 to allow business, professional and medical offices.

IMPROVEMENT PROGRAM:

1. Alleys. The engineer for the owner has made a request to waive alley requirements for Tecumseh Project Addition.
 2. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans and City standards. Their locations have been approved by the Fire Department.
 3. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
- 6c-5
4. Sanitary Sewers. Sanitary sewer mains are existing.
 5. Sidewalks. Sidewalks will be constructed in accordance with approved plans and City sidewalk standards.

6. Storm Sewers. Storm sewer and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Storm water will be conveyed to privately-maintained detention facility.
7. Streets. Tecumseh Road and Astor Drive are existing.
8. Water Mains. There is an existing twelve inch (12") water main adjacent to Tecumseh Road and an eight inch (8") water main adjacent to Astor Drive.

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, preliminary site development plan, and preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Staff recommends approval of the request to waive alley requirements based on the fact adequate circulation has been provided for service and emergency vehicle, and the preliminary plat for Tecumseh Project Addition, a Planned Unit Development subject to approvals of Resolution No. R-1112-4 and Ordinance No. O-1112-1.

ACTION NEEDED: Recommend approval or disapproval of the request to waive alley requirements and approval or disapproval of the preliminary plat for Tecumseh Project Addition, a Planned Unit Development, to the City Council.

ACTION TAKEN: _____



CITY OF NORMAN

Development Review Form

Transportation Impacts

DATE: July 6, 2011

STAFF REVIEW BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Tecumseh Project Addition PROJECT TYPE: Office/Medical Office

Owner: Tecumseh Project, LLC

Developer's Engineer: SMC

Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)

Commercial and institutional uses exist to the north, commercial exists to the east and south, and low-density residential development exists to the west and south of the proposed site. Tecumseh Road is the main east/west roadway, and the site is west of 36th Avenue NW.

ALLOWABLE ACCESS:

Proposed access will require a variance to Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)

Tecumseh Road: 4 lanes (existing and future). Speed Limit - 40 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: YES NO

Proposed number of access points for the development will require a variance to be in compliance with what is allowed in the subdivision regulations. Staff supports this variance request.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	1,045	522	523
A.M. Peak Hour	98	82	16
P.M. Peak Hour	174	37	137

TRANSPORTATION IMPACT STUDY REQUIRED? YES NO

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma.

RECOMMENDATION: APPROVAL DENIAL N/A STIPULATIONS

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

No off-site improvements were recommended in the traffic impact analysis as submitted. The site will be served by two driveways along Tecumseh Road to the east of the Astor Drive intersection. The spacing of these two driveways will violate the spacing requirements in Section 4018 of the Engineering Design Criteria. However, staff can support the variance to be requested as the developer has agreed to configure the westernmost driveway closest to the Astor Drive intersection to accommodate only right-in and right-out traffic. This configuration will also work best should the intersection of Tecumseh Road with Astor Drive/Castlerock Road be signalized in the future.

TECUMSEH PROJECT – PRELIMINARY

The mixed use office (18,000 square feet) and medical office (22,100 square feet) space in this preliminary plat are expected to generate approximately 1,045 trips per day and 174 trips during the PM peak hour. 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.

STREET	NO. OF LANES	PROPOSED DEVELOPMENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Tecumseh Road	4	1,045	7,198	8,243	34,200	21.05	24.10

Because of the development’s size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact analysis. The study was completed by Traffic Engineering Consultants, Inc., and was submitted in May, 2011.

No off-site improvements were recommended in the traffic impact analysis as submitted. The site will be served by two driveways along Tecumseh Road to the east of the Astor Drive intersection. The spacing of these two driveways will violate the spacing requirements in Section 4018 of the Engineering Design Criteria. However, staff can support the variance to be requested as the developer has agreed to configure the westernmost driveway closest to the Astor Drive intersection to accommodate only right-in and right-out traffic. This configuration will also work best should the intersection of Tecumseh Road with Astor Drive/Castlerock Road be signalized in the future.

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

July 5, 2011

Mr. Jim Gasaway, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

Re: Preliminary Plat
Tecumseh Project
SMC Project #5226.00

Dear Mr. Gasaway:

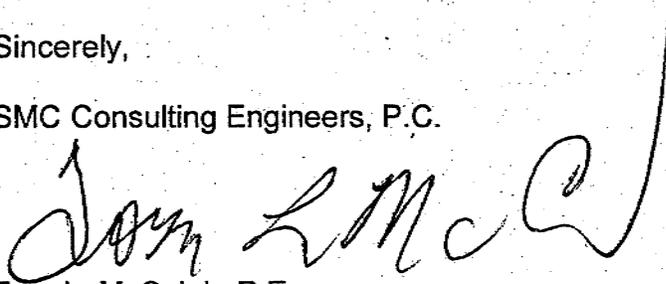
As agent for the applicant, we respectfully request a waiver of the alley requirements for the above referenced addition for all commercial, industrial, and office areas in accordance with Section 19-302 of the City of Norman. The plat has large tracts that can be designed adequately without the use of an alley. All utilities, sanitary access, emergency access, and fire protection will be provided and identified without the use of an alley.

The location of fire hydrants will be identified on plot plan as submitted and will be further identified on the final construction plans at the time of final platting.

Please accept this request and grant the alley waiver.

Sincerely,

SMC Consulting Engineers, P.C.



Tom L. McCaleb, P.E.

cc: Mickey Clagg

Applicant Cascade Development LLC
Location South side of Tecumseh Road at Astor Drive
Case Number PD11-13
Time 5:30—6:15 PM

Attendee	Stakeholder	Address	Phone
Mickey Clagg	Co-applicant	4700 Harrogate Dr	364-9020
Ben Newcomer	Co-applicant	3750 W Main, #101	329-5033
Rick McKinney	Applicants' architect	3600 W Main	360-1400
Marla Mann	Neighbor	4033 Nicole Place	321-6201
Robert Morey	Neighbor	4009 Teton Lane	517-6990
Cara and Tim Black	Neighbors	3520 Bright Street	364-0803
Myron Cunningham	Neighbor	4001 Teton Lane	360-1917
Jerry Kershaw	Neighbor	4104 Teton Lane	488-4326
Phillip Johnson	Neighbor	4000 Teton Lane	488-4326
Jeff and Yumi Davis	Neighbors	4113 Teton Lane	205-5153
Vicki Hopkins	Neighbor	4112 Teton Oval	701-5836
Chuck Simonds	Neighbor	3901 Ripple Avenue	366-7483
Keith Brewster	Neighbor	3921 Ripple Avenue	473-6662
Susan Atkinson	City Staff		366-5392
Ken Danner	City staff		366-5458
Leah Messner	City staff		366-7748

Application Summary. Applicants are seeking a preliminary plat and a rezoning of this 5.33-acre parcel in NW Norman from the current PUD for Low Density Residential to a Commercial-Office use. The *Norman 2025 Land Use Plan* designation for the parcel is Low Density Residential.

Applicant's Opportunity. The applicants have owned this parcel for many years and originally obtained a PUD for low-density residential use on the property. Recently they

perceive a demand for "garden-style" professional offices in the area, largely driven by the hospital's recent construction at 36th and Tecumseh. They are seeking to build a professional/medical office park on this triangular parcel (flanked by a natural gas pipeline) that would include four lots with four, single-story professional office buildings, surrounded by parking. The landscaping for the development would be jointly maintained by all tenants and there would be cross-access agreements throughout the parking area which surrounds the buildings on nearly all sides. From a design standpoint, the applicants are seeking a "residential feel" to the form and look of these buildings.

The proposed development has undergone a formal traffic study which recommends two curb cuts and driveways on 36th Avenue and one on Astor Drive. The developers stated that they are willing to allow their parking lot to be used for overflow parking from the adjacent Cascade Park, or for large events held at the church across Tecumseh Road.

The developers stated that the application had been reviewed by the Norman Greenbelt Commission on March 21. They stated that the Greenbelt Commission recommended approval of the application.

Neighbor's Comments. Neighboring property owners in attendance were overwhelmingly negative about the proposal in general, and particularly concerned about the proposed curb cut and driveway on Astor Drive. They felt this would endanger the current heavy pedestrian and bicycle traffic to and from Cascade Park.

Applicants' Response. After discussion, applicants stated "we can remove the curb cut and driveway on Astor."

Future Land Use. Neighbors were concerned whether the parcel could be used as a convenience store in the future if the lots don't sell as professional offices.

Applicants' Response. Explained that the zoning was very specific about allowable uses and that a Commercial-Office category would not allow a convenience store.

Other Land Use Concerns. Neighbors in attendance were generally opposed to any change in land use on this parcel—it is currently vacant with Cascade Park south of the natural gas pipeline easement. Neighbors were concerned this development would negatively affect their property values, would intrude on rear yard privacy for parcels that back up to the park, and would visually detract from the residential character of the adjacent subdivisions.

Landscaping. Neighbors were concerned that landscaping, particularly along Astor Drive, be dense enough to really screen the view of parking lots and buildings.

Traffic. Neighbors were very concerned that with a driveway on Astor Drive, the adjacent neighborhood would be subjected to cut-through traffic. This was still a concern after the applicant agreed to remove the Astor Drive curb cut. Neighbors stated that a need for overflow parking for the park or church was not an issue for the neighborhood.

Pre-Development Case No. PD 11-13NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 3-7-11

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: Cascade Development, LLC Date: February 7, 2011

Contact Person: Tom L. McCaleb, P.E. 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 5.33 acre revision of the approved Cascade Development Addition Preliminary Plat. The location is on the south side of Tecumseh Road at Aster Drive. The applicant is requesting the use of professional offices that will be adjacent to the existing park.

- 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.

Existing Parkland is located abutting this tract. The office area will be designed to have connectivity with the Parkland.

- Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

The Parkland is open to the public. The offices will be private. Access from the offices will be sidewalk or non-paved trails.

	For access only	Within open space
Sidewalks		
Other paved surface trail		
Unpaved Trail		
Direct Access from lots		

- Identify the public open space(s), such as a parks or trails, within 1/2 mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

This is adjacent to the Parkland for this area.

- 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.

See 3.

- 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.

The office area is being designed to access the park.

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:
Utility easements. How will your development incorporate those elements into greenbelts and trails?

Attached drawing illustrates the concept design.

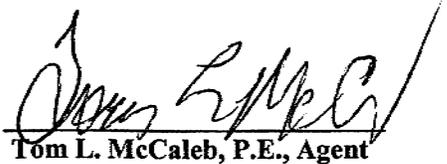
8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

This is a Greenbelt design.

9. Other comments:

None

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

Greenbelt Commission Regular Meeting

Greenbelt Case No. 11-07

Monday – March 21, 2011- 6:30 p.m.

Greenbelt Commission comments and suggestions regarding proposed development submitted for Planning Commission and City Council consideration are as follows:

This item was on the consent docket and passed unanimously with no additional comments.

Vote by Commission: Move to approve; 6-0