

CITY COUNCIL OVERSIGHT COMMITTEE MEETING

**CONFERENCE ROOM – MUNICIPAL BUILDING
201 WEST GRAY**

WEDNESDAY, APRIL 10, 2013

5:30 P.M.

- 1. DISCUSSION REGARDING IRRIGATION DISTRIBUTION SYSTEMS IN PUBLIC RIGHTS-OF-WAY.**
- 2. DISCUSSION REGARDING POSSIBLE MODIFICATIONS OF THE CITY OF NORMAN E-MAIL POLICY.**
- 3. DISCUSSION REGARDING A PROPOSED ORDINANCE ESTABLISHING AN OPEN MEETINGS POLICY.**
- 4. MISCELLANEOUS DISCUSSION.**



Date: April 4, 2013
To: Members of the Council Oversight Committee
From: Shawn O’Leary, Director of Public Works
Subject: Discussion regarding Irrigation Distribution Systems in Public Rights-of-Way

office memorandum

During its March meeting, the Council Oversight Committee discussed domestic water wells for non-potable use and related permit requirements. Specifically, the Committee discussed a request by a neighborhood association (Cascade Addition Homeowner’s Association) to install a water well for irrigation use. Staff was directed to move forward with a proposed ordinance that would modernize the City’s regulations regarding domestic water wells consistent with State law.

On Tuesday, March 26, 2013, Mr. Vince DiCastro, President of the Cascade Addition Homeowner’s Association, contacted the Public Works Department requesting permission for the HOA to install five (5) underground street crossings in the public right of way for a private irrigation system to be used by the HOA to irrigate several common areas within the residential subdivision. Cascade Addition is located south of Tecumseh Road and west of 36th Avenue NW. Mr. DiCastro related that he and his HOA Board of Directors have been working for some time on a project to convert these five irrigation “zones” located throughout the subdivision to one irrigation zone. The current five zones are served by water service lines connected to the City water system. The proposed single irrigation zone will be served by one new private water well. In order to connect the five current irrigation zones, the HOA is asking to bore 3-inch irrigation pipelines under five existing public streets.

At the request of Council Members Williams and Castleberry, the City Manager directed staff from the Public Works, Legal, Planning and Utilities Departments to research concerns and options to address the request from the Cascade HOA. Private sprinkler systems are commonly installed in the public rights-of-way without the City’s knowledge or consent, but this is the first request Staff is aware of to install a private irrigation distribution system throughout a neighborhood and requiring boring under five public streets.

The City has allowed use of the public rights-of-way in limited circumstances. Above ground encroachments into the public rights-of-way have been allowed upon execution of a revocable license. Council approved GID-1213-8 in August 2012 for a revocable license allowing the placement of archways within the right of way at the entrance to Fountain View Addition. Council has also approved revocable licenses for patios located within the public right of way for La Baguette, In the Raw, and Blackbird Gastropub. In all of these examples, the City’s interests were protected by the language in the license. The essential terms of the licenses were as follows:

- The City was required to inspect and approve plans for the encroachments
- The City was allowed to inspect the encroachments any time after construction to ensure they were being maintained in a safe, sanitary and sightly condition.
- The licensee agreed that the City and any other franchised utilities may do work in the right of way and will not be liable for any damage to the licensee's improvements located within the right-of-way.
- The licensee agreed to indemnify, hold harmless, and defend the City against all actions or causes of actions, claims, liability, loss, damage or expense.

Additionally, an annual license fee is required.

Requests for below-ground encroachments into the right-of-way by entities other than franchised utilities are rare. In 2009, Chickasaw Telecommunications and Norman Regional Health System applied for Revocable Utility Installation Permits to install fiber optic conduit in the public right-of-way connecting the Hospital's main campus at Robinson and Porter with the west campus at 36th Avenue West and Tecumseh Road. The permit contained special conditions to protect the City's interests including:

- Submittal of half size (11"x 17") plans and digital as-builts
- Traffic controls where necessary during work in the right of way
- Permittee required to leave property above in solid and safe conditions, and restore all sodded areas to original condition
- Permittee required to indemnify, protect and save harmless the City against any and all damages, claims, demands, suits, actions and causes of action.

Additionally, the following items are required with the application for the permit:

- Signed and sealed construction plans
- Proof of insurance policy (original) with standard comprehensive public liability coverage, including contractual liability insurance, covering bodily injuries and property damage naming the applicant/permittee and the City of Norman as co-insured, issued by an insurance company authorized to do business within the state of Oklahoma.
- Payment of a permit fee
- Letters of no objections from other franchised utilities in the right-of-way

If Council desires to move forward with a policy that allows private homeowner's associations to locate irrigation distribution systems in the public rights-of-way, the revocable permit may be a viable option to protect the City's interests. Additionally, Council may want to consider requiring the Permittee to participate in the One Call system to ensure both the City and the Permittee that work done within the right of way will not interfere with the irrigation lines.

A sample Application for Revocable Utility Installation is attached for your review. Staff will be available at the Council Oversight Committee meeting on April 10, 2013 to answer any questions you may have.

Attachment: Sample Application for Revocable Utility Installation
Map for Proposed Cascade HOA project

cc: Steve Lewis, City Manager
Kathryn Walker, Assistant City Attorney
Ken Komiske, Director of Utilities
Susan Connors, Director of Planning/Community Development
Scott Sturtz, City Engineer

**APPLICATION DIRECTIONS FOR REVOCABLE UTILITY INSTALLATION
PERMIT IN PUBLIC RIGHTS OF WAY AND EASEMENTS**

1. Submit four (4) completed revocable utility installation permit application forms executed and containing original signature of the president or vice-president of the company. If signed by an agent other than the president or vice-president of the company, a power of attorney statement as filed of record in Cleveland County, Oklahoma is required.
2. Submit three (3) copies of detailed construction drawings signed and sealed by a professional engineer. Plans should show the property lines, all existing utility lines, curb, centerline of streets, right of way widths, utility and or drainage easements, driveways, and/or sidewalks, and the proposed alignment of the line. Dimensions should be included to show the relationship of the proposed improvements, curb line, property line and centerline of adjacent streets. Other dimensions, as applicable, should be shown in developed areas of the City. Standard plan and profile sheets are required.
3. Should a utility line during its course cross more than one street right of way or public easement, include all crossings on one application. Street and driveway crossings shall be by the boring method. Cutting pavement on streets requires special approval and is an exception rather than a standard practice.
4. Submit letters of no objection from franchised utility companies.
(See "City of Norman Utility Contacts")
5. Submit with the application a check payable to the City of Norman in the amount set forth in Section 3001.8 of the City of Norman STANDARD SPECIFICATIONS AND CONSTRUCTION DRAWINGS as amended.
6. Submit proof of insurance policy (original) with standard comprehensive public liability coverage, including contractual liability insurance, covering bodily injuries and property damage naming the applicant/permittee and the City of Norman as co-insured, issued by an insurance company authorized to do business within the state of Oklahoma.
7. As soon as staff is available, the location of the proposed utility line(s) will be field checked and plans will be reviewed by other city departments responsible for potentially effected public facilities.
8. After the review process is completed, the fee paid and any deficiencies are corrected, the permit will be issued.

CITY OF NORMAN — REVOCABLE UTILITY INSTALLATION PERMIT

Permit No. _____

Location: _____

Applicant: _____ Phone: _____

Business Address: _____ Constr. Cost \$ _____

Fee \$ _____

(schedule on back)

The description of proposed utility line is as follows:

SAMPLE

The work authorized by this permit shall be complete on or before _____
(Date inserted by City)

The location and depth of proposed line and all existing utilities are shown on the attached plans. It is mutually agreed the Special conditions *(on back)* for issuance of City of Norman – Revocable Utility Installation Permit apply to this permit.

Signature of Applicant
(President/Vice President/Other w/Power of Attorney)

Approved by

Date

Special conditions for issuance of City of Norman – Revocable Utility Installation Permit

This permit is made by the City of Norman (City) and accepted by said Company or their assignee upon the terms set forth herein and subject to the following conditions:

1. The method of construction of said line along, over and across the property above described shall be subject to the approval of the City Engineer. Said line shall be constructed at such grade that the top thereof shall not be less than forty-eight (48) inches below the surface of said property as above described as not located, and shall thereafter be maintained at such grade.
2. Said lines shall be constructed, repaired, and renewed and maintained by the Company, at the Company's sole cost and expense, in a safe, proper and workmanlike manner, and at such times and in such manner as not to prevent or interfere with the safe, proper and convenient movement of traffic along, over and across said property above described.
3. The Company agrees that it will at all times hereafter indemnify, protect and save harmless the City of Norman from and against any and all damages, claims, demands, suits, actions, and causes or action arising from or growing out of all injuries to or deaths of persons, or loss or destruction of or damage to property, caused or contributed by the negligence or default of Company, its contractors, agents, or employees, in the construction, maintenance, operation, altering, repairing or renewing of said line.
4. The company shall backfill all trenches, fill all holes caused by shrinkage, remove all excess dirt, and leave the property above described in a solid and safe condition. The Company shall restore all sodded areas to its original condition by placing slab sod on all disturbed area and subject to the inspection and approval of the City Engineer. If the Company shall fail to make any repairs or to any work required of said Company by the provisions of this permit within ten (10) days after receipt of written notice from the City calling attention thereto and requesting such repairs or work to be done, then the City shall have the right to make such repairs or do such work at the expense of the Company, and the Company shall reimburse the City for the cost and expense of such repairs or work promptly upon receipt of a bill therefore from the City.
5. This permit shall inure to the benefit of the successors; lessees and assigns of the Company hereto only upon consent thereto in writing duly executed by the City.
6. It is understood and agreed by the parties hereto that this permit to the Company is subject to any and all Ordinances now in force or hereafter enacted by the City and to any and all existing rights of any public utility under and by virtue of permits or franchises heretofore granted and executed by said City, and that this permit is revocable at any time by the City upon notice thereof to the Company. All other permits as required by other government bodies or agencies will be required (i.e. Oklahoma Department of Transportation, BNSF Railroad, Cleveland County, etc).
7. It is further expressly agreed that the Company will commence said work within ten (10) days of the date hereof and will prosecute the same vigorously and continuously and complete same on or before the date stipulated in the permit.
8. Where openings are made in or adjacent to any street, alley or public right of way, the Company shall, at his own expense, furnish such barricades, fences, lights and danger signals, shall provide such watchmen, and shall take such other precautionary measures for the protection of persons, or property, as are necessary. Design of the traffic controls must be submitted to and approved by the City of Norman Traffic Engineer.

Neither the materials excavated nor machinery used in the construction of the work shall be placed so as to endanger the work, or prevent free access to all water valves, gas valves, manholes, or electric, telephone or telegraph conduits, or fire alarms or police call boxes in the vicinity. The City reserves the right to remedy a neglect on the part of the Company as regards to protection of the work at the Company's expense.
9. It is expressly agreed that in the event the City revokes this permit or directs Company to relocate all or a portion of the line(s) authorized under this permit, Company will, at its sole expense, remove or relocate its line(s) as directed by City.
10. All street crossings will require dry boring and/or tunneling below the street surface (minimum 48"), unless special permission is received from the City Engineer to open-cut.
11. Should the Company lease, rent or sell capacity to any conduit inner duct it owns that is installed on public rights of way controlled by the City of Norman, for any revenue generating purpose, then Company shall pay to the City a fee equal to 5% of the Gross Revenues earned there from which are allocable to said conduit. For example, if Company sells capacity in 100 miles of conduit for \$50,000, and 90 miles of that route is located within the right of way owned by the City of Norman, the Company shall tender a franchise fee to the City equal to \$2,250. That sum is calculated by determining the percentage of the route that is located in Norman controlled right of way (90%), multiplying that by the revenue generated on the route (\$50,000), and then multiplying that by the 5 percent franchise fee ($\$2,250 = (90/100) * \$50,000 * .05$). Company shall notify City within ten (10) days of any activity subject to the foregoing and shall remit the fee due hereunder within forty-five (45) days of said occurrence.
12. This permit authorizes Company to use and occupy a portion of certain streets, alleys, easements and other public right-of-ways, for the location of its line(s) in a manner which will not interfere with the public use of said rights of way.
13. It is expressly understood, that this permit conveys no property interest in or to any street, alley, easement or other public right of way subject hereto.
14. Issuance of this permit does not constitute any express or implied warranties as to the legal title to, right to legal possession or the physical condition of any property subject to this permit.
15. Half size (11" x 17") and digital As-Builts are required.
16. Permit Fee Schedule As of April 28, 1998 the adopted fees for permit are:

Cost of Construction Fee		Maximum
Up to \$2,000*	4.25%	\$ 84.80
\$2,001 to \$5,000	3.60%	\$108.00
\$5,001 to \$10,000	3.03%	\$151.00
\$10,001 to \$25,000	2.42%	\$363.00
\$25,001 to \$50,000	1.82%	\$455.00
Over \$50,000	1.21%	

*Minimum charge \$15.00 Inspection fee \$7.50 per inspection or reinspection.

**CITY OF NORMAN
UTILITY PROJECTS**

COX
Jodie Finney
6301 Waterford Blvd. Suite 200
Oklahoma City, OK 73118
jodie.finney@cox.com

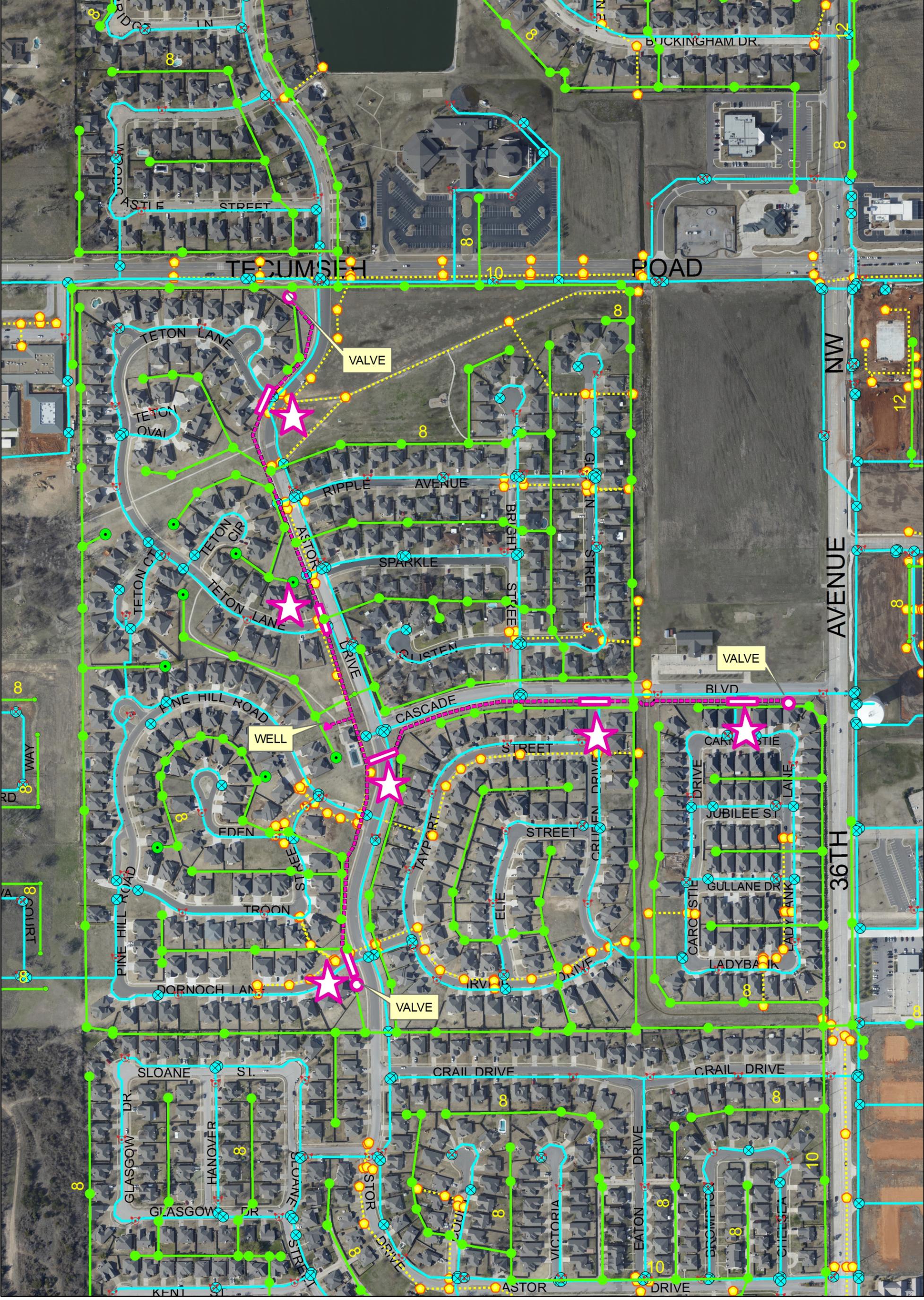
Oklahoma Electric Cooperative
Thad Peterson
OEC
PO Box 1028
Norman, Oklahoma 73070
tpeterson@okcoop.org

OGE
Tim Bailey
PO Box 321
Oklahoma City, Oklahoma 73101-0321
baileytj@oge.com

Oklahoma Natural Gas
Jay Sullivan
ONG
625 N. Berry
Norman, OK 73069
jsullivan@oneok.com

AT&T
Terri Hayes
6100 S. Walker
Oklahoma City, OK 73109
terri.hayes@att.com

Contractor shall call OKIE two days prior to starting to dig.
OKIE: 840-5032



- Legend**
- San Swr Manhole
 - San Swr Main
 - ⊗ Fire Hydrant
 - Water Main
 - ⊗ Water Valve
 - Storm Swr Point
 - Storm Swr Line
 - ★ STREET BORE

Map produced by the City of Norman
Geographic Information System.
The city of Norman assumes no
responsibility for errors or omissions
in the information presented.

N
1 inch = 300 feet



Date: April 4, 2013
To: City Council Oversight Committee
From: Rickey J. Knighton II, Assistant City Attorney, *RJ*
Kari Madden, Network Manager *KM*
Thru:
Subject: Resolution No. R-1112-9

Background:

On July 12, 2011, Council adopted Resolution No. R-1112-9 regarding requirements for keeping City of Norman records. The Oversight Committee Chair has asked for a review of how this Resolution has been implemented and its impact on City operations. A review of records required to be kept under state law is outlined below. Then, additional information regarding the implementation of Resolution No. R-1112-9 and its impact on City operations follows.

A. 51 O.S. § 24A.1 *et seq.*

The Oklahoma Open Records Act, 51 O.S. § 24A.1, *et seq.* (ORA), does not impose any additional recordkeeping requirements on public bodies or public officials, except as may be required in 51 O.S. § 24A.4. The only records required to be kept and maintained in § 24A.4 are complete records of the receipt and expenditure of any public funds reflecting all financial and business transactions relating thereto. 51 O.S. § 24A.4. The ORA is silent on the issue of disposal of records required to be kept and maintained in § 24A.4.

B. 11 O.S. § 22-131

Section 22-131 of Title 11 of the Oklahoma Statutes permits a municipal governing body to destroy, sell for salvage or otherwise dispose of the following papers, documents and records after the expiration of the specified period of time following the end of the fiscal year in which the paper, document or record was created, except as otherwise specified:

1. One (1) year: parking citations may be destroyed or otherwise permanently disposed of one (1) year after the date of issuances;
2. Two (2) years: municipal court warrants, water, sewer, garbage and utility receipts and statements, which have been previously audited; inspection records relating to water meters and sewer inspections; miscellaneous petitions and letters addressed to the governing body on matters other than pertaining to the items hereinafter set forth; utility billing ledger or register; utility cash receipts ledger or register; and utility accounts receivable ledger or register. Fire run contracts may be destroyed or otherwise disposed of two (2) years after their expiration;
3. Five (5) years: successful and unsuccessful bids for the purchase or furnishing of equipment, material and improvements; inspection records except as provided for in paragraph 2 of this section; claims that have been denied; license applications;

bonds; special, primary and general election payrolls; election tabulations and returns; withholding statements; garnishment records; traffic tickets and receipts; bond receipts and fine receipts; information and complaints; court dockets; paid general obligation and revenue bonds; paid street improvement, sewer and sidewalk district bonds; warrants; claims; checks; vouchers; purchase orders; payrolls;

4. Ten (10) years: inventories; appropriation ledgers; sidewalk assessment records, except payment records; cash receipt book or register for the general fund, the street and alley fund, any bond fund or sinking fund and all other trust funds that have been audited; and
5. Fifteen (15) years: sewer and improvement district records, except payment records.

Section 22-131 prohibits disposal of records pertaining to pending litigation until such litigation is finally terminated and shall not be construed to authorize or allow the destruction of any testing laboratory results or the inspection records of public improvements of a municipality. 11 O.S. § 22-131(A). Time limits for the destruction, sale, or other disposition of municipal papers, documents and records which are not mentioned in § 22-131(A) may be determined and set by ordinance or resolution of the municipal governing body. 11 O.S. § 22-131(B).¹

C. Resolution No. R-1112-9

On July 12, 2011, Council adopted Resolution No. R-1112-9. Section 6 of this Resolution states:

That all records, written and electronic, shall be retained for at least 1 year unless there is pending litigation, in which case it will be retained for at least 2 years after the ultimate disposition or the resolution of the litigation.

¹ There are a number of federal provisions that require records to be maintained. For example: (1) Equal Opportunity Employment Commission Regulations require that employers keep all personnel or employment records for one year; if an employee is involuntarily terminated, his/her personnel records must be retained for one year from the date of termination; (2) the Age Discrimination in Employment Act requires that employers must also keep all payroll records for three years; additionally, employers must keep on file any employee benefit plan (such as pension and insurance plans) and any written seniority or merit system for the full period the plan or system is in effect and for at least one year after its termination; and (3) the Fair Labor Standards Act requires employers must keep payroll records for at least three years; in addition, employers must keep for at least two years all records (including wage rates, job evaluations, seniority and merit systems, and collective bargaining agreements) that explain the basis for paying different wages to employees of opposite sexes in the same establishment.

This Resolution was brought forward to Council with little or no committee work. Historical perspective or intent of the provision is difficult to determine. It is not clear whether the Resolution was adopted for a narrow purpose aimed primarily at electronic mail, under the authority set forth in 11 O.S. § 22-131(B) to provide guidance for when public records not otherwise specified in the statute can be disposed of or a much broader purpose. Out of an abundance of caution, Staff has chosen to interpret the Resolution broadly. This approach has actually imposed additional recordkeeping requirements on the City. Staff has attempted retaining emails and all other documents under this Resolution. Staff recommends that Council consider clarification of the intent of Resolution R-1112-9 regarding the following issues.

1. Intent of Resolution No. R-1112-9

It would help staff to craft policy drafts, plan for computer storage, and work toward the most cost effective manner in which to implement the policy if additional clarity were provided concerning the intent of Resolution No. R-1112-9. For example, if the intent was to ensure documents or electronic mail that relate to developing policy or that are relevant to significant city issues, then perhaps a qualifier of only City Manager documents or electronic mail be retained under the policy as those documents not already required to be retained by state law. If the range of documents retained needs to be broader to accomplish the intent of Resolution No. R-1112-9, then perhaps it should apply to documents from or copied to the City Manager or Department Heads. Some limiting identifiers that would reduce the number of documents or electronic mail to be retained would assist staff in the planning for future compliance with the intent of the Resolution.

2. Junk Electronic Mail and Junk Facsimile

Because of advances in technology, electronic storage of data has become more manageable than what was anticipated in July of 2011. However, even with being able to handle a broad interpretation of Resolution No. R-1112-9 since its passage, significant storage costs can be anticipated in future years as electronic media usage increases. Unfortunately, the City's electronic mail server and facsimile machines are not immune from unwanted transmissions. City employees often receive unsolicited electronic mail and the City's facsimile machines often received unsolicited facsimiles. As written, a broad interpretation of Resolution No. R-1112-9 requires that these records be maintained for at least one year even though they do not concern public business. Based on the current rate of growth, the Information Technology division has determined that additional storage capacity will be needed in the near future at a cost of approximately \$16,000. Because of difficulty filtering contents of electronic mail for deletion, the recommended approach for this issue is to allow individual users to delete these types of electronic mail at the end of each day.

3. Digital Conversion

A broad interpretation of Resolution No. R-1112-9 also discourages converting original records to a format which offers convenience of storage. The language set forth in 11 O.S. § 22-132 has been construed to permit original public records to be disposed of if they are converted to a digital format that can be reproduced accurately in all details. A broad interpretation of Resolution No. 1112-9 discourages converting original records to a format which offers

convenience of storage because both the original and the digital versions must be kept for at least one year. Clarification that original records converted to a digital format consistent with 11 O.S. § 22-132 could then be disposed of would alleviate retention of duplicate records.

4. Pending Litigation

The language of Resolution No. R-1112-9 prohibits the disposal of written and electronic records if there is “pending litigation” for at least 2 years after the ultimate disposition or the resolution of the litigation. Because the City always had pending litigation, a broad interpretation of Resolution No. R-1112-9 prohibits disposal of any written or electronic records. Clarification of the intent of Resolution R-1112-9 will provide staff with better guidance the records that must be retained when litigation is pending. A reasonable approach would be to acknowledge that the City is subject to the standard for records pertaining to litigation set forth in 11 O.S. § 22-131.

Recommendation:

Over 1½ years have elapsed since adoption of Resolution R-1112-9. From experience working with the Resolution, it appears some clarification or refinement is recommended. State and federal law already impose extensive document and record keeping requirements. If the goal is to ensure retention of City electronic mail or other documents that related to policy formation or implementation or other significant City issues that are not already required to be retained by state and federal law, then perhaps a qualifier regarding additional retention could be considered. Without such a modification, City staff must continue to retain junk email, junk facsimiles, duplicate copies of the same document, and grapple with whether to dispose of any documents at all so long as some litigation is pending against the City. Staff is ready to work on additional ideas or suggestions that may be conceived should Council opt to more clearly articulate the objectives of Resolution No. R-1112-9.

Reviewed by: Steve Lewis, City Manager
Anthony Francisco, Director of Finance
Jeff Bryant, City Attorney



DATE: April 3, 2013
TO: Members of the Council Oversight Committee
THROUGH: Jeff H. Bryant, City Attorney *JHB*
FROM: Kathryn L. Walker, Assistant City Attorney *KLW*
RE: Ordinance Codifying the Open Meetings Act

Background

The Oklahoma Open Meetings Act (25 O.S. §301 et seq.) sets forth requirements that a “public body” must follow related to disseminating information about its meetings in way that will “encourage and facilitate an informed citizenry’s understanding of the governmental processes and governmental problems”. *Id.* at §302. The term “public body” as defined in the Open Meetings Act does not encompass all of the City’s committees.

In 2002, Council adopted Resolution No. R-0102-110 to specifically require the Citizens Oversight Committee, Wastewater Master Plan Implementation Committee, and the Northside Wastewater Site Selection Review Committee to follow the provisions of the Open Meeting Act. In 2011, Council adopted Resolution No. R-1112-9 to require all committees, sub-committees and ad hoc committees to following the Open Meeting Act and a state law provision (74 O.S. §3106.2) that requires meeting agendas to be posted on the City’s website.

Chairperson Kovach has requested that Staff prepare an ordinance which would ensure that all boards, commissions, committees, sub-committees, and ad hoc committees of the City of Norman comply with the Open Meeting Act and with 74 O.S. §3106.2.

Discussion

The attached ordinance would add a section to Chapter 4 of the Code of the City of Norman to clearly express this intent. Under proposed Section 4-107(a), all City of Norman boards, commissions, committees, sub-committees, and ad hoc committees would be required to follow the provisions of the Open Meeting Act. Under proposed Section 4-107(b), those same entities would be required to follow the provision found in Title 74 related to posting the meeting agendas on the City website.

Staff will be available at the Oversight Committee on April 10, 2013 to discuss the ordinance and answer any questions you may have.

office memorandum

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 MAKING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES SUBJECT TO THE OPEN MEETINGS ACT AND OTHER STATE PROVISIONS RELATED TO MEETING POSTINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 4-107 of Chapter 10 of the Code of the City of Norman shall be added to read as follows:

Sec. 4-107. Meeting notices.

(a) All boards, commissions, committees, sub-committees and ad hoc committees of the City of Norman shall follow the provisions of the Open Meeting Act (25 O.S. 301 et seq.) when posting meeting notices and agendas.

(b) All boards, commissions, committees, sub-committees and ad hoc committees of the City of Norman shall follow the state law provisions (currently codified at 74 O.S. 3106.2) related to posting meeting notices on the City of Norman website.

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

ADOPTED this _____ day of _____, 2013.

NOT ADOPTED this _____ day of _____, 2013.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk