City of Norman, OK

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

City Council Meeting

Tuesday, July 10, 2012

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 Greg Jungman
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
Council Member Chad Williams

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

1 **Roll Call**

2 **Pledge of Allegiance**

3 GID-1213-3 APPROVAL OF THE MINUTES AS FOLLOWS:

VOLUNTEER RECOGNITION RECEPTION MINUTES OF JULY 3, 2012
CITY COUNCIL MINUTES OF JULY 3, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 3, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 3, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 3, 2012

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.

ACTION TAKEN: _____

Attachments: July 3 Board and Commissions Minutes
July 3 CC Minutes

4 P-1213-1 PROCLAMATION NO. P-1213-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2012, AS WATER'S WORTH IT™ MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-1 proclaiming the month of July, 2012, as WATER'S WORTH IT Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Attachments: Water's Worth It Month

5 Consent Docket

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 6 through Item 52 be placed on the consent docket.

ACTION NEEDED: Motion to place Item through Item on the Consent Docket by unanimous vote.

ACTION TAKEN:

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN:

6 **O-1112-37** CONSIDERATION OF ORDINANCE NO. O-1112-37 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 PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE).

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-37 upon First Reading by title.

ACTION TAKEN: _____-

Attachments: Text File O-1112-37
O-1112-37 Shannon
Cobblestone PUD Location Map
Cobblestone PUD Narrative
Cobblestone Creek Prelim Plat
Cobblestone Creek Prelim Site Dev Plan
Cobblestone Creek PUD Staff Report Revd
Item 6 - Protest-Support map and letter
6-14-12 PC Minutes - Cobblestone

7 **O-1112-41** CONSIDERATION OF ORDINANCE NO. O-1112-41 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 SCHOOL ON PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, AND PROVIDING FOR THE SEVERABILITY THEREOF. (3106 BROCE DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-41 on First Reading by title.

ACTION TAKEN: _____

Attachments: Text File O-1112-41
O-1112-41 Community Christian School
CCS Location Map
CCS Staff Rpt
CCS Site Devel Plan
CCS Plan
PD 12-10 Community Christian School - Broce Drive
Item 8 - Protest Map and letter
6-14-12 PC Minutes - CCS

8 **O-1112-42** CONSIDERATION OF ORDINANCE NO. O-1112-42 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 PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE A-2, RURAL AGRICULTURAL DISTRICT, AND REMOVE THE SAME FROM THE A-1, GENERAL AGRICULTURAL DISTRICT, OF SAID CITY; AND TO GRANT SPECIAL USE FOR A RIDING ACADEMY AND PUBLIC STABLE ON AID PROPERTY TO BE ZONED A-2, RURAL AGRICULTURAL DISTRICT; AND PROVING FOR TH SEVERABILITY THEREOF. (8809 ALAMEDA DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-42 upon First Reading by title.

ACTION TAKEN: _____

Attachments: Text File O-1112-42
O-1112-42 Jennifer Ladd
Ladd Location Map
Jennifer Ladd Riding Stable Staff Rpt
Ladd Site Plan
Ladd PD 12-05
Item 9 - Protest Map and letter
6-14-12 PC Minutes - Ladd

9 **O-1112-43** CONSIDERATION OF ORDINANCE NO. O-1112-43 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 PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-43 upon First Reading by title.

ACTION TAKEN: _____

Attachments: Text File O-1112-43
Brookhaven 41 Rezone Location
Brookhaven 41 Cies Staff Rpt
Brookhaven 41 PUD Narrative
Brookhaven 41 Prelim Site Dev Plan
6-12-14 PC Minutes - Brookhaven 41

10 **AP-1213-7** CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE
TERM: 07-10-12 TO 02-13-13: MICHELLE CARR, 1319 ANN ARBOR DRIVE

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 07-10-12 TO 10-27-12: ODETTE HORTON, 318 COLLEGE AVENUE

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Attachments: Text File Appt

11 AP-1213-6 CONSIDERATION OF THE MAYOR'S APPOINTMENTS TO THE STRATEGIC WATER SUPPLY CITIZENS COMMITTEE AS FOLLOWS:

BOB THOMPSON, WARD ONE
MATTHEW LEAL, WARD TWO

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Attachments: Text File Appointments to SWSCC

12 RPT-1213-1 SUBMISSION OF THE NORMAN REGIONAL HEALTH SYSTEM 2013 BUDGET.

ACTION NEEDED: Motion to acknowledge receipt of the Norman Regional Health System 2013 Budget and direct the filing thereof.

ACTION TAKEN: _____

Attachments: Text File NRH Budget
NRH Budget

13 GID-1213-2 CONSIDERATION OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE FEE IN THE AMOUNT OF $9,810.39 IN LIEU OF TAXES PAYMENT FOR 2011.

ACTION NEEDED: Motion to approve or reject the request from the Norman Housing Authority to waive the fee in the amount of $9,810.39 in lieu of taxes payment for 2011.

ACTION TAKEN: _____

Attachments: Text File NHA
Letter from NHA
Compilation of Payment in Lieu of Taxes

14 **E-1213-1** EASEMENT NO. E-1213-1: A PERMANENT DRAINAGE EASEMENT DONATED BY IDEAL HOMES OF NORMAN, L.P., TO ALLOW ACCESS AND MAINTAIN A DRAINAGE CONCRETE FLUME IN CONNECTION WITH RED CANYON RANCH ADDITION, SECTION 2. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.E.)

ACTION NEEDED: Motion to accept or reject Easement No. E-1213-1; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Text File E-1213-1
E-1213-1
Legal Description E-1213-1
Location Map
Final Plat -Red Canyon Ranch, Sec 2

15 **E-1213-2** EASEMENT NO. E-1213-2: A PERMANENT DRAINAGE EASEMENT DONATED BY SWEETGRASS COMMUNITIES, L.L.C., TO ALLOW ACCESS AND MAINTAIN A DRAINAGE CONCRETE FLUME IN CONNECTION WITH RED CANYON RANCH ADDITION, SECTION 2. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.E.)

ACTION NEEDED: Motion to accept or reject Easement No. E-1213-2; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Text File E-1213-2
E-1213-2
Legal Description - E-1213-2
Location Map -E-1213-2
Final Plat Red Canyon Ranch 2

16 **FP-1011-5** CONSIDERATION OF A FINAL PLAT FOR MISSION NORMAN ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (2525 EAST LINDSEY STREET)

ACTION NEEDED: Motion to approve or reject the final plat for Mission Norman Addition; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.

ACTION TAKEN: _____

Attachments: Text File Mission Norman
Location map Mission Norman
Mission Norman Final Plat
Stf-rept Fina Plat-Mission Norman Addn, a PUD 09-09-10
Mission Norman Final Site Plan
Preliminary Plat Mission Norman
9-9-10 PC Minutes FP-1011-5

17 **FP-1112-1** CONSIDERATION OF A FINAL PLAT FOR SOUTH LAKE ADDITION, SECTION 12, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF CLASSEN BOULEVARD/U.S. HIGHWAY 77 SOUTH OF RENAISSANCE DRIVE).

ACTION NEEDED: Motion to approve or reject the final plat for South Lake Addition, Section 12; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of $107,191.73, and direct the filing of the final plat.

ACTION TAKEN: _____

Attachments: South Lake Location Map
South Lake Final Plat
Staff Report -South Lake
South Lake Site Plan
South Lake Prelim Plat
7-14-11 PC Minutes - South Lake

18 **FP-1112-18** CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE WEST OF 36TH AVENUE N.W. ON THE SOUTH SIDE OF TECUMSEH ROAD)

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat for Tecumseh Project Addition, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Attachments: Text File Tecumseh Project
Tecumseh Project Location Map
Tecumseh Project Final Plat
Staff Report Tecumseh Project
Tecumseh Project Final Site Plan
Tecumseh Project Prelim Plat
4-12-12 PC Minutes - Tecumseh Project

19 **EN-1112-10** CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-10 FOR LOT 20, BLOCK 1, CASTLEROCK ADDITION, SECTION 3. (4132 NICOLE PLACE)

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-10; and, if approved, direct the filing thereof with the Cleveland County Clerk Clerk.

ACTION TAKEN: _____

Attachments: Text File Encroachment
EN-1112-10
Clerk Memo
Parrott Request Letter and Backup
Memo from Utilities Dept
Memo from Planning
Memo from Public Works
Letters from Utilities

20 **K-0910-53 Amend2**

AMENDMENT NO. TWO TO CONTRACT NO. K-0910-53: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER, L.L.C., INCREASING THE CONTRACT AMOUNT BY $72,700 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE WATER RECLAMATION FACILITY ENERGY AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) IMPROVEMENTS PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Two to Contract No. K-0910-53 with Garver, L.L.C.; and, if accepted authorize the execution thereof and appropriate $72,700 from the Wastewater Fund Balance, (032-0000-253.00-00) to Project No. WW0052, SCADA, Design (032-9911-432.62-01).

ACTION TAKEN: _____

Attachments: Text File Garver Amendment
Amendment 2 to K-0910-53
PO 178731 CO2

21 **K-1011-2 CO3F**

CHANGE ORDER NO. THREE TO CONTRACT NO. K-1011-2: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY $44,784.50 FOR THE FYE 2010 SEWER MAINTENANCE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Change Order No. Three with Urban Contractors, L.L.C., increasing the contract by $44,784.50; and, if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of $52,707.96 to Urban Contractors, L.L.C.

ACTION TAKEN: _____

Attachments: Text File Urban
Change 3 K-1011-2
PO 190050 CO3 & Final

22 **K-1213-4**

CONTRACT NO. K-1213-4: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICES, AND WILDLIFE SERVICES IN THE AMOUNT OF $12,500 FOR THE CONTROL OF AQUATIC RODENTS.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-4 with the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services in the amount of $12,500; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: K-1213-4

Aquatic Rodents PR

23 **K-1213-5**

CONTRACT NO. K-1213-5: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INFRASTRUCTURE MANAGEMENT SERVICES, INC., (IMS) IN AN AMOUNT NOT-TO-EXCEED $39,934 TO DEVELOP A PAVEMENT MANAGEMENT PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2013.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-5 with IMS in an amount not-to-exceed $39,934; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: Text File Pavement

Engineering Services, I M S K-1213-5

Pavement PR

24 K-1213-6

CONTRACT NO. K-1213-6: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO PROVIDE FUNDING IN THE AMOUNT OF $10,000 AS A PART OF THE UNIFIED PLANNING WORKS PROGRAM (UPWP) FOR THE COLLECTION OF TRAFFIC DATA AND THE PREPARATION OF TRAVEL TIME/DELAY STUDIES AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-6 with ACOG to provide funding in the amount of $10,000 as part of the UPWP Program; and, if approved, authorize the execution thereof and upon reimbursement of the funds increase the Special Revenue Fund Balance (022-0000-253.20-00) by $10,000 and appropriate $10,000 to Maintenance Supplies/Traffic Signal Parts (022-5023-429.32-12).

ACTION TAKEN: _____

Attachments: Text File ACOG
K-1213-6 ACOG

25 K-1213-28

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE CENTER FOR CHILDREN AND FAMILIES, INC., AND APPROVAL OF CONTRACT NO. K-1213-28 IN THE AMOUNT OF $90,000.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-28 with the Center for Children and Families, Inc., in the amount of $90,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: Text File CCFI
Letter from CCFI
K-1213-28
March 14 Finance Comm Minutes
PR CCFI

26 **K-1213-30** CONTRACT NO. K-1213-30: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. SEC1702Y-114A(191)HP, JOB NO. 09034(05) FOR THE INSTALLATION OF HIGHWAY LIGHTING ALONG I-35 FROM INDIAN HILLS ROAD SOUTH TO MAIN STREET AND ADOPTION OF RESOLUTION NO. R-1213-13.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-30 with ODOT; and if approved, adopt Resolution No. R-1213-13 and authorize the execution of the contract and resolution.

ACTION TAKEN: _____

Attachments: Text File K-1213-30
K-1213-30 & R-1213-13
I35LightingPhasesMap

27 **K-1213-33** CONTRACT NO. K-1213-33: A CONTRACT BY AND BETWEEN THE UNIVERSITY OF OKLAHOMA (OU)/CART IN THE AMOUNT OF $460,500 FOR TRANSPORTATION SERVICES THROUGH JUNE 30, 2013.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-33 with OU/CART; and, if approved, authorize execution of the contract and direct payment in the amount of $460,500 to OU/CART.

ACTION TAKEN: _____

Attachments: Text File OU CART
K-1213-33 with List of Cart Bus Stops

28 **K-1213-35** CONTRACT NO. K-1213-35: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MCCLAIN BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR PROPERTY LOCATED AT 1213 ERIE AVENUE.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-35 with State Farm Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: _____

Attachments: Text File K-1213-35
K-1213-35

29 **K-1213-36** CONTRACT NO. K-1213-36: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE OKLAHOMA WATER RESOURCES BOARD AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $5,600 FOR THE MUSTANG ROAD AND INTERSTATE 35 (I-35) GAUGING STATIONS ALONG THE SOUTH CANADIAN RIVER THROUGH JUNE 30, 2013.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1213-36 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of $5,600 through June 30, 2013; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: Text File K-1213-36
K-1213-36

30 **K-1213-7** CONTRACT NO. K-1213-7: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE METROPOLITAN FAIR HOUSING COUNCIL, INC., IN THE AMOUNT OF $20,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND THE HOME PARTNERSHIP PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-7 with the Metropolitan Fair Housing Council, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $20,000.

ACTION TAKEN: _____

Attachments: Text File Metro Fair Housing
K-1213-7 Metro Fair Housing
1213 CDBG funding with descriptions
Meto Fair Housing PR

31 **K-1213-8** CONTRACT NO. K-1213-8: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY AFTER SCHOOL PROGRAM, INC., IN THE AMOUNT OF $8,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-8 with Community After School Program, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $8,000.

ACTION TAKEN: _____

Attachments: Text File Comm After School
K-1213-8 Community After School
1213 CDBG funding with descriptions
Comm After School PR

32 **K-1213-9** CONTRACT NO. K-1213-9: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) IN THE AMOUNT OF $400 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-9 with Central Oklahoma Community Action Agency, Inc. for the RSVP Program; and, if approved, authorize execution of the contract and direct payment in the amount of $400.

ACTION TAKEN: _____

Attachments: Text File RSVP COCCA
K-1213-9 COCCA RSVP
1213 CDBG funding with descriptions
COCCA PR 3 contracts

33 **K-1213-10** CONTRACT NO. K-1213-10: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE NORMAN TRANSITIONAL HOUSING PROGRAM IN THE AMOUNT OF $20,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-10 with Central Oklahoma Community Action Agency, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $20,000.

ACTION TAKEN: _____

Attachments: Text File COCCA Transitional Housing
K-1213-10 COCCA Trans Housing
1213 CDBG funding with descriptions
COCCA PR 3 contracts

34 **K-1213-11** CONTRACT NO. K-1213-11 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE FOOD CLOSET IN THE AMOUNT OF $10,620 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-10.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-11 with Central Oklahoma Community Action Agency, Inc., for the Food Closet in the amount of $10,620; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-10, and direct payment in the amount of $10,620.

ACTION TAKEN: _____

Attachments: Text File COCCA Food Closet
K-1213-11 COCCA Food Closet
R-1213-10 COCCA
1213 CDBG funding with descriptions
COCCA PR 3 contracts

35 **K-1213-12** CONTRACT NO. K-1213-12 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HEALTH FOR FRIENDS, INC., IN THE AMOUNT OF $14,500 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-11.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-12 with Health for Friends, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-11, and direct payment in the amount of $14,500.

ACTION NEEDED: _____

Attachments: Text File HFF
K-1213-12 HFF
R-1213-11 HFF
1213 CDBG funding with descriptions
HFF PR

36 **K-1213-13** CONTRACT NO. K-1213-13: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PROGRESSIVE INDEPENDENCE, INC., IN THE AMOUNT OF $4,100 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-12.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-13 with Progressive Independence, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-12, and direct payment in the amount of $4,100.

ACTION TAKEN: _____

Attachments: K-1213-13 Progressive Independence
R-1213-12 Progressive Independence
1213 CDBG funding with descriptions
Prog Indep PR

37 **K-1213-14** CONTRACT NO. K-1213-14 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER FOR FRIENDS, INC., IN THE AMOUNT OF $10,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-14 with Food and Shelter for Friends, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $10,000.

ACTION TAKEN: _____

Attachments: Text File FSFF
K-1213-14 FSFF
1213 CDBG funding with descriptions
FSFF PR

38 **K-1213-15** CONTRACT NO. K-1213-15: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNIVERSITY OF OKLAHOMA (OU)/CART IN THE AMOUNT OF $25,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-15 with OU/CART; and, if approved, authorize execution of the contract and direct payment in the amount of $25,000.

ACTION TAKEN: _____

Attachments: Text File CART
K-1213-15 CART
1213 CDBG funding with descriptions
CART PR

39 **K-1213-16** CONTRACT NO. K-1213-16: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES OF CLEVELAND COUNTY, INC., IN THE AMOUNT OF $4,800 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-16 with Aging Services of Cleveland County, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $4,800.

ACTION TAKEN: _____

Attachments: Text File Aging Services
K-1213-16 Aging Services
1213 CDBG funding with descriptions
Aging Services PR

40 **K-1213-17** CONTRACT NO. K-1213-17: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FULL CIRCLE SENIOR ADULT DAY CENTER, INC., IN THE AMOUNT OF $1,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-13.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-17 with Full Circle Adult Day Center, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-13, and direct payment in the amount of $1,850.

ACTION TAKEN: _____

Attachments: Text File Full Circle
K-1213-17 Full Circle
R-1213-13 Full Circle
1213 CDBG funding with descriptions
Full Circle PR

41 **K-1213-18** CONTRACT NO. K-1213-18: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY SERVICES BUILDING, INC., IN THE AMOUNT OF $24,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-14.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-18 with Community Services Building, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-14, and direct payment in the amount of $24,000.

ACTION TAKEN: _____

Attachments: Text File CSBI
1213 CDBG funding with descriptions
K-1213-18 CSBI
R-1213-14 CSBI
CSBI PR

42 **K-1213-19** CONTRACT NO. K-1213-19: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BETHESDA, INC., IN THE AMOUNT OF $1,900 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-15.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-19 with Bethesda, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-15, and direct payment in the amount of $1,900.

ACTION TAKEN: _____

Attachments: Text File Bethesda
K-1213-19 Bethesda
R-1213-15 Bethesda
1213 CDBG funding with descriptions
Bethesda PR

43 **K-1213-20** CONTRACT NO. K-1213-20: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MEALS ON WHEELS OF NORMAN, INC., IN THE AMOUNT OF $12,500 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-20 with Meals on Wheels of Norman, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $12,500.

ACTION TAKEN: _____

Attachments: Text File MOW
K-1213-20 Meal on Wheels
1213 CDBG funding with descriptions
MOW PR

44 **K-1213-21** CONTRACT NO. K-1213-21: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THUNDERBIRD CLUBHOUSE BOARD, INC., IN THE AMOUNT OF $1,675 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-21 with Thunderbird Clubhouse Board, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $1,675.

ACTION TAKEN: _____

Attachments: Text File T Bird
K-1213-21 Thunderbird
1213 CDBG funding with descriptions
Thunderbird PR

45 **K-1213-22** CONTRACT NO. K-1213-22: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNITED WAY OF NORMAN IN THE AMOUNT OF $5,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-16.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-22 with United Way of Norman; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-16, and direct payment in the amount of $5,000.

ACTION TAKEN: _____

Attachments: Text File United Way
K-1213-22 United Way
R-1213-16
1213 CDBG funding with descriptions
United Way PR

46 **K-1213-23** CONTRACT NO. K-1213-23: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE AMONG FRIENDS ACTIVITY CENTER, INC., IN THE AMOUNT OF $2,600 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-23 with Among Friends Activity Center, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $2,600.

ACTION TAKEN: _____

Attachments: Text File Among Friends
K-1213-23 Among Friends
1213 CDBG funding with descriptions
Among Friends PR

47 **K-1213-24** CONTRACT NO. K-1213-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF $3,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-24 with the Center for Children and Families, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $3,850.

ACTION TAKEN: _____

Attachments: Text File CCFI
K-1213-24 CCFI
1213 CDBG funding with descriptions
CCFI PR

48 **K-1213-25** CONTRACT NO. K-1213-25: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BRIDGES, INC., IN THE AMOUNT OF $1,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-17.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-25 with Bridges, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-17, and direct payment in the amount of $1,850.

ACTION TAKEN: _____

Attachments: Bridges Text File
1213 CDBG funding with descriptions
K-1213-25 Bridges
R-1213-17 Bridges
Bridges PR

49 **K-1213-26** CONTRACT NO. K-1213-26: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BIG BROTHERS AND BIG SISTERS OF OKLAHOMA, CLEVELAND COUNTY, IN THE AMOUNT OF $3,375 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-26 with Big Brothers and Big Sisters of Oklahoma, Cleveland County; and, if approved, authorize execution of the contract and direct payment in the amount of $3,375.

ACTION TAKEN: _____

Attachments: Text File BBBS
K-1213-26 BBBS
1213 CDBG funding with descriptions
BBBS PR

50 K-1213-27

CONTRACT NO. K-1213-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EAST MAIN PLACE, INC., IN THE AMOUNT OF $12,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-27 with East Main Place, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $12,000.

ACTION TAKEN: _____

Attachments: Text File East Main Place
K-1213-27 East Main Place
1213 CDBG funding with descriptions
East Main Place PR

51 K-1213-34

CONTRACT NO. K-1213-34: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MIDDLE EARTH CHILD DEVELOPMENT CENTER, INC., IN THE AMOUNT OF $1,300 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-18.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-34 with Middle Earth Child Development Center, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-18, and direct payment in the amount of $1,300.

ACTION TAKEN: _____

Attachments: Text File Middle Earth
K-1213-34 Middle Earth
R-1213 18 Middle Earth
1213 CDBG funding with descriptions
Middle Earth PR

52 R-1213-22 RESOLUTION NO. R-1213-22: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2013.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-22.

ACTION TAKEN: _____

Attachments: Letter from ACOG
911 Resolution

Non-Consent Items

53 PP-1112-13 CONSIDERATION OF A PRELIMINARY PLAT FOR EAGLE CLIFF SOUTH ADDITION. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE S.E. APPROXIMATELY ONE-HALF MILE SOUTH OF CEDAR LANE ROAD)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Eagle Cliff South Addition.

ACTION TAKEN: _____

Attachments: Text File Eagle Cliff South
Attachment A
Eagle Cliff South Location Map
Preliminary plat
Eagle Cliff South Staff Report
GBC 12-13 Eagle Cliff Addition - Comments to PC
GBC App Eagle Cliff
Eagle Cliff PD 12-11 pdf
5-10-12 PC Minutes - Eagle Cliff South

54 PP-1112-18 CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR MILLIGAN INDUSTRIAL TRACT ADDITION AND A REQUEST FOR AN EXEMPTION FROM THE WATER QUALITY PROTECTION ZONE (WQPZ) STANDARDS AND AN EXEMPTION FROM PAVING IMPROVEMENTS FOR ROCK CREEK ROAD. (GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD ON THE EAST SIDE OF THE RAILROAD TRACKS)

ACTION NEEDED: Motion to approve or reject the revised preliminary plat for Milligan Industrial Tract Addition and a request for an exemption from the WQPZ Standards and an exemption from paving improvements for Rock Creek Road.

ACTION TAKEN: _____

Attachments: Text File Milligan
Attachment A - Traffic Impact Table (Milligan Addition)
Applicable Code Provisions Variations and Exemptions
Milligan Location Map
aerial photos and site maps- Milligan Industrial Tract Addition
Rock Creek Rd-Flood to Stubbeman
Milligan Indus Tr Prelim Plat
Staff Report Milligan
Milligan Indust Tr Site Plan
Milligan WQPZ Variance Letter
Milligan WQPZ Engineer Letter
Milligan Road Deferral
6-14-12 PC Minutes - Milligan

55 **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.

56 **Adjournment**

City of Norman, OK

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

Master

File Number: GID-1213-3

File ID:	GID-1213-3	**Type:**	Minutes	**Status:**	Draft
Version:	1	**Reference:**	Item No. 3	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	06/29/2012
File Name:	Minutes			**Final Action:**	

Title: APPROVAL OF THE MINUTES AS FOLLOWS:

VOLUNTEER RECOGNITION RECEPTION MINUTES OF JULY 3, 2012
CITY COUNCIL MINUTES OF JULY 3, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 3, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 3, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 3, 2012

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.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 3

Attachments: July 3 Board and Commissions Minutes, July 3 CC Minutes

Project Manager: Brenda Hall City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1213-3

CITY OF NORMAN
VOLUNTEERS' RECOGNITION RECEPTION
MINUTES

July 3, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, attended a City of Norman Volunteers' Recognition Reception at 5:00 p.m. at the Norman Municipal Building on the 3rd day of July, 2012, and notice of the reception was posted at the Municipal Building at 201 West Gray 48 hours prior to the event. The reception was open to those who service on the City's Boards, Commissions, and Committees as well as anyone with an interest. Although this reception was not a regularly scheduled meeting of Council a quorum of Council was present; therefore, a summary of the reception was recorded as required by the Open Meeting Act.

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

Mayor Rosenthal welcomed everyone and said the City is fortunate to have many volunteers who give of their time to serve their community by participating as members on the various City Boards, Commissions, and Committees. She recognized incoming and outgoing Councilmembers and identified members of Boards, Commissions, and Committees and commended all of them for their service to the City. The unselfish dedication of citizens willing to serve establishes the caliber of a community and Mayor Rosenthal, on behalf of Council and Staff, expressed appreciation for their loyal service.

The reception adjourned at 6:00 p.m.

ATTEST:

City Clerk

Mayor

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

July 3, 2012

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 3rd day of July, 2012, at 6:00 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 Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	Councilmember Gallagher

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF JUNE 19, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 19, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 26, 2012
CITY COUNCIL MINUTES OF JUNE 26, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF JUNE 26, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF JUNE 26, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JUNE 26, 2012

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 Quinn;

Items submitted for the record

1. Text File No. GID-1213-1 dated June 7, 2012
2. City Council Study Session minutes of June 19, 2012
3. City Council Special Session minutes of June 19, 2012
4. City Council Special Session minutes of June 26, 2012
5. City Council minutes of June 26, 2012
6. Norman Utilities Authority minutes of June 26, 2012
7. Norman Municipal Authority minutes of June 26, 2012
8. Norman Tax Increment Finance Authority minutes of June 26, 2012

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

YEAS:	Councilmembers Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 4, being:

ADMINISTERING THE OATHS OF OFFICE TO AND SEATING OF COUNCILMEMBER-ELECT TOM KOVACH, WARD 2; COUNCILMEMBER-ELECT GREG JUNGMAN, WARD 4; COUNCILMEMBER-ELECT JAMES GRIFFITH, WARD 6, AND COUNCILMEMBER-ELECT CHAD WILLIAMS, WARD 8.

Presiding Judge David Poarch administered Oaths of Office to the elected and reelected members of the City Council.

Thereupon, Councilmembers Kovach, Jungman, Griffith, and Williams were formally seated.

* * * * *

Item 5, being:

RESOLUTION NO. R-1213-4: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXTENDING APPRECIATION TO CAROL DILLINGHAM FOR SERVING AS WARD FOUR COUNCILMEMBER IN NORMAN, OKLAHOMA.

Councilmember Jungman moved that Resolution No. R-1213-4 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. R-1213-4 dated June 7, 2012
2. Resolution No. R-1113-4

Participants in discussion
1. Ms. Carol Dillingham accepted the resolution and thanked the Council and others

and the question being upon adopting Resolution No. R-1213-4, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1213-4 was adopted.

* * * * *

Item 6, being:

RESOLUTION NO. R-1213-5: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXTENDING APPRECIATION TO DAN QUINN FOR SERVING AS WARD EIGHT COUNCILMEMBER IN NORMAN, OKLAHOMA.

Councilmember Williams moved that Resolution No. R-1213-5 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. R-1213-5 dated June 7, 2012
2. Resolution No. R-1213-5

Participants in discussion
1. Mr. Dan Quinn accepted the resolution and thanked the Council and others

and the question being upon adopting Resolution No. R-1213-5, a vote was taken with the following result:

Item 6, continued:

YEAS:	Councilmembers Ezzell, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1213-5 was adopted.

* * * * *

Item 7, being:

ELECTION OF A MAYOR PRO TEM.

Councilmember Kovach nominated Councilmember Ezzell to serve as Mayor Pro Tem, which motion was duly seconded by Councilmember Griffith; and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Councilmember Ezzell was elected as Mayor Pro Tem.

* * * * *

Item 8, being:

ELECTION OF A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS BOARD OF DIRECTORS.

Councilmember Griffith nominated Mayor Rosenthal to serve as the representative and Councilmember Kovach to serve as alternate representative to the Association of Central Oklahoma Governments Board of Directors, which motion was duly seconded by Councilmember Jungman; and the question being upon nominating Mayor Rosenthal to serve as the representative and Councilmember Kovach to serve as alternate representative to the Association of Central Oklahoma Governments Board of Director, a vote was taken with the following result:

YEAS:	Councilmembers Jungman, Griffith, Mayor Rosenthal
NAYES:	Councilmembers Ezzell, Kovach, Lockett, Spaulding, and Williams

The Mayor declared the motion failed and Mayor Rosenthal was not elected as the representative and Councilmember Kovach was not elected as the alternate representative to the Association of Central Oklahoma Governments Board of Directors.

Thereupon, Councilmember Spaulding nominated Councilmember Kovach to serve as the representative and Mayor Rosenthal to serve as alternate representative to the Association of Central Oklahoma Governments Board of Directors, which motion was duly seconded by Councilmember Ezzell; and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Kovach, Lockett, Spaulding, Williams
NAYES:	Councilmembers Griffith, Jungman, and Mayor Rosenthal

The Mayor declared the motion carried and Councilmember Kovach was elected as the representative and Mayor Rosenthal elected as the alternate representative to the Association of Central Oklahoma Governments Board of Directors.

* * * * *

Item 9, being:

ELECTION OF A CITY COUNCILMEMBER TO SERVE ON THE BOARD OF TRUSTEES FOR THE CITY OF NORMAN RETIREMENT SYSTEM.

Councilmember Lockett nominated Councilmember Spaulding to serve as the representative on the Board of Trustees for the City of Norman Retirement System, which motion was duly seconded by Councilmember Ezzell; and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Councilmember Spaulding was elected as the representative to serve on the Board of Trustees for the City of Norman Retirement System.

* * * * *

Item 10, being:

ELECTION OF A REPRESENTATIVE TO SERVE AS AN EX-OFFICIO MEMBER OF THE NORMAN CONVENTION AND VISITORS BUREAU BOARD OF DIRECTORS.

Councilmember Spaulding nominated Councilmember Lockett to serve as an ex-officio member of the Norman Convention and Visitors Bureau Board of Directors, which motion was duly seconded by Councilmember Ezzell; and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Councilmember Lockett was elected as an ex-officio member of the Norman Conventions and Visitors Bureau Board of Directors.

* * * * *

MISCELLANEOUS DISCUSSION

City Council. Councilmember Kovach thanked Councilmembers Dillingham and Quinn and their families for the time they put into serving the citizens of Norman. He said it takes a lot of effort and support to serve on City Council. He said Councilmember Dillingham spent a great deal of time on many issues and went the extra mile and he will miss her. He said Councilmember Quinn has always been an honorable member of the Council and kept Councilmembers on task and wished him great success. He said elected officials are a like a team for Norman and although they may not always agree, they respect each others opinions and come together for the good of the community. He said Norman's motto is "An Inclusive Community" and inclusive does not mean only getting along with people you agree with. It means everyone in the community has a place in the community and he feels strongly that people need to look beyond labels to see people with ideas, hopes, and dreams. He said Norman needs to come together as a community on issues that challenge the community and do what is right for the future by respecting one another.

Miscellaneous Discussion, continued:

Councilmember Ezzell welcomed Councilmembers Jungman and Williams to the Council. He said it has been a privilege to know and serve with Councilmember Dillingham. He said he would miss serving with Councilmember Quinn as he was an inspiration when it came to chairing committee meetings. He wished both Councilmembers the best.

Councilmember Jungman congratulated and thanked Councilmember Dillingham for her service on Council. He thanked his family for their support during his campaign as well as his supporters and said he is looking forward to serving Norman.

Councilmember Spaulding welcomed the new Councilmembers. He said the last year serving on Council has been the most fulfilling year of his life and felt serving on Council would be fulfilling for them as well. He said he did not go to Norman Public Schools so he did not know Councilmember Quinn as well as other Norman citizens, but, not long ago, as he was going through some trying times on Council, Councilmember Quinn told him not to take citizens remarks personally. He appreciated that advice and said that advice has helped him grow as a person. He said one of his regrets in life was not having gone to law school and he has enjoyed Councilmember Dillingham's legal perspectives during Council meeting debates and he would miss her.

Councilmember Griffith welcomed the new Councilmembers and said although the learning will be intense, it will also be a very exciting time. He thanked those who helped and supported him during his re-election bid. He said when he decided to run for office, Councilmember Quinn was the first person he called for advice and was told serving on Council would be time consuming, but rewarding and he should run. He said he admires Councilmember Quinn's leadership abilities as well as his integrity and wisdom. He said he has truly enjoyed getting to know Councilmember Dillingham and her dialogue on the dais is inspiring. He said she brings the more subtle issues to life and has caused him to rethink his position on issues many times. He said it has been a privilege to serve with both of them and he will miss them.

Councilmember Lockett congratulated the new Councilmembers. She said there is much to learn, but it is an exciting time and she wishes them well. She thanked Councilmembers Dillingham and Quinn for their service. She said Councilmember Quinn has helped her immensely during her tenure and she will never hear "Shop Norman" without thinking of him. She said she has enjoyed her conversations with Councilmember Dillingham and truly appreciated her enthusiasm and interest in the community. She wished them both well.

Councilmember Williams thanked his family and for their support and help during his campaign as well as his supporters. He thanked Ms. Jackie Farley, his opponent, and wished her the best. He thanked Councilmember Quinn for his leadership and setting a great example for him to follow. He said Councilmember Quinn defined community service through his years with the school system and serving on Council.

Mayor Rosenthal welcomed the new Councilmembers and her one piece of advice would be to pay attention to their families because it is a sacrifice for families when loved ones serve their community. She thanked Councilmembers Dillingham and Quinn's spouses for sharing them with the public. She said there is a distinction in Congress about work horses and show horses. There are some members of a legislative body who are always the first to volunteer, roll up their sleeves, put their shoulder to the plow, and are there everyday pulling for progress and Councilmembers Dillingham and Quinn are such individuals. They have been hard working individuals and they will be missed.

*

Fourth of July. Councilmember Spaulding urged citizens to spend time with their families on the Fourth of July in celebration of the nation's birthday.

Councilmember Williams wished everyone a Happy Fourth of July.

Mayor Rosenthal said tomorrow is the Fourth of July and there are many events going on in Reaves Park. She said this is a great opportunity for the community to join together to celebrate the birth of our country and encouraged everyone to attend.

*

Shop Norman. Councilmember Williams said he has to close his discussion with, "Shop Norman."

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 7:05 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

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

Master

File Number: P-1213-1

File ID:	P-1213-1	**Type:**	Proclamation	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	06/29/2012
File Name:	P-1213-1 Water's Worth It Month Proclamation			**Final Action:**	

Title: PROCLAMATION NO. P-1213-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2012, AS WATER'S WORTH IT™ MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-1 proclaiming the month of July, 2012, as WATER'S WORTH IT Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 4

Attachments: Water's Worth It Month

Project Manager: Debra Smith, Environmental Services Coordinator

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 P-1213-1

Proclamation

P-1213-1

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2012, AS WATER'S WORTH IT™ MONTH IN THE CITY OF NORMAN.

§ 1. WHEREAS, WATER'S WORTH IT Month is being promoted by the Environmental Control Advisory Board to help increase community awareness of Norman's most precious natural resource; and

§ 2. WHEREAS, WATER'S WORTH IT is a campaign by the Water Environment Federation to help answer questions about how our actions, attitudes, and the things we most value are closely connected with water; and

§ 3. WHEREAS, WATER'S WORTH IT Month is one of the many ways to help promote the protection of Norman's water by increasing educational efforts; and

§ 4. WHEREAS, education efforts include booths at various functions and locations and information in newspapers and literature showing citizens how to conserve and protect water; and

§ 5. WHEREAS, WATER'S WORTH our respect, communities are built on water; and.

§ 6. WHEREAS, WATER'S WORTH our effort, clean water is everyone's responsibility; and

§ 7. WHEREAS, WATER'S WORTH our health, water is life; and.

§ 8. WHEREAS, WATER'S WORTH our future, dealing with an aging infrastructure; and

§ 9. WHEREAS, WATER'S WORTH our passion as we find solutions for the 21st Century; and

§ 10. WHEREAS, the protection and conservation of Norman's water improves the quality of life by having a cleaner and more abundant supply of water now and in the future and reduces the cost of water and wastewater treatment.

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

§ 11. Do hereby proclaim the month of July, 2012, as WATER'S WORTH IT Month and call upon all citizens and civic organizations to become knowledgeable and acquaint themselves with the problems involved in maintaining safe water.

PASSED AND APPROVED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: O-1112-37

File ID:	O-1112-37	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	04/17/2012
File Name:	Cobblestone Creek Rezone O-1112-37			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-37 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 PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE).

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-37 upon First Reading by title.

ACTION TAKEN: _____-

Notes:

Agenda Date: 07/10/2012

Agenda Number: 6

Attachments: Text File O-1112-37, O-1112-37 Cobblestone Creek PUD, Cobblestone PUD Location Map, Cobblestone PUD Narrative, Cobblestone Creek Prelim Plat, Cobblestone Creek Prelim Site Dev Plan, Cobblestone Creek PUD Staff Report Revd, Item 6 - Protest-Support map and letter, 6-14-12 PC Minutes - Cobblestone

Project Manager: Jane Hudson, 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	05/10/2012	Postponed				Pass
	Action Text: Postponed						
1	Planning Commission	05/10/2012					
1	Planning Commission	06/14/2012	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	06/14/2012					

Text of Legislative File O-1112-37

Body

BACKGROUND: The applicant, Tim Shannon, is proposing a Planned Unit Development, PUD, for a portion of the preliminary plat for Cobblestone Creek Addition. This proposal is for the remaining unplatted property located just south of Cobblestone Creek Drive and west of Augusta Drive and consists of eight lots totaling approximately 9.87 acres and 1.08 acres of open space located on the north side of Cobblestone Creek Drive, for about 10.95 acres total. This is an average of 1.37 acres per lot. Residential Estates Dwelling District requires a minimum of two acres per lot. The Planned Unit Development will allow more flexibility and with a proposed common open space lot set aside for the project, the overall acreage will not be much less than the RE requirements. This PUD will be served with private sanitary sewer systems and public water.

The particulars of this Planned Unit Development request include:

USE A maximum of eight single-family detached dwellings will be constructed in this PUD. Upper scale structures are proposed with no less than 70% masonry. Two-story structures will be allowed. With single-family lots abutting the north, east and south as well as across 12th Avenue SE, this proposal will blend well with the adjacent developments.

OPEN SPACE An open space area, "Open Space AA" on the preliminary plat, north of Cobblestone Creek Drive, is incorporated into this PUD. The open space area will be 1.08 acres or an additional 11%. A homeowners association will be formed in order to provide management of the open space area of the Planned Unit Development. Upon final platting the open space lot will be included with the proposed final plat for the Planned Unit Development.

DESIGN Access to the eight lots will be off an existing public street, Augusta Drive. Two common driveways will be utilized to serve the lots adjacent to 12th Avenue SE. Although 12th Avenue SE is designated as a Collector Street, "Limits of No Access" have been labeled on the preliminary plat and in the PUD narrative. Also, access will not be allowed off of Cobblestone Creek Drive and Southern Hills Circle. As a result, there will be fewer drives onto Augusta Drive limiting the chances for conflicts. The lots will be served with public streets and water, including fire hydrants. Sidewalks will be installed adjacent to 12th Avenue SE. However, sidewalks will not be required adjacent to Augusta Drive so as to match the design of the existing RE, Residential Estates Dwelling District, lots to the east and south.

DEVELOPMENT CONTROLS Although this subdivision emulates a typical RE development, proposed building setbacks are different than the standard RE requirements, due in part to the smaller lots.

	Cobblestone Creek Setbacks	Typical RE Setbacks
Front	50'	50'
Side	10'	25'
Rear	50'	30'

PHASES The Planned Unit Development project will be built in one phase.

IMPACTS As previously stated the PUD allows for smaller single family lots. However, with approximately the same footprint of existing homes already in place within other areas of the development, no adverse impacts from this type of development are expected.

STAFF RECOMMENDATION: The applicant's proposal of one plus acre lots, compatible size of single-family structures, compatible setbacks, fewer drive approaches, public streets, public water with fire hydrants and open space meets the intent of a Planned Unit Development. Staff recommends approval of this request for a Planned Unit Development within the Cobblestone Creek Addition. The Planning Commission, at their meeting on June 14, 2012, unanimously recommended approval of this rezoning request from RE to PUD.

O-1112-37

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE)

§ 1. WHEREAS, Tim Shannon, the owner of the hereinafter described property, has made application to have said property placed in the PUD, Planned Unit Development District, and to have the same removed from the RE, Residential Estates 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 PUD, Planned Unit Development District, and to have the same removed from the RE, Residential Estates Dwelling District, to wit:

TRACT 1: A tract of land lying in the SW/4 of Section 16, T8N, R2W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the SW/C of said SW/4; THENCE North 00°19'29" West along the west line of said SW/4 a distance of 532.80 feet to the POINT OF BEGINNING;
THENCE continuing North 00°19'29" West along said west line a distance of 1046.36 feet;
THENCE North 89°40'31" East a distance of 33.00 feet to a point on the east right-of-way line of 12th Avenue S.E. and a point on the southerly right-of-way line of Cobblestone Creek Drive as established by the plat of Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;

THENCE along the southerly right-of-way line of said Cobblestone Creek Drive, the westerly right-of-way line of Augusta Drive and the northerly right-of-way line of Southern Hills Circle, all as established by the aforesaid plat of Cobblestone Creek Golf Club, the following eight (8) courses;
(1) North 44°40'41" East a distance of 35.37 feet;
(2) North 89°40'31" East a distance of 327.00 feet;
(3) South 45°19'29" East a distance of 35.36 feet;
(4) South 00°19'29" East a distance of 996.35 feet;
(5) South 44°40'31" West a distance of 35.36 feet;
(6) South 89°40'31" West a distance of 105.00 feet to a point of curvature;
(7) Northerly along a cure to the right having a radius of 25.00 feet (said curve being subtended by a chord which bears North 66°13'48" West a chord length of 20.41 feet) an arc distance of 21.02 feet to a point of reverse curvature;
(8) Westerly and Southerly along a curve to the left having a radius of 50.00 feet (said curve being subtended by a chord which bears South 68°46'12 West a chord length of 93.42 feet) an arc distance of 120.60 feet to the northeast corner of Lot 1, Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;
THENCE South 89°40'31" West along the north line of said Lot 1 and said line extended a distance of 174.11 feet to the POINT OF BEGINNING.

Said described tract of land contains a gross area of 430.107 square feet or 9.87 acres and a new area (less statutory road rights-of-way) of 395,577 square feet or 9.08 acres, more or less.

And also,

<u>OPEN SPACE, LOT AA</u>: A tract of land lying in the SW/4 of Section 16, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the SW/C of said SW/4; THENCE North 00°19'29" West along the west line of said SW/4 a distance of 1689.16 feet;
THENCE North 89°40'31" East a distance of 33.00 feet to a point on the East right-of-way line of 12th Avenue S.E., said point also being a point on the North right-of-way line of Cobblestone Creek Drive as established by the plat of Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;
THENCE along the northerly right-of-way line of said Cobblestone Creek Drive the following five (5) courses:
(1) South 45°19'29" East a distance of 35.36 feet;
(2) North 89°40'31" East a distance of 327.00 feet;
(3) South 87°27'45" East a distance of 100.12 feet;
(4) North 89°40'31" East a distance of 27.93 feet to a point of curvature;
(5) THENCE Southeasterly along a curve to the right having a radius of 125.00 feet (said curve subtended by a chord which bears South 79°16'41" East 47.90 feet) with an arc distance of 48.20 feet to the POINT OF BEGINNING;
THENCE North 00°19'29" West a distance of 35.01 feet
THENCE North 89°44'20" East a distance of 95.48 feet
THENCE North 00°15'40" West a distance of 135.81 feet

THENCE North 89°28'16" East a distance of 73.46 feet
THENCE North 89°44'20" West a distance of 66.37 feet
THENCE South 00°15'40" East a distance of 286.61 feet to a point on the North right-of-way line of Cobblestone Creek Drive;
THENCE along the northerly right-of-way line of said Cobblestone Creek Drive the following four (4) courses:
(1) South 89°16'44" West a distance of 94.51 feet to a point of curvature;
(2) Along a curve to the right having a radius of 75.00 feet (said curve subtended by a chord which bears North 61°36'18" West a distance of 72.99 feet) with an arc length of 76.23 feet;
(3) North 32°29'21" West a distance of 33.28 feet to a point of curvature
(4) Along a curve to the left having a radius of 125.00 feet (said curve subtended by a chord which bears North 50°21'37" West a distance of 76.72 feet) with an arc length of 77.98 feet to the POINT OF BEGINNING.

Said described tract containing 47,026 square feet or 1.08 acres, more or less.

Total gross area of said Tracts of land contains 477,133 square feet or 10.95 acres, more or less.

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

a. The site shall be developed in accordance with the PUD Narrative as revised and resubmitted May 14, 2012, and the Site Development Plan contained therein and supporting documentation submitted by the applicant and approved by the Planning Commission and made a part hereof.

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

ADOPTED this _____day of

_____, 2012.

_____
Mayor

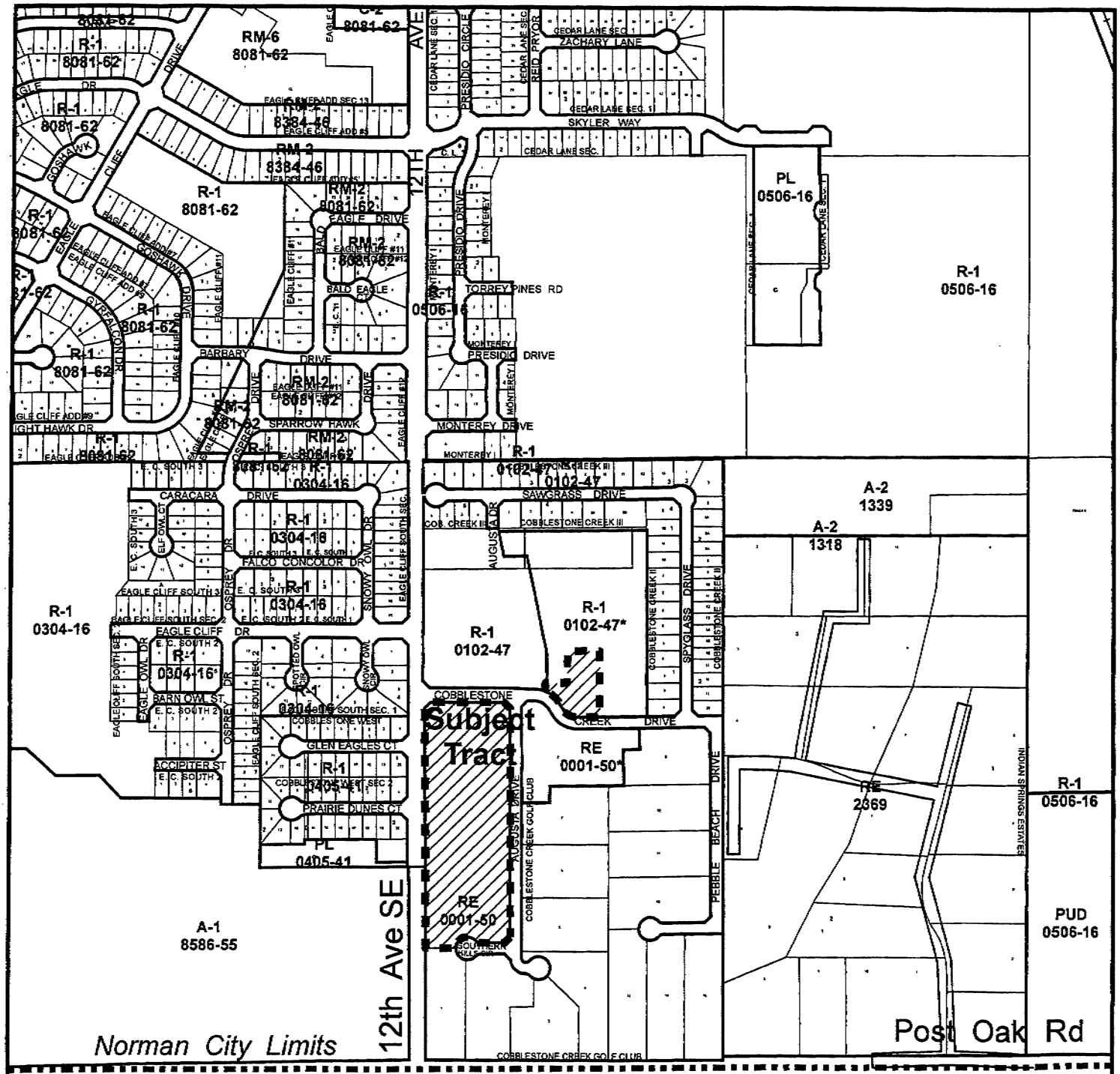
NOT ADOPTED this _____day of

_____, 2012.

_____
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.

N
W E
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May 16, 2012

0 300 600 Ft.

Subject Tract

Zoning

COBBLESTONE CREEK ADDITION

Norman, Oklahoma

CCDG, LLC

Tim Shannon
Owner/Operator

A PLANNED UNIT DEVELOPMENT
APPLICATION FOR REZONING AND
PRELIMINARY DEVELOPMENT
PLAN/PLAT

Submitted April 9, 2012
Revised May 3, 2012
Revised May 14, 2012

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I. INTRODUCTION

This Planned Unit Development (the"**PUD**") is being submitted for the development of Cobblestone Creek Addition (the "**Addition**"), a single family community in the City of Norman, Oklahoma. The PUD encompasses approximately 10.95 acres located generally on the east side of 12th Ave. SE, South of Cobblestone Creek Drive. This PUD is intended to provide for greater flexibility in the careful design of eight residential lots, homes, open space and utilities within the Addition. Upon completion, the PUD will provide eight lots to be developed that would otherwise not be attainable under conventional practices and regulations of the development guidelines of the City of Norman.

The PUD is intended to allow that necessary flexibility in order to create a different open space and environmentally friendly development. Therefore, flexibility in the design and construction of roads and lot sizes is critical.

This presently is a development designed around a nine-hole golf course. The course has been in existence for 11 years. The Preliminary Plat has expired and the process is under way to renew the Preliminary Plat. The plat has not changed except for the area that encompasses the PUD request. The 10.95 acres has a public road constructed, a public waterline constructed, but does not have a gravity sanitary sewer solution. The only way to secure an alternate sewer solution is through the PUD process. The RE zoning requires a minimum of two acres for a septic system. However, the Oklahoma Department of Environmental Quality Chapter 641-1-3(d) allows a minimum lot size of one acre if the lot has public water.

This PUD will enhance the R-1 zoning provisions with additional stipulations within this narrative and complete the single family homes as planned. Additional open space of 1.08 acres (or 11%) will be added in the form of Open Space Lot AA (as shown of the Preliminary Plat). The amenity of a club house and golf course already exists.

In order to accomplish these goals, the applicant hereby requests a rezoning of the 10.95 acres. The rezoning being requested is for a Planned Unit Development (PUD). The Applicant is submitting a Rezoning Application, Preliminary Site Development Plan and Preliminary Plat for approval.

II. PROPERTY DESCRIPTIONS / EXISTING PROPERTY CONDITIONS

A. Location

Cobblestone Creek PUD is bordered on the west by 12th Avenue SE. To the west, across 12th Avenue SE is the Eagle Cliff Addition zoned R-1. To the north of the PUD is the single family home site shown on the Cobblestone Creek Preliminary Plat. To the east of the PUD is the

Clubhouse and the remainder of the Cobblestone Creek single family home sites. To the south of the PUD are R-E single family residential additions built with Cobblestone Creek Addition.

B. Existing Land Use and Zoning

The area proposed is currently zoned R-E and R-1. The property is unplatted.

C. Elevation and Topography

The Property primarily consists of relatively minimally sloped land, and is topographically illustrated on the Preliminary Plat. No portion of the Property is in the 100-year flood plain.

D. Drainage

A Drainage Impact Analysis Letter has been prepared to better illustrate the drainage requirements.

E. Utility Services

All of the required utility systems for the project (including water, gas, telephone and electric) are currently being developed in relatively nearby proximity to the Property.

F. Fire Protection Services

Fire protection services will be provided by the City of Norman Fire Department and by developer installed fire hydrants at locations per the City of Norman regulations for such.

G. Traffic Circulation and Access

The PUD will be served with primary vehicular access by way of the immediately adjacent 12th Avenue SE right of way. This access was previously approved with the initial Preliminary Plat and there is no change.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

A. Single-Family Residential Community

The PUD, as put forth on the proposed Preliminary Plat on **EXHIBIT A**, will consist of residential housing with 8 lots for 10.95 acres (this includes 1.08 acres of Open Space) for a density of 1.37 lots per acre.

1. Residential Lots

The Uses permitted on the residential lots shall be as put forth under the R-1 Single Family Dwelling District in the City of Norman Zoning Ordinance, 22:421.1, with the exceptions listed below.

Homes in the Addition will be standard construction, single family homes. The proposed Preliminary Site Development Plan is as shown on the attached **EXHIBIT B**. The side yard setback will be a minimum of ten (10) feet. The rear and front yard setbacks shall be a minimum of (50) feet.

Houses will be of standard wood frame construction, and will not exceed two stories in height above grade.

The minimum square foot area requirement for homes in the Addition shall be 2,500 square feet.

The principal exterior of any residential structure shall be at least seventy percent (70%) masonry or stone. Each residence may include a two or three car garage.

2. **Amenities**

The PUD will have existing amenities including a clubhouse golf course and projected tennis courts. The area has large adjacent open spaces, walking trails and constructed trails of hard paved surface.

Parkland will be provided as required per the City of Norman ordinances. The Park Board has determined a fee is the best option.

3. **Sales Trailers**

The Developer shall have the option of placing no more than one temporary trailer (manufactured unit will meet City code) for use by sales representatives for the new homes being built in the PUD. Any such facility will have a reasonable parking area for customers per City specifications. The trailer will be removed 12 months from the date it is placed on the PUD. The trailer will be located within 500 feet of the PUD entrance.

4. **Drive Lanes**

The drive lanes from the interior public street into each garage and driveway on each lot shall provide for cross access by right of easement across each lot as necessary for each lot to fully access the public street of circulation in the PUD.

5. Other than the shared driveways onto Augusta, no driveway access will be permitted onto 12th Ave., Cobblestone Drive or Southern Hills Circle.

B. Open Space and Green Space

Additional open space area for the PUD will be added north of Cobblestone Creek Drive. The area will be 1.08 acres or an additional 11%.

The homeowners association will be formed in order to provide a tool to manage the common areas of the PUD and to provide heightened governance of the residents and construction within the PUD.

Any lighting over any common area will be full cut-off fixtures and will have 20-foot tall poles. Decorative street lights will be allowed, at the option of the Developer, within the PUD, in the common areas, and along the streets of the PUD.

C. Traffic Access / Circulation / Sidewalks

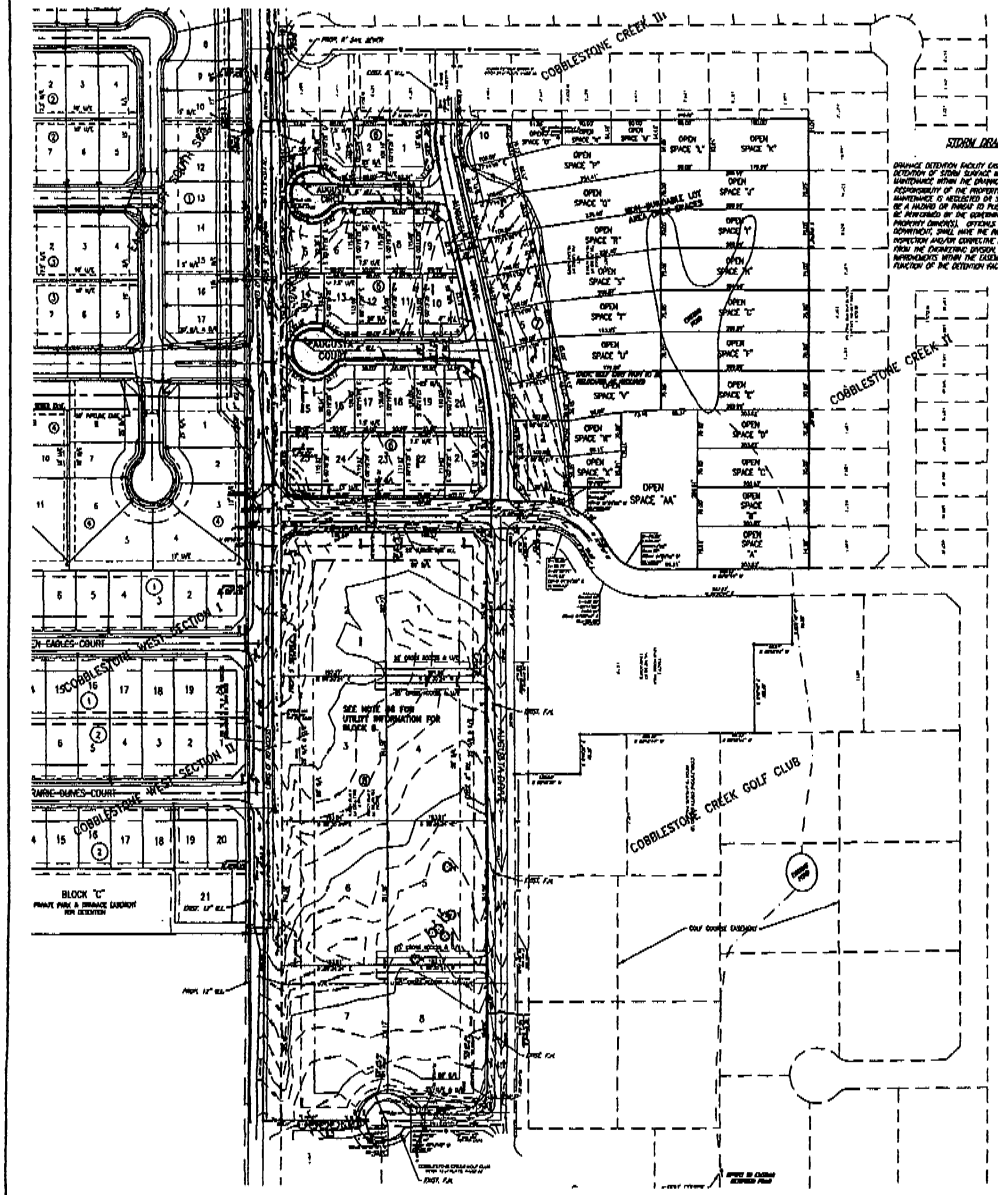
Landscape buffers will accommodate all City of Norman traffic sight triangle requirements. All internal streets will have adequate circulation necessary for the fire department and City Waste Management Services.

A five-foot wide City sidewalk will be provided along 12th Avenue SE constructed to City of Norman Standards.

Prepared by:

SMC Consulting Engineers, P.C.

Tom L. McCaleb, P.E.



PRELIMINARY PLAT
COBBLESTONE CREEK
A PART OF THE S.W. 1/4, SECTION 16, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE PROPE OUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF COBBLESTONE CREEK. NORMAL MAINTENANCE IS NECESSARY OR SUBJECT TO OWNER MALEASE, SEDIMENTAGE AND IS OPTIONALLY TO BE A MOWED OR PARKLE TO PUBLIC SAFETY BY THE CITY ENGINEER. CORRECTIVE MAINTENANCE MAY BE REQUIRED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

NOTES:

1. FIRE HYDRANTS WILL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
2. ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
3. ALL PROPOSED SANITARY LINES ARE 8-INCH EXCEPT AS NOTED.
4. ALL PROPOSED WATERLINES ARE 6-INCH EXCEPT AS NOTED.
5. LOTS IN BLOCK B WILL BE SERVED BY SEPTIC SYSTEMS OR EQUAL WITH PUBLIC WATERLINE, AS PER CODE CHAPTER 641-1-3(d).
6. 12th AVE. S.E. SOUTH OF EAGLE CLIFF WILL BE DEFERRED. THE DEVELOPER MAY CHOOSE TO CONSTRUCT 12th AVE. S.E. WITH THIS PLAT.
7. AREAS WITHIN THE GOLF COURSE OPEN SPACE WILL BE USED FOR DRAINAGE CONVEYANCE TOWARDS THE EXISTING DETENTION POND. FINAL DESIGN TO BE DETERMINED AT THE FINAL PLAT STAGE.
8. OPEN SPACE LOT "M" IS A PART OF THE PUD.

LEGAL DESCRIPTIONS

Tract 1:
(East South of Cobblestone Creek Drive (PUD))

A tract of land lying in the Southwest Quarter of Section 16, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the southwest corner of said Southwest Quarter;

THENCE North 00°19'29" East, along the west line of said Southwest Quarter, a distance of 328.00 feet to the POINT OF BEGINNING;

THENCE continuing North 00°19'29" East, along said west line, a distance of 1094.36 feet;

THENCE North 89°40'31" East a distance of 31.00 feet to a point on the east right of way line of 12th Avenue S.E. and a point on the southerly right of way line of Cobblestone Creek Drive as established by the plat of Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;

THENCE along said southerly right of way line of said Cobblestone Creek Drive the southerly right of way line of Cobblestone Creek Drive, the following eight (8) courses;

1. North 44°40'31" East a distance of 35.34 feet;
2. North 89°40'31" East a distance of 221.00 feet;
3. South 42°19'29" East a distance of 35.36 feet;
4. South 00°19'29" East a distance of 996.35 feet;
5. South 44°40'31" West a distance of 35.36 feet;
6. South 89°40'31" West a distance of 105.00 feet to a point of curvature;
7. Northerly along a curve to the right having a radius of 25.00 feet (said curve being subtended by a chord which bears North 45°19'29" West a chord length of 35.36 feet) an arc distance of 39.28 feet to a point of reverse curvature;
8. Westerly and Southerly along a curve to the left having a radius of 30.00 feet (said curve being subtended by a chord which bears South 89°40'31" West a chord length of 42.42 feet) an arc distance of 47.10 feet to the northeast corner of Lot 1, Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;

THENCE South 00°40'31" East, along the north line of said Lot 1 and said line extended, a distance of 174.11 feet to the POINT OF BEGINNING;

Said described tract of land contains a gross area of 432,107 square feet or 9.87 acres and a net area (less statutory road rights of way) of 383,437 square feet or 8.80 acres, more or less.

And also,

Open Space Lot M (PUD)

A tract of land lying in the Southwest Quarter of Section 16, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the southwest corner of said Southwest Quarter;

THENCE North 00°19'29" East, along the west line of said Southwest Quarter, a distance of 1422.36 feet; THENCE South 89°40'31" East a distance of 31.00 feet to a point on the East right-of-way line of 12th Ave. S.E. said point also being a point on the North right-of-way line of Cobblestone Creek Drive as established by the plat of Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42;

THENCE along the southerly right of way line of said Cobblestone Creek Drive the following five (5) courses:

1) South 45°19'29" East a distance of 35.36 feet;
2) North 89°40'31" East a distance of 327.00 feet;
3) South 42°19'29" East a distance of 100.00 feet;
4) North 89°40'31" East a distance of 97.83 feet to a point of curvature;
5) THENCE Southeasterly along a curve to the right having a radius of 125.00 feet (said curve subtended by a chord which bears South 79°19'31" East a distance of 173.20 feet) an arc distance of 189.30 feet to the POINT OF BEGINNING;

THENCE North 00°19'29" West a distance of 25.01 feet; THENCE North 89°41'29" East a distance of 95.44 feet; THENCE North 00°18'31" West a distance of 120.67 feet; THENCE North 00°19'19" East a distance of 73.46 feet; THENCE North 89°41'29" East a distance of 80.37 feet; THENCE South 00°18'30" East a distance of 208.01 feet to a point on the North right-of-way line of Cobblestone Creek Drive;

THENCE along the northerly right-of-way line of said Cobblestone Creek Drive the following 4 courses:

1) South 89°41'29" West a distance of 94.51 feet to a point of curvature;
2) Along a curve to the right having a radius of 25.00 feet (said curve subtended by a chord which bears North 61°38'19" West a distance of 22.09 feet) with an arc length of 24.21 feet;
3) North 33°19'31" West a distance of 33.00 feet to a point of curvature;
4) Along a curve to the left having a radius of 125.00 feet (said curve subtended by a chord which bears North 33°19'31" West a distance of 16.79 feet) with an arc length of 22.00 feet to the POINT OF BEGINNING.

Said described tract of land contains 47,208 square feet or 1.08 acres, more or less.

Total gross area of land tracts of land (PUD) contains 477,133 square feet or 10.95 acres, more or less.

Tract 2:
(West North of Cobblestone Creek Drive)

A tract of land lying in the Southwest Quarter of Section 16, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the southwest corner of said Southwest Quarter;

THENCE North 00°19'29" East, along the west line of said Southwest Quarter, a distance of 1422.36 feet to the POINT OF BEGINNING;

THENCE continuing North 00°19'29" East, along said west line, a distance of 632.58 feet to a point being 200.01 feet South 00°19'30" East of the northwest corner of the Southwest Quarter of said Section 16;

THENCE North 89°41'29" East parallel to a distance of 33.00 feet the northwest corner of Lot 1, Block 2, Cobblestone Creek II recorded in Book 21 of Plats, Page 36 and continuing along the south line of said Block 2 and said line extended for a total distance of 208.00 feet to the southwest corner of Lot 1, Block 4, Cobblestone Creek II;

THENCE South 00°18'30" East, perpendicular to said south line, a distance of 93.32 feet;

THENCE North 89°17'52" East, parallel with said south line, a distance of 23.21 feet;

THENCE South 44°28'31" East a distance of 25.51 feet;

THENCE South 30°28'31" East a distance of 30.73 feet;

THENCE South 31°47'14" East a distance of 49.25 feet;

THENCE South 05°09'22" East a distance of 34.53 feet;

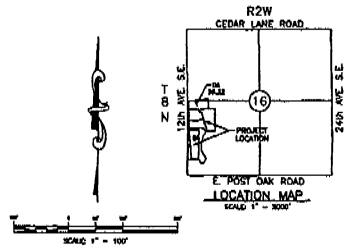
THENCE South 00°41'00" East a distance of 250.02 feet to a point on the north right of way line of Cobblestone Creek Drive as established by the plat of Cobblestone Creek Golf Club recorded in Book 19 of Plats, Page 42 and a point on a curve;

THENCE along the northerly right of way line of said Cobblestone Creek Drive the following five (5) courses:

1. Northwesterly along a non-tangent curve to the left having a radius of 125.00 feet (said curve being subtended by a chord which bears North 70°20'31" West a chord length of 48.80 feet) an arc distance of 49.33 feet;
2. South 00°40'31" West a distance of 27.83 feet;
3. North 89°19'45" West a distance of 100.12 feet;
4. South 00°40'31" West a distance of 327.00 feet;
5. North 45°19'29" West a distance of 35.36 feet to a point on the east right of way line of 12th Avenue S.E.;

THENCE South 89°40'31" West a distance of 31.00 feet to the POINT OF BEGINNING;

Said described tract of land contains a gross area of 313,963 square feet or 7.21 acres and a net area (less statutory road rights of way) of 314,436 square feet or 7.22 acres, more or less.



TOTAL LOTS
PROPOSED PUD LOTS = 8; EXISTING ZONING RE,
EXISTING R-1 LOTS = 35

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OWNER/ DEVELOPER:
GODC, L.L.C.
4704 AUGUSTA DR.
NORMAN, OK. 73072
PHONE: (405) 823-3550

DESIGNED BY:
SMC Consulting Engineers, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
PHONE: (405) 232-7715

THIS PLAN FOR COMMENTARY
TOM L. MCCALEB 13410
OKLAHOMA
NORMAN, OKLAHOMA

COBBLESTONE CREEK
12th AVE. S.E. & CEDAR LANE ROAD
NORMAN, OKLAHOMA

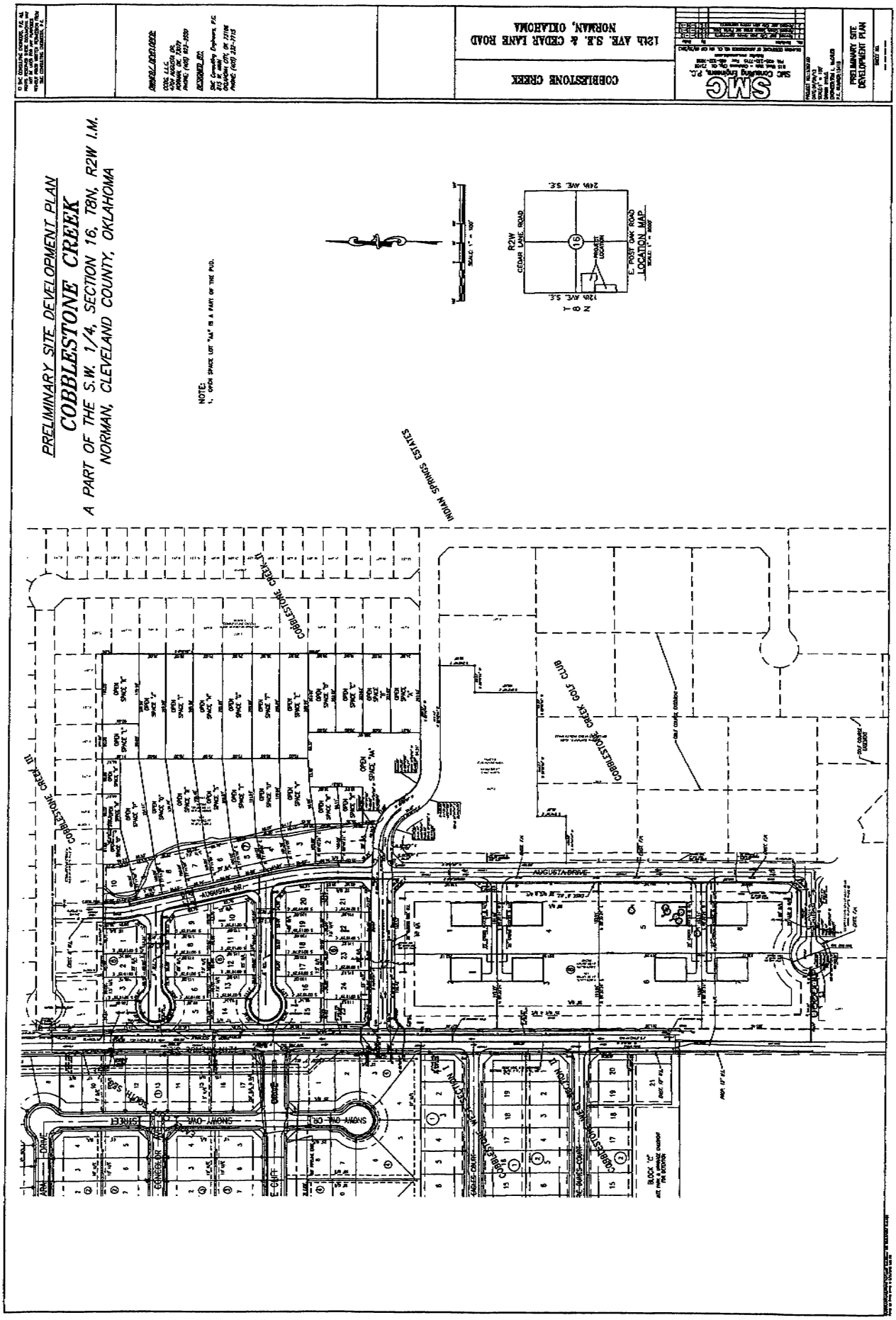
SMC
SMC Consulting Engineers, P.C.
815 W. Main
Oklahoma City, OK 73106
Ph. 405.232.7715 Fax 405.232.7399
CERTIFICATE OF AUTHORIZATION NO. CA 1187 EXP. 06/30/2012

No.	Revision	Date
1	Per City Comments	10/26/12
2	Per City Comments	11/26/12
3	Per City Comments	12/13/12

PROJECT NO. 5.0117.01
DATE: 04/09/12
SCALE: 1" = 100'
DRAWN BY: DJL
ENGINEER: TOM L. McCALEB
P.E. NUMBER: 13410

PRELIMINARY PLAT

SHEET NO.
1


PRELIMINARY SITE DEVELOPMENT PLAN
COBBLESTONE CREEK
A PART OF THE S.W. 1/4, SECTION 16, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
NOTE:
1. OPEN SPACE LOT "AA" IS A PART OF THE PUD.
INDIAN SPRINGS ESTATES
COBBLESTONE CREEK II
COBBLESTONE CREEK III
COBBLESTONE CREEK GOLF CLUB
AUGUSTA DRIVE
AUGUSTA DR.
SNOWY OWL CR.
SNOWY OWL STREET
COBBLESTONE WEST SECTION I
COBBLESTONE WEST SECTION II
BLOCK "C"
R2W
CEDAR LANE ROAD
E. POST OAK ROAD
LOCATION MAP
24th AVE. S.E.
12th AVE. S.E.
COBBLESTONE CREEK
12th AVE. S.E. & CEDAR LANE ROAD
NORMAN, OKLAHOMA
SMC
PRELIMINARY SITE DEVELOPMENT PLAN

ORDINANCE NO. O-1112-37 ITEM NO. 6a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Tim Shannon
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	RE, Residential Estates Dwelling District
SURROUNDING ZONING	North: R-1 East: RE South: RE West: R-1, A-1
LOCATION	Generally located on the east side of 12th Avenue SE at the corner of 12th Avenue SE and Cobblestone Creek Drive
SIZE	10.95 acres more or less (Developable area 9.87 and 1.08 Open Space)
PURPOSE	Large lot residential
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential East: Residential South: Residential West: Residential
LAND USE PLAN DESIGNATION	Very Low Density Residential

SYNOPSIS: The applicant, Tim Shannon, is proposing a Planned Unit Development, PUD, for a portion of the preliminary plat for Cobblestone Creek Addition. This proposal is for the remaining unplatted property located just south of Cobblestone Creek Drive and west of Augusta Drive. This proposal consists of eight lots totaling approximately 9.87 acres and 1.08 acres of open space located on the north side of Cobblestone Creek Drive, for about 10.95 acres total; this is an estimated 1.37 lots per acre. Residential Estates requires a minimum of two (2) acres. The Planned Unit Development will allow more flexibility and with a proposed common open space lot set aside for the project, the overall acreage will not be much less

than the RE requirements. This PUD will be served with private sanitary sewer systems and public water.

ANALYSIS: The particulars of this Planned Unit Development request include:

USE A maximum of eight single family detached dwellings will be constructed in this PUD. Upper scale structures are proposed with no less than 70% masonry. Two-story structures will be allowed. With single family lots abutting the north, east and south as well as across 12th Avenue SE this proposal will blend well with the adjacent developments.

OPEN SPACE An open space area, "Open Space AA" on the preliminary plat, north of Cobblestone Creek Drive, is incorporated into this PUD. The open space area will be 1.08 acres or an additional 11%. A homeowners association will be formed in order to provide a tool to manage the open space area of the Planned Unit Development. Upon final platting the open space lot will be included with the proposed final plat for the Planned Unit Development.

DESIGN Access to the eight lots will be off an existing public street, Augusta Drive. Two common driveways will be utilized to serve the lots adjacent to 12th Avenue SE. Although 12th Avenue SE is designated as a Collector Street, "Limits of No Access" has been labeled on the preliminary plat and in the PUD narrative. Also, access will not be allowed off of Cobblestone Creek Drive and Southern Hills Circle. As a result, there will be fewer drives onto Augusta Drive limiting the chances for conflicts. The lots will be served with public streets and water, including fire hydrants. Sidewalks will be installed adjacent to 12th Avenue SE. However sidewalks will not be required adjacent to Augusta Drive so as to match the existing design of the existing RE, Residential Estates, lots to the east and south.

DEVELOPMENT CONTROLS Although this subdivision emulates a typical RE development, proposed building setbacks are different than the standard RE requirements, due in part to the smaller lots.

	Cobblestone Creek Setbacks	Typical RE Setbacks
Front	50'	50'
Side	10'	25'
Rear	50'	30'

PHASES The Planned Unit Development project will be built in one phase.

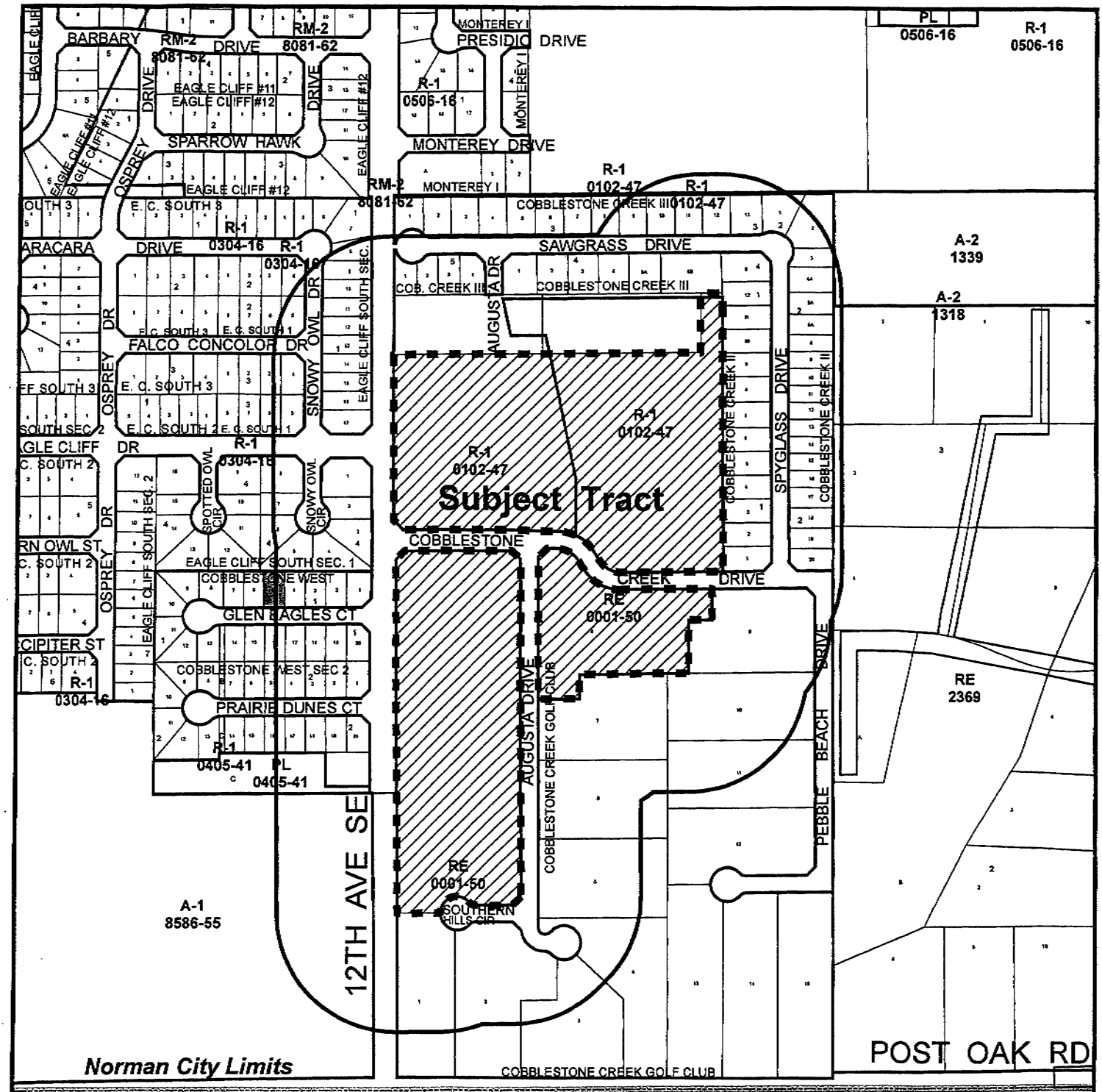
ALTERNATIVES/ISSUES:

IMPACTS As previously stated the PUD allows for smaller single family lots. The PUD allows for approximately 1.23 acres. However, with approximately the same footprint of existing homes already in place within other areas of the development no adverse impacts from this type of development are expected.

OTHER AGENCY COMMENTS:

PUBLIC WORKS The accompanying Preliminary Plat has been reviewed by all appropriate departments, and staff recommends approval.

STAFF RECOMMENDATION: The applicant's proposal of one plus acre lots, compatible size of single family structures, compatible setbacks, fewer drive approaches, public streets, public water with fire hydrants and open space meets the intent of a Planned Unit Development. Staff recommends approval of this request for a Planned Unit Development within the Cobblestone Creek Addition.



Protest & Support Map

0.2% Protest Within Notification Area

4.3% Support Within Notification Area

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

N
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Scale: 1" = 400'

June 12, 2012

Subject Tract

Protest

Support

Notification Area

Protest Outside Notification Area

June 3, 2012

The City of Norman
201 West Gray, Bldg A
PO Box 370
Norman, OK 73069-73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6/8/12 JM

Attn: City Clerk
Re: Rezoning from RE to PUD, location of Property East Side of 12th Ave, SE @ Cobblestone Creek Drive.

My husband and I plan on retiring in our home located at 1121 Glen Eagles Ct. which will be within 350 ft of the planned Development. We purchased the property thinking it would be a quiet, safe area.

We do not want the rezoning changed to PUD, we highly resent this. Please let our concerns be heard.

Sincerely,
Thomas + Janice Meeker
RR6 - Box 393
Eufaula, OK 74432

Stephen B. Rogers

4601 Augusta Drive

Norman, OK 73072

Norman Planning Commission

P.O. Box 370

Norman, OK 73070

Subject: Planning Commission Meeting, May 10 – Cobblestone Creek Rezoning

Gentlemen:

I reside within 350 feet of the subject tract that is being considered for rezoning.

I support the request for rezoning.

Thank you.

Sincerely,

Stephen Rogers

Stephen Rogers

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-25-12

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 14, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of June 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:33 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	None

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer Shawn O'Leary, Director, Public Works Susan Atkinson, Planner I

* * *

Item No. 6, being:
CONSIDERATION OF A REQUEST SUBMITTED BY COBBLESTONE CREEK ADDITION FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE.

6A. ORDINANCE NO. O-1112-37 – TIM SHANNON REQUESTS REZONING FROM RE, RESIDENTIAL ESTATES DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE.

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

6B. PP-1112-15 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY TIM SHANNON (SMC CONSULTING ENGINEERS, P.C.) FOR COBBLESTONE CREEK ADDITION, GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AND ½ MILE SOUTH OF CEDAR LANE ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan

PRESENTATION BY STAFF:
1. Ms. Hudson – The application requests rezoning from RE to a Planned Unit Development. The proposal consists of eight lots on the south side of Cobblestone Creek Drive and the open space on the north side. The eight lots are about 10 acres; the open space is approximately 1 acre, totalling 11 acres for the PUD. The PUD will be served with private sanitary sewer systems and public water. With the applicant's proposal for one acre plus lots, compatible size with existing single-family homes, the setbacks, fewer drives off Augusta, staff recommends approval of this request for the Planned Unit Development. There was one letter of support (4.3%) and one letter of protest (0.2%).

PRESENTATION BY THE APPLICANT:
1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – Dr. Shannon is also here. This preliminary plat was before you before and was approved. It has now expired. So the residual preliminary plat is back for a reapproval, and that consists of the area which is single-family lots and the presentation is almost the same as you had before; all the lots meet City codes. Also part of the prelim is the area of the existing 9-hole golf course; those lots may be sold to individual homeowners if they want those lots. That request has been made and we're making that available. The PUD application is 9 acres. It doesn't have sewer, as Jane indicated. DEQ will allow 1-acre lots with water. The City of Norman allows 2-acre lots. So the only way we have to make this application is through this process of a PUD. If you read the PUD, you see it's going to be nice houses – big houses – large requirements for brick around the facility and it's just eight lots. That, in summary, is this whole application. Eight lots in the PUD. We have open space of 11%; the requirement is 10%. We've met the requirements of the PUD. This is the form that we've chosen to get those eight lots and this is the way we're going to do it. I'd be glad to answer any questions.

2. Ms. Pailes – It seems like a nice plan. There doesn't seem to be a greenbelt enhancement statement with this. I was just curious because, from the development itself, it happens to be a spot where there is a great greenbelt potential because there's a high power

line about a block south of the development and connecting to that as a trail would be easy and require no expense on the part of the developer and it would be quite a large perimeter trail so it would be a place where there is actually some potential for greenbelt connection.

3. Ms. Connors – I apologize. It did go to the Greenbelt Commission. Mr. Danner is going to fill in some of that information.

4. Mr. Danner – The Greenbelt Commission looked at it. Of course, they were looking at other property to the west of this. So the emphasis was put on a sidewalk on the east side of 12th Avenue, and that sidewalk would have connectivity going north.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Curtis McCarty moved to recommend approval of Ordinance No. O-1112-37 and the Preliminary Plat for COBBLESTONE CREEK ADDITION 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	Dave Boeck, Jim Gasaway, Cynthia Gordon, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-37 and the Preliminary Plat for COBBLESTONE CREEK ADDITION 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-1112-41

File ID:	O-1112-41	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 7	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/15/2012
File Name:	CCS Rezone O-1112-41			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-41 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 SCHOOL ON PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, AND PROVIDING FOR THE SEVERABILITY THEREOF. (3106 BROCE DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-41 on First Reading by title.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 7

Attachments: Text File O-1112-41, O-1112-41 Community Christian School, CCS Location Map, CCS Staff Rpt, CCS Site Devel Plan, CCS Plan, PD 12-10 Community Christian School - Broce Drive, Item 8 - Protest Map and letter, 6-14-12 PC Minutes - CCS

Project Manager: Jane Hudson, 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	06/14/2012	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

Text of Legislative File O-1112-41

Body

BACKGROUND: This is a request for a Special Use for a private school within an industrially zoned district. The applicant, Community Christian School, recently purchased an industrially zoned lot to the west of their existing school located at the corner of North Interstate Drive and Broce Drive. The current school was in existence prior to the requirement for Special Use in industrially zoned areas, therefore, this request for Special Use for a school is only for the newly acquired lot. The current school began classes on September 2, 1986, utilizing a portion of the existing building. The first phase of this project will consist of the remodel and expansion of the existing structure on the newly acquired lot. There will be two additions onto the new building, totaling approximately 16,970 square feet, an addition on the south end and one on the north end. The new building will house the high school students. The new high school is anticipated to accommodate approximately 100 high school students as it opens and 400 students eventually. Approximately 67 new parking spaces will be added along the south sides of the two lots during the expansion of the school. Total parking provided on the entire campus will be 160 parking spaces and 4 bus spaces.

IMPACTS There are no adverse impacts to the area anticipated.

ACCESS Currently there are two access points off Broce Drive for the newly acquired lot and no additional curb cuts are proposed

STAFF RECOMMENDATION: As previously stated, the existing school is located east of this property. With the combining of the two lots, an internal parking lot can be developed to provide efficient parking for the existing and planned additional students. Staff does not anticipate any adverse impact to the adjacent industrial uses. Staff recommends approval of this Special Use for a school including the accompanying site plan for the new school building with additions and the new parking area(s). The Planning Commission, at their meeting on June 14, 2012, unanimously recommended approval of this Special Use for a School.

O-1112-41

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A SCHOOL ON PROPERTY CURRENTLY ZONED 1-1, LIGHT INDUSTRIAL DISTRICT, LOCATED AT LOT 2, BLOCK 2, BROCE INDUSTRIAL PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3106 BROCE DRIVE)

§ 1. WHEREAS, Community Christian School, the owner of the hereinafter described property, has made application for Special Use for a School in the 1-1, Light Industrial 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 School for property currently zoned 1-1, Light Industrial District, to wit:

Lot 2, Block 2, BROCE INDUSTRIAL PARK ADDITION, Norman, Cleveland County, Oklahoma

Said tract containing 2.801 acres, more or less

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

ADOPTED this _____day of

_____, 2012.

_____
Mayor

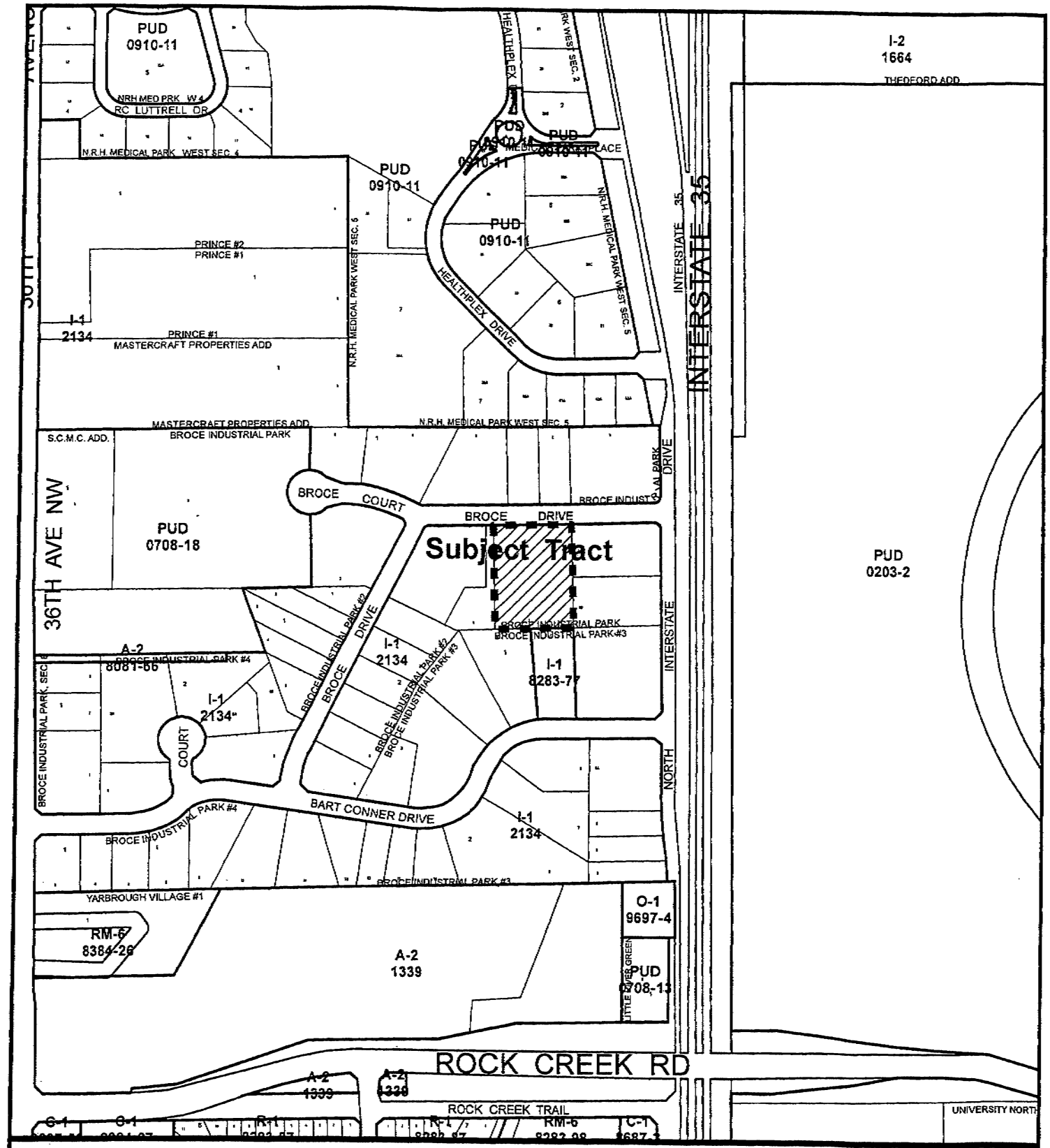
NOT ADOPTED this _____day of

_____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk



Location Map

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

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April 11, 2012

0 250 500 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1112-41 ITEM NO. 8

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Community Christian School
REQUESTED ACTION	Special Use for a School
EXISTING ZONING	I-1, Light Industrial
SURROUNDING ZONING	North: I-1, Light Industrial East: PUD, Planned Unit Development South: I-1, Light Industrial West: I-1, Light Industrial
LOCATION	3106 Broce Drive, generally located 400-feet west of North Interstate Drive and south of Broce Drive
SIZE	2.801 Acres
PURPOSE	Private School
EXISTING LAND USE	Industrial
SURROUNDING LAND USE	North: Industrial East: Commercial South: Industrial West: Industrial
LAND USE PLAN DESIGNATION	Industrial

SYNOPSIS: This is a request for a Special Use for a private school within an industrially zoned district. The applicant, Community Christian School, recently purchased an industrially zoned lot to the west of their existing school located at the corner of North Interstate Drive and Broce Drive. The current school was in existence prior to the requirement of Special Use request in industrially zoned areas therefore this request for Special Use for a school is only for the newly acquired lot. The current school, located at the corner of North Interstate Drive and Broce Drive, began classes on September 2, 1986, utilizing a portion of the existing building. In 1992 the school purchased the entire building and housed Pre-K through the 12th grade. The first phase of this project will consist of the remodel and expansion of the existing structure on the newly acquired lot. There will be two additions onto the new building totaling approximately

16,970 square feet, an addition on the south end and one on the north end. The new building will house the high school students. The new high school is anticipated to accommodate approximately 100 high school students as it opens and 400 students eventually. There will be the addition of a new/expanded playground between the two buildings. Approximately 67 new parking spaces will be added along the south sides of the two lots during the expansion of the school. Total parking provided on the entire campus will be 160 parking spaces and 4 bus spaces.

ANALYSIS:

IMPACTS There are no adverse impacts to the area anticipated.

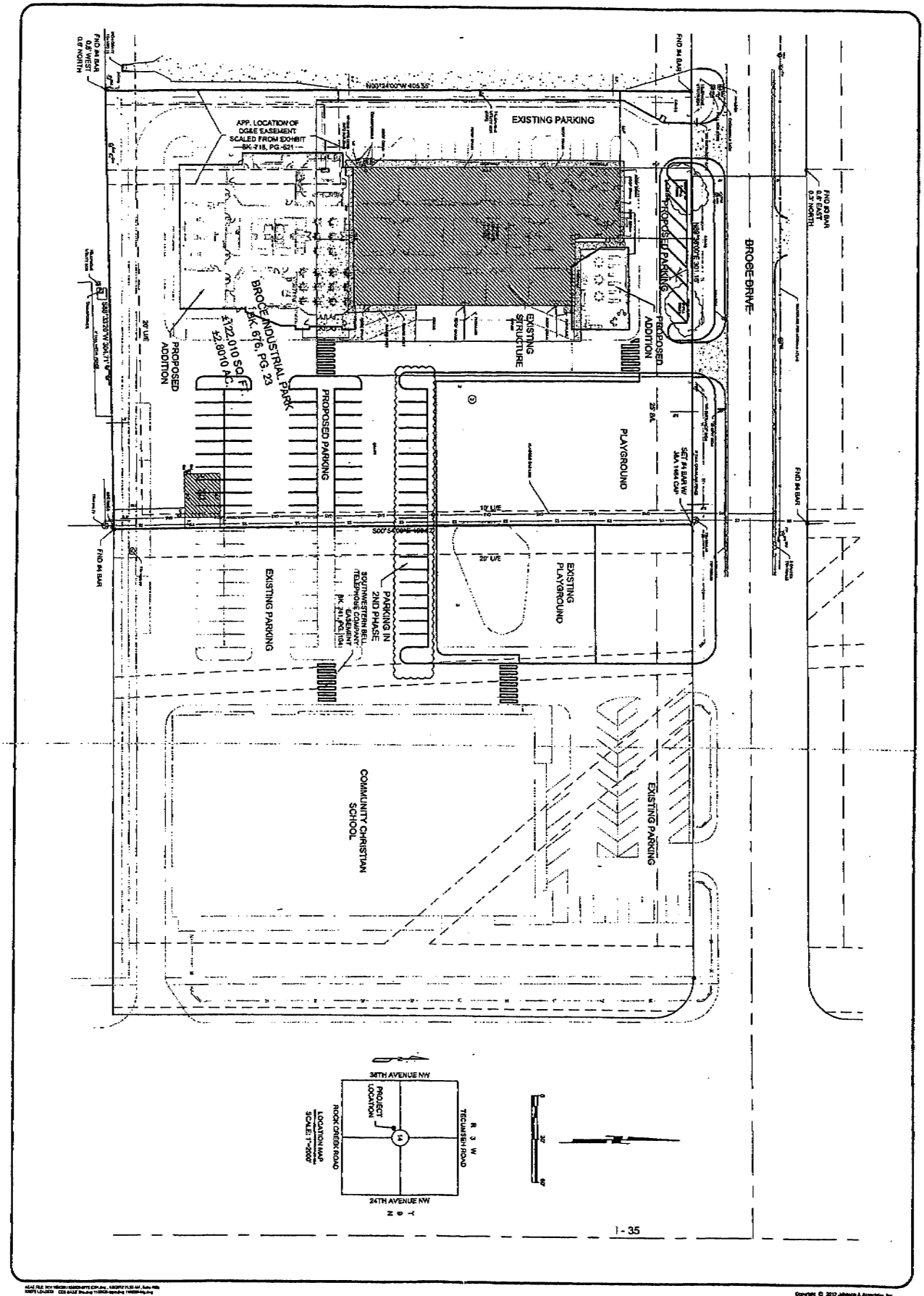
ACCESS Currently there are two access points off Broce Drive for the newly acquired lot and no additional curb cuts are proposed

OTHER AGENCY COMMENTS:

PARKS BOARD No parkland dedication is required or associated with this request.

PUBLIC WORKS Platting is complete for this property. Streets and utilities are existing.

STAFF RECOMMENDATION: As previously stated, the existing school is located east of this property noted in the application. With the combining of the two lots an internal parking lot can be developed to provide efficient parking for the existing and planned additional students. Staff does not anticipate any adverse impact to the adjacent industrial uses. Staff recommends approval of this Special Use for a school including the site plan for the new parking area(s).



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SHEET NUMBER

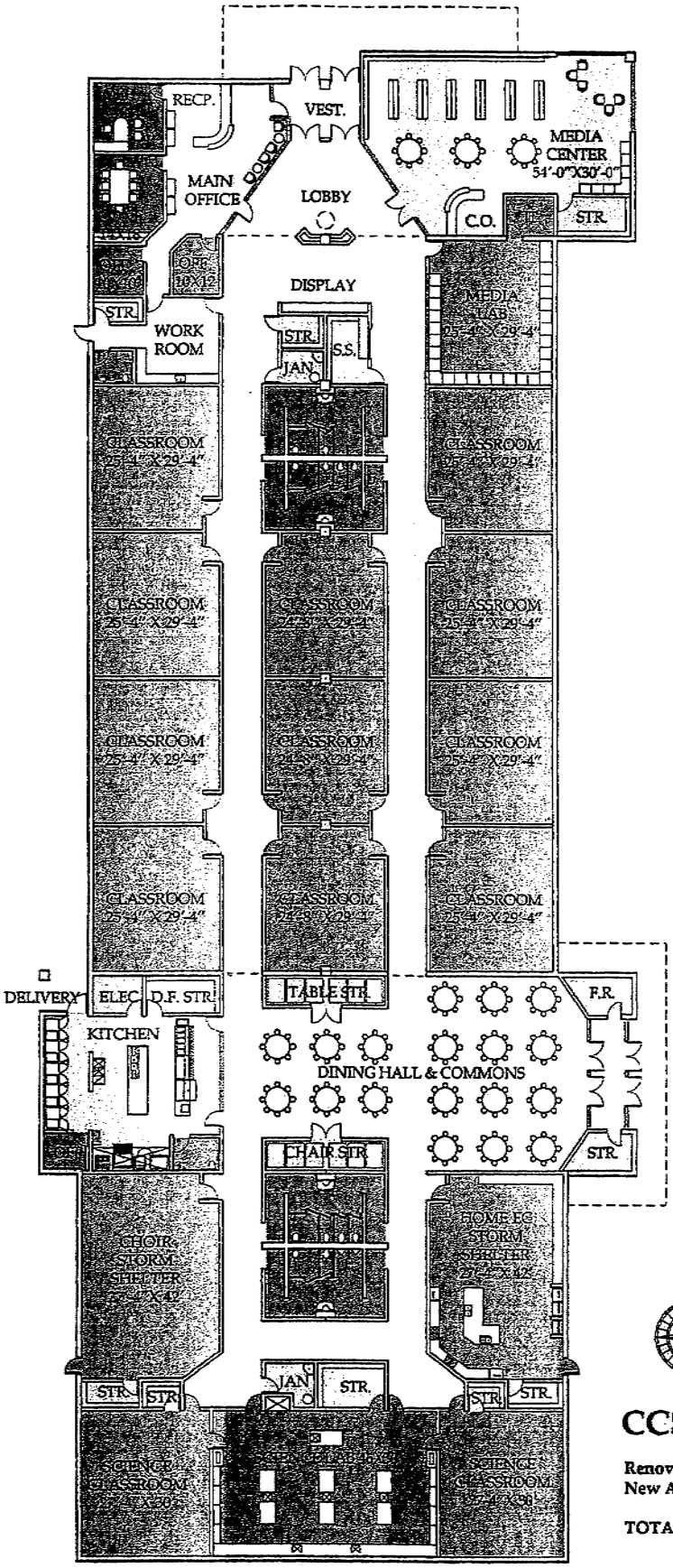
COMMUNITY CHRISTIAN SCHOOL

3106 BROCE DRIVE
NORMAN, CLEVELAND COUNTY, OKLAHOMA

SPECIAL USE PERMIT

Johnson & Associates, Inc.
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
ENGINEERS • SURVEYORS • PLANNERS

REVISIONS		
NO.	DESCRIPTION	DATE



N

CCS Plan

Renovation 14,592 SF
New Addition 16,970 SF

TOTAL = 31,562 SF

City of Norman Predevelopment **April 26, 2012**

Applicant	Community Christian School
Location	Generally located on the south side of Broce Drive just east of North Interstate Drive
Case Number	PD 12-10
Time	6:00-6:30 PM

Attendee	**Stakeholder**	**Address**	**Phone**
Randy & Sandra Jackson	Applicant	1017 Pruitt Dr.	691-4904
Diana Stephens	Applicant	3108 Twin Cir.	760-7439
Jim & Barbara Ohsfeldt	Applicant	1833 SW 28th	799-3680
Scott Sturtz	Applicant	3428 Teton Ct.	321-0151
Drew Norlin	City Staff Public Works Department		366-5459
Leah Messner	City Staff – Legal		217-7748
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

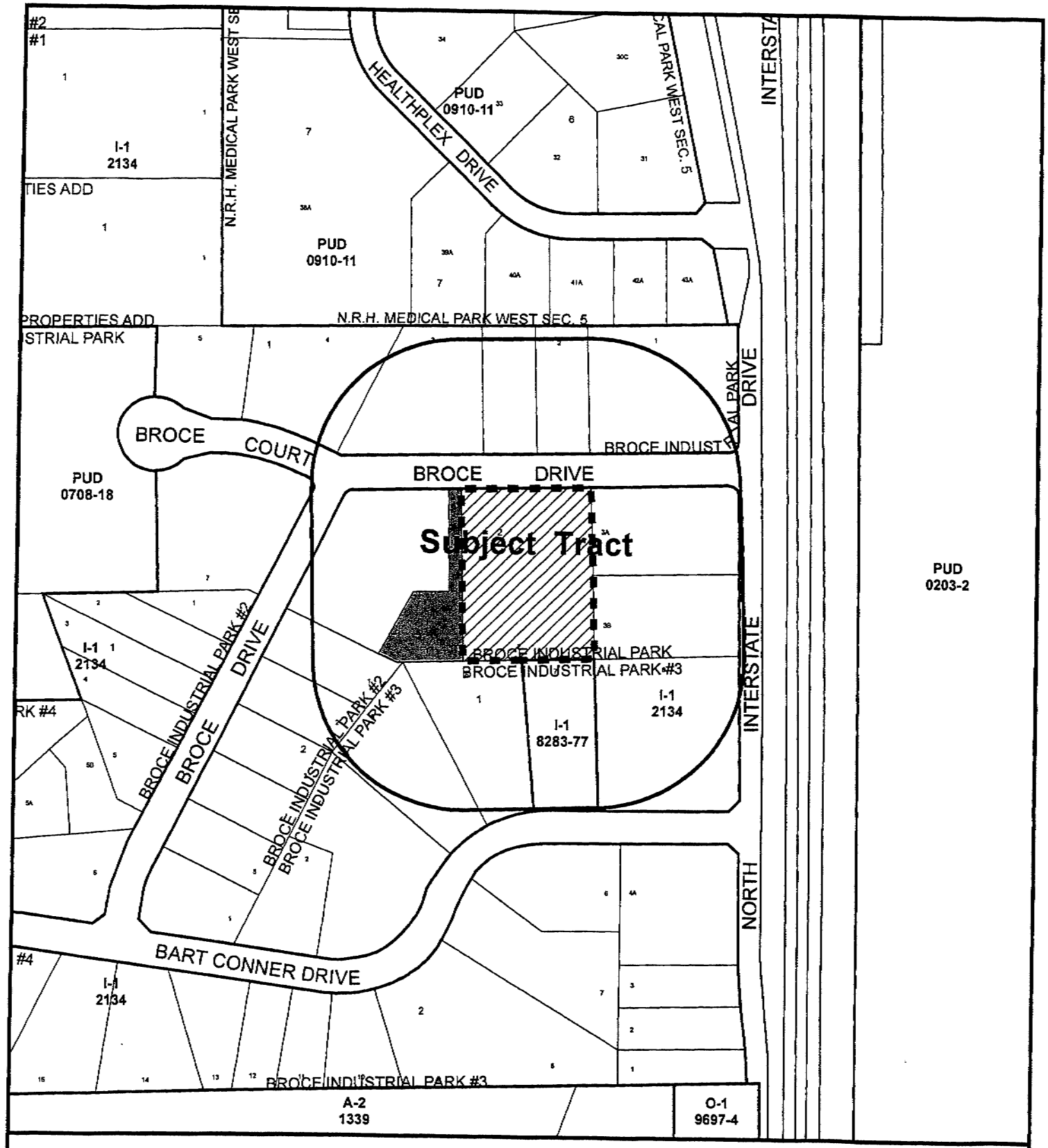
Application Summary. The applicant is seeking a special use for a parcel with an existing structure to expand the existing Community Christian School.

Applicant's Opportunity. Through capital campaigns of years past and consistent saving, Community Christian School was able to purchase this adjacent lot to build to the west of the current campus. The next phase includes constructing a 31,562 square-foot high school on the newly acquired 2.8 acre site and updating features on the current campus. Building plans for phase one are projected to begin in July of 2012. Phase one includes the remodel and expansion of the existing structure to the west of the existing school facility. The construction will include approximately 14,592 square feet in renovation of the existing structure and 16,970 square feet of the building addition. The new high school is anticipated to accommodate approximately 100 high school students

as it opens, 400 ultimately. It is our request that the majority of the parking be provided during phase one (approximately 47 parking spaces). It is requested that the additional 20 parking spaces on the west lot not be required until the high school enrollment reaches 200.

Phase two includes the remodeling of the current building. Total parking provided on the entire campus will ultimately be 160 parking spaces and 4 bus spaces.

There were no neighbors in attendance.



Protest Map

4.20% Protest Within Notification Area

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

N W E S

Scale: 1" = 300'

June 12, 2012

Subject Tract

Protest

Notification Area

Protest Outside Notification Area

CAA DEVELOPMENT CORPORATION
1400 E. IMHOFF ROAD•NORMAN, OK 73071-4050•PHONE (405) 329-1460

May 25, 2012

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

RE: Community Christian School
Request for Special Use – 3106 Broce Drive

Dear City Clerk:

Please be advised that we received a legal notice from the Norman Planning Commission stating that the Community Christian School has submitted a request to the City of Norman for special use of the property at 3106 Broce Drive to expand their existing private school.

As a property owner within the area, we are protesting the approval of this use until we know more facts about their intentions for the property as we feel it could have a big impact and put restrictions on our property use and property tenants in the future.

Sincerely,

Gail Armstrong
President

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-29-12

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 14, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of June 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:33 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	None

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer Shawn O'Leary, Director, Public Works Susan Atkinson, Planner I

* * *

Item No. 8, being:
ORDINANCE NO. O-1112-41 – COMMUNITY CHRISTIAN SCHOOL REQUESTS SPECIAL USE FOR A SCHOOL FOR PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, AND LOCATED AT 3106 BROCE DRIVE.

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

PRESENTATION BY STAFF:
1. Ms. Hudson – The application before you is for Community Christian School for a special use on property currently zoned I-1. CCS purchased this tract just to the west of their existing school on Broce Drive. It is going to be the high school. They're going to add additional classrooms, and they're adding a parking lot which will cross over into the lot to the east to allow for student and visitor parking. There are two businesses across the street to the north, one a carpet business and the other an office building. There was a letter of protest constituting 4.2% of the notification area. Staff recommends approval of this special use. With the internal parking lot, we don't feel there will be any adverse impacts on adjacent property owners.

2. Mr. Lewis – Was there a traffic study done on this? In looking at the notes, it seems that we're going to increase the number of students immediately by 100 with the high school; eventually it would be 400. It's my understanding right now traffic is an issue in that area, and the protest letter we got from Armstrong Companies – it seems that might be a negative impact. I'm wondering, has there been a traffic study performed?

3. Ms. Hudson – I do not know, but I feel the applicant can answer that.

PRESENTATION BY THE APPLICANT:
1. Tim Johnson, Johnson & Associates, 1 East Sheridan in Oklahoma City – We are the engineers for Community Christian School and have been for 20+ years. As the staff has reported, the existing school campus was allowed to be a permitted use under the old regulations of I-1. The current regulations of I-1 require the special use permit, which is why we're here. To answer your traffic question, we have not done a specific traffic impact study at this point. You're correct in that eventually there will be more students. The initial plan is to move the high school students out of the existing building into the new building at their current number of students, which is about 100. That's 9th, 10th, 11th and 12th grade. So that allows more room for the younger students – junior high and below, which, obviously, they don't drive cars, but there will be a little more traffic on the drop-off time. From a personal experience, I've had six kids graduate from this school, so I've done a lot of dropping off and picking up. The school has done a very good job with regard to organizing that. I can tell you 20 years ago it was chaos. We've worked real close with the neighbors to keep from blocking driveways and things like that for the very short period of time – that doesn't occur at the same peak traffic time that you would under a normal traffic impact study is going to happen in the 4:00 to 6:00 p.m. and the 7:00 to 9:00 a.m. would probably dovetail with morning traffic peak. But being an industrial tract, the local traffic is very low. The traffic for the school is about from 10 'til 8:00 to 10 or 15 after 8:00 in the morning. With regard to the new building, we are not anticipating increasing the number of cars that would exit out onto Broce Drive. Our exiting strategy would still continue to take them out to the frontage road out our south driveway – south of the existing building and the farthest east driveway onto Broce, where we control access and exiting there to be right turn only during the exiting hours of the school. So the impact, I think, to the neighborhood would simply be a minor increase in pick-up and drop-off traffic during those periods of time. We do a lot of traffic engineering work and we just have not requested or have not done a study for this.

As mentioned, the new building that has been acquired is looking at a remodel to convert it from what it is today to a classroom setting. The bulk of the addition at the south end of the building would be for a cafeteria, theater room, general gathering places, as well as additional classrooms. We are not increasing the drives onto Broce. We will be providing detention for the increased runoff that we would be creating for both the parking and the building addition. Mr. Armstrong did send a letter to the City; we received a copy of that late yesterday. I was successful in getting hold of Mr. Armstrong this morning and we talked twice today. I also sent him an email with regard to response to his comments. His concern about the special use permit, as he indicated to me, was he didn't want it to negatively impact uses that are permitted on his property. We did some research in the codes and ordinances; we talked to staff and confirmed that we would not diminish any of his current uses that are permitted in the I-1 with the limited C-2 uses that are permitted under that I-1 use. So I conveyed that to him and I'm not sure – I haven't seen him yet tonight, so if he's here, I'd be happy to give him the floor. I think with the site plan you have in front of you, that pretty much explains everything. I'd be happy to answer any questions.

2. Mr. McCarty – Well, my biggest concern reading this is that we've got a start of a 100 person addition to it and eventually 400 and there's been no traffic study. I frequent that area quite often around the 3:00 to 4:00 time when kids are being picked up and it's chaos. It's very dangerous turning out of those areas trying to get onto Broce if you're in that area doing business. So that's a big concern of mine and I'm just curious why there hadn't been one done.

3. Ms. Pailes – I noticed there's spaces for buses. Does the school have buses? That cuts down on traffic.

4. Mr. Johnson – Yes, they do. They keep them parked down on the gymnasium property to the north. They're only here to transport kids to PE on occasion.

5. Mr. Lewis – It looks like in phase 2 the ultimate build-out of parking spaces is going to be 160. Can you give me an estimate of what is there now?

6. Mr. Johnson – I should know that off the top of my head. It's about 120, I believe, counting the lot to the north.

7. Mr. Lewis – So we're just going to increase by about 40 automobiles just for parking there?

8. Mr. Johnson – I'm sorry, no. The increased parking would be about 50 spaces, so our total will be 160 – so about 110.

9. Mr. Danner – By our engineering standards, a traffic study is required with a preliminary plat. This property is already platted. Thereby it could not be required by us.

AUDIENCE PARTICIPATION:

1. Gail Armstrong, 1418 Aspen Lane – I did turn in a protest letter not understanding. I talked to Susan a while ago and I talked to Mr. Johnson today. Where I was concerned was school zonings and church zonings change what you can do next door. So I would hate to go down the road a ways and all of a sudden say, oh, you can't have that type of businesses in here because you're next door to a school, next door to a church. The special permissive use, Susan tells me, stays with the land. Right? Not with the use. But if they ever decided to vacate this property, then would it be only for a school?

2. Ms. Connors – Well, the special use doesn't expire, so it stays with the land until somebody requests a different use for the land. Now someone could still redevelop it industrially. The I-1 zoning does not change; the special use is a layer over that, but it doesn't expire.

3. Mr. Armstrong – With the questions I got answered today, I can withdraw my protest. I understood that I'm not going to get zoned out.

4. Mr. Lewis – Being a very large business owner in that area, or land owner in that area, do you have concerns with the amount of traffic that is going to be there? We have concerns that have been vocalized with the traffic study not being done. But I'm wondering if you have concerns with traffic.

5. Mr. Armstrong – We own the next two buildings to the west. It has been worse than it is now – back about five years ago. I don't know what exactly took place. They used to block our driveways and go around the corner, but evidently they've self-disciplined themselves on how to park around the street. I was glad to see it looked like they were going to add some parking, too.

6. Mr. Lewis – So, even though we're going to be increasing parking spaces by about 40 or 50, we're going to have about 160 in phase 2 – about 400 students coming and going, traffic is not going to be an issue for you?

7. Mr. Armstrong – Well, they can only park singly along the road, so if they can't park, they're going to have to find a solution themselves. That's all I can say. They can only park on one side waiting on the students to dismiss about 3:30 or 4:00.

8. Mr. Lewis – So it's not an inconvenience to you?

9. Mr. Armstrong – It hasn't been. We did have a complaint or two probably five or ten years ago and they've handled it pretty well.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. McCarty – I'll just make one other comment, and maybe he can answer this, about the school. But 100 high school students – the majority of them drive a car. We're adding 67 parking spaces and that's it. So if you have 9th graders, they won't drive. Sophomores through seniors will the majority of the time. If it hits 400, I have – where in the world would all these people park, or are they not allowed to drive to school? So this traffic thing is really kind of bothering me and how this is, because I have been in that area quite a bit and the people start lining up all the way down Broce and all the way around to Bart Conner. It's real congested at, like you said, off traffic time, but it's a problem. So I'm just curious how that works with your school.

2. Mr. Johnson – To answer your first question, the number of parking spaces that we're providing on this plan meets or exceeds the design criteria for 400 students. I can tell you that none of the students or staff are permitted to park outside the campus. That's an internal rule. The only time that ever happens is if there's a special event, like they have a fair once a year, sometimes presentation. But usually that's done at the gym. With regard to Mr. Armstrong's comment about why things have gotten better, the City did come out a couple of years ago and have restriped Broce from the intersection of I-35 back about 500 or 600 feet and created a third lane, so that traffic – that street is wide enough for three lanes of vehicles, including trucks. By doing that, because it's not striped anywhere else, that helps direct the through traffic on through and the parked traffic to stay in that far right lane that turn in that driveway. Mr. McCarty is correct that the short period of time before pick-up parents get there a little bit early and they'll park at the curb. They're very courteous about not blocking driveways. There are signs up – don't block the neighbor's driveway, signed by Mrs. O – she's the Gestapo of the school. I think just the parents have learned to run the trap properly. As I've said, they've tried to be good neighbors. They've talked to a lot of the neighbors and my kids have all grown up

there. I've been involved in the school for 20+ years and the good news is it's grown to the better. They're trying to do a very good job and trying to be a good neighbor. Obviously, there's a need for a private Christian school in this part of town, because our waiting list for our elementary is very long.

Chris Lewis moved to recommend approval of Ordinance No. O-1112-41 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	Dave Boeck, Jim Gasaway, Cynthia Gordon, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-41 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-1112-42

File ID:	O-1112-42	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/15/2012
File Name:	Ladd Rezone-Special Use O-1112-42			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-42 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 PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE A-2, RURAL AGRICULTURAL DISTRICT, AND REMOVE THE SAME FROM THE A-1, GENERAL AGRICULTURAL DISTRICT, OF SAID CITY; AND TO GRANT SPECIAL USE FOR A RIDING ACADEMY AND PUBLIC STABLE ON AID PROPERTY TO BE ZONED A-2, RURAL AGRICULTURAL DISTRICT; AND PROVING FOR TH SEVERABILITY THEREOF. (8809 ALAMEDA DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-42 upon First Reading by title.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 8

Attachments: Text File O-1112-42, O-1112-42 Jennifer Ladd, Ladd Location Map, Jennifer Ladd Riding Stable Staff Rpt, Ladd Site Plan, Ladd PD 12-05, Item 9 - Protest Map and letter, 6-14-12 PC Minutes - Ladd

Project Manager: Jane Hudson, 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	06/14/2012	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	06/14/2012

Text of Legislative File O-1112-42

Body

BACKGROUND: This is a request for rezoning and Special Use for a "Riding Academy and Public Stable" on the property located at 8809 Alameda Drive. Currently, the applicant has two zoning designations on her property: A-1, General Agricultural District, and A-2, Rural Agricultural District. To obtain a Special Use on this property the entire property must be zoned A-2, Rural Agricultural District, since a riding academy/public stable is not a permitted use in the A-1 zoning district. The applicant currently owns several horses already on-site and does not anticipate increasing the number of horses. The applicant lives on the property, with her residence located on the eastern portion of the tract. The applicant is a licensed social worker and seeks to offer equine therapy to patients, primarily children. The applicant anticipates the therapy sessions will occur 5-10 hours per week and sessions will include between 1-8 clients. The applicant proposes to construct one large corral on the east portion of the tract where she will work with the clients. This portion of Norman still contains numerous large agricultural lots that are sufficient in size to minimize any off-site impacts.

IMPACTS This tract abuts Lake Thunderbird property to the north and east. There are existing farm buildings which are approximately 236 feet from the east property line. The new corral will be located on the eastern portion of the tract, minimizing any impact the operation might have on neighboring properties. The applicant has agreed to install a fence on her west property line to keep riders from wandering across property boundary lines. The entire tract is heavily wooded along all property boundaries. The proposed area for the new corral is over 500-feet from the nearest neighboring residence to the east.

ACCESS One existing driveway serves the parcel off Alameda Drive, which has good sight visibility for future visitors. Additional driveways have not been proposed. A gravel road provides access into the middle of the lot, where it will branch to access the various buildings and facilities on-site. Visitor parking will be provided on gravel surfaces, which is acceptable within this zoning district.

STAFF RECOMMENDATION: The large parcel and small class size does not create any additional adverse impacts with this request. Visitor parking on gravel surfaces is appropriate and is adequate given the sporadic amount of visitor events. Staff recommends approval of this rezoning and Special Use request. The Planning Commission, at their meeting on June 14, 2012, unanimously recommended approval of this rezoning from A-1 to A-2 and the Special Use for a Riding Academy and Public Stable.

O-1112-43

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

§ 1. WHEREAS, Cies Properties, Inc., the owner of the hereinafter described property, have made application to have a portion of their property placed in the R-1, Single-Family Dwelling District, and to have the same removed from the RM-6, Medium Density Apartment District; and

§ 2. WHEREAS, Cies Properties, Inc., the owner of the hereinafter described property, have made application to have a portion of their property placed in the PUD, Planned Unit Development District, and to have the same removed from the RM-6, Medium Density Apartment District; and

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

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

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

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the R-1, Single Family Dwelling District, and to have the same removed from the RM-6, Medium Density Apartment District, to wit:

A tract of land lying in the NE/4 of Section 22, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of said NE/4; THENCE North 89°57'05" West on the North Line of said NE/4 for a distance of 1050.13 feet to the POINT OF BEGINNING;
THENCE South 00°04'37" West a distance of 680.00 feet;
THENCE North 89°57'05" West a distance of 220.66 feet;
THENCE South 00°04'46" West a distance of 131.72 feet;
THENCE South 49°56'50" West a distance of 32.23 feet;
THENCE North 80°11'07" West a distance of 75.40 feet;
THENCE North 35°11'07" West a distance of 35.36 feet;
THENCE North 09°48'53" East a distance of 33.74 feet;
THENCE Northeasterly, on a curve to the left, having a radius of 997.96 feet, a chord bearing of North 07°34'06" East, for a curve distance of 78.26 feet;
THENCE North 05°19'19" East a distance of 108.06 feet;
THENCE North 09°53'04" East a distance of 94.28 feet;
THENCE North 05°19'19" East a distance of 61.37 feet;
THENCE Northeasterly, on a curve to the left, having a radius of 637.50 feet, a chord bearing of North 02°41'07" East, for a curve distance of 58.67 feet;
THENCE North 00°02'55" East a distance of 284.81 feet;
THENCE North 45°02'55" East a distance of 35.36 feet;
THENCE North 00°02'55" East a distance of 50.00 feet to a point on the North Line of said NE/4;
THENCE South 89°57'05" East on said North Line a distance of 265.09 feet to the POINT OF BEGINNING.

Said tract containing 4.97 acres, more or less

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PUD, Planned Unit Development District, and to have the same removed from the RM-6, Medium Density Apartment District, to wit:

A tract of land lying in the NE/4 of Section 22, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of said NE/4; THENCE North 89°57'05" West on the North Line of said NE/4 for a distance of 1050.13 feet;
THENCE South 00°04'37" West a distance of 680.00 feet to the POINT OF BEGINNING;
THENCE South 00°04'37" West a distance of 226.38 feet;
THENCE South 89°55'22" East a distance of 375.00 feet;
THENCE South 89°13'55" East a distance of 56.01 feet;
THENCE South 00°37'04" West a distance of 560.00 feet;
THENCE South 89°13'55" East a distance of 560.00 feet;
THENCE South 00°39'04" West, a distance of 131.07 feet;
THENCE North 89°13'55" West a distance of 414.42 feet;
THENCE North 72°29'56" West a distance of 654.00 feet;
THENCE North 26°18'09" West a distance of 278.95 feet;
THENCE North 00°04'46" East a distance of 176.99 feet;

THENCE North 80°11'07" West a distance of 110.08 feet;
THENCE South 56°28'44" West a distance of 34.31 feet;
THENCE Northeasterly on a curve to the left, having a radius of 630.00 feet, a chord bearing of North 11°28'44" East and a chord distance of 36.59 feet, for a curve distance of 36.59 feet;
THENCE North 09°48'53" East, a distance of 61.97 feet;
THENCE South 35°11'07" East a distance of 35.36 feet;
THENCE South 80°11'07" East a distance of 75.40 feet;
THENCE North 49°56'50" East a distance of 32.23 feet;
THENCE North 00°04'46" East a distance of 131.72 feet;
THENCE South 89°57'05" East a distance of 220.70 feet to the POINT OF BEGINNING

Said tract containing 10.51 acres, more or less

§ 7. Further the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the PUD Narrative as revised and resubmitted May 29, 2012, and the Site Development Plan contained therein and supporting documentation submitted by the applicant and approved by the Planning Commission and made a part hereof.

§ 8. 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

_____, 2012.

_____
Mayor

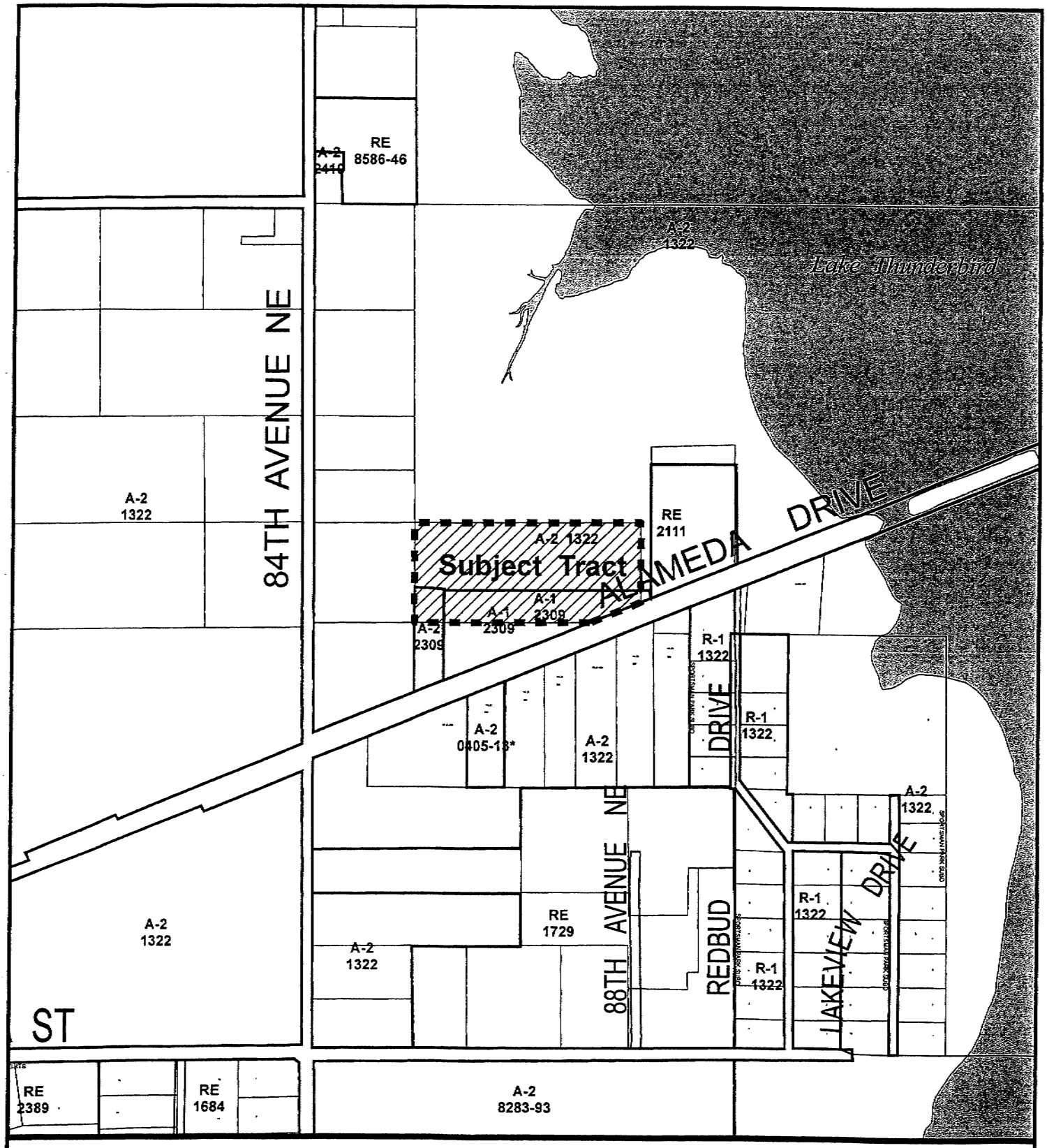
NOT ADOPTED this _____day of

_____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk



Location Map

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

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May 16, 2012

0 400 800 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1112-42 ITEM NO. 9

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Jennifer Ladd
REQUESTED ACTION	Rezoning from A-1 to A-2 and Special Use for equine therapy and public riding stable
EXISTING ZONING	A-1 General Agricultural and A-2, Rural Agricultural
SURROUNDING ZONING	North: Government Property/ Lake Thunderbird East: Government Property/ Lake Thunderbird South: A-1, General Agricultural West: A-2, Rural Agricultural
LOCATION	8809 Alameda Drive, generally located on the north side of Alameda Drive approximately one-quarter mile east of 84th Avenue NE
SIZE	19.75 Acres
PURPOSE	Equine Therapy & Public Stable
EXISTING LAND USE	Residential
SURROUNDING LAND USE	North: Agricultural East: Agricultural South: Residential & Agricultural West: Residential & Agricultural
LAND USE PLAN DESIGNATION	Country Residential

SYNOPSIS: This is a request for rezoning and Special Use on the property located at 8809 Alameda Drive. Currently the applicant has two zoning designations on her property: A-1, General Agricultural District and A-2, Rural Agricultural District. To obtain a Special Use on this property the entire property must be zoned A-2, Rural Agricultural District since a riding academy/public stable is not a permitted use in the A-1 zoning district. The applicant currently owns several horses already on-site and does not anticipate increasing the number

of horses. The applicant is a licensed social worker and seeks to offer equine therapy to patients, primarily children. The applicant anticipates the therapy sessions will occur 5-10 hours per week and sessions will include between 1-8 clients. The applicant proposes to construct one large corral on the east portion of the tract where she will work with the clients. This portion of Norman still contains numerous large agricultural lots that are sufficient in size to minimize any off-site impacts. The applicant lives on the property, with her residence located on the eastern portion of the tract.

ANALYSIS:

IMPACTS This tract abuts Lake Thunderbird property to the north and east of this property. There are existing farm buildings which are approximately 236 feet from the east property line. The new corral will be located on the eastern portion of the tract minimizing any impact the operation might have on any neighboring properties. The applicant has agreed to install a fence on her west property line to keep riders from wandering across property boundary lines. The western portion of the property is heavily wooded. Also, the residence to the south is located in an area of dense trees creating a buffer between the parcels. Beyond the lake property to the east is an existing residence. The specific proposed area for the new corral is over 500-feet from that residence to the east.

ACCESS One existing driveway serves the parcel off Alameda Drive, which has good sight visibility for future visitors. Additional driveways have not been proposed. A gravel road provides access into the middle of the lot, where it will branch to access the various buildings and facilities on-site. Visitor parking will be provided on gravel surfaces, which is acceptable within this zoning district.

OTHER AGENCY COMMENTS:

PARK BOARD No parkland dedication is required or associated with this request.

PUBLIC WORKS Platting is not required for agricultural uses.

STAFF RECOMMENDATION: The large parcel and small class size does not create any additional adverse impacts with this request. Visitor parking on gravel surfaces is appropriate and is adequate given the sporadic amount of visitor events. Staff recommends approval of this rezoning and Special Use request.

I, Jonathan D. Rogers, a Registered Professional Land Surveyor in the State of Oklahoma, do hereby certify that the total area as shown hereon for zoning request is correct

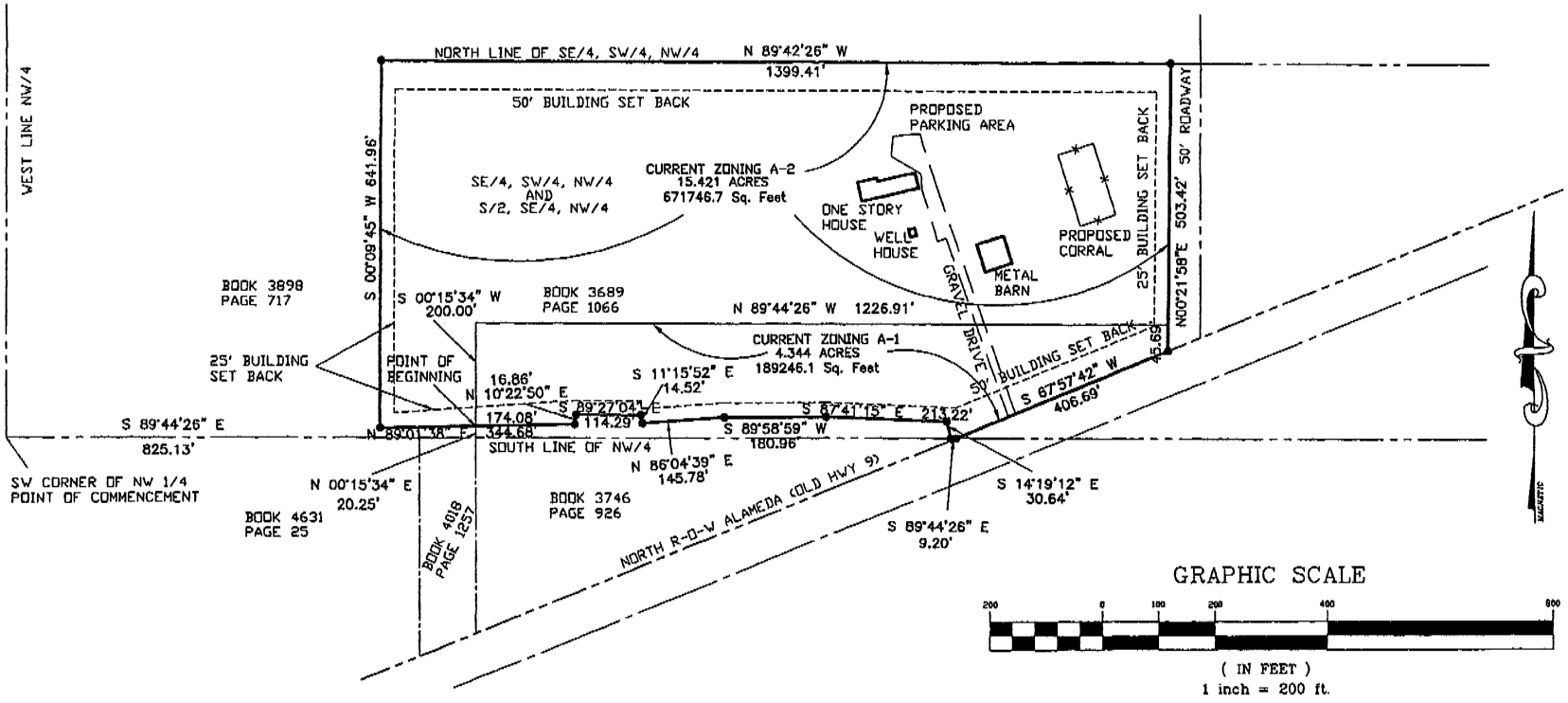
Jonathan D. Rogers PLS 1706 *Date* 5/15/12

LICENSED PROFESSIONAL LAND SURVEYOR
JONATHAN D. ROGERS
1706
OKLAHOMA

LEGAL DESCRIPTION
CURRENT A-1 ZONE

A STRIP PIECE OR PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION TWENTY-EIGHT, TOWNSHIP NINE NORTH, RANGE ONE WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA MORE PARTICULARLY DESCRIBED AS FOLLOWS;
THE BASIS OF BEARING FOR THIS DESCRIPTION IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION
ASSUMED TO BEARS N89°44'26"W AND IS MONUMENTED BY A MAG NAIL ON THE WEST AND A BRASS CAP ON THE EAST

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER THENCE S89°44'26"E ALONG THE
SOUTH LINE OF SAID QUARTER A DISTANCE OF 825.13 FEET;
THENCE N 00°15'34" E A DISTANCE OF 20.25 FEET TO THE POINT OF BEGINNING;
THENCE N 89°01'34" E A DISTANCE OF 174.08 FEET;
THENCE N10°22'50"E A DISTANCE OF 16.86 FEET;
THENCE S89°27'04"E A DISTANCE OF 114.29 FEET;
THENCE S11°15'52"E A DISTANCE OF 14.52 FEET;
THENCE N86°04'39"E A DISTANCE OF 145.78 FEET;
THENCE N89°58'59"E A DISTANCE OF 180.96 FEET;
THENCE S87°41'15"E A DISTANCE OF 213.22 FEET;
THENCE S14°19'12"E A DISTANCE OF 30.64 FEET;
THENCE S89°44'26"E A DISTANCE OF 9.20 FEET;
THENCE N67°57'42"E A DISTANCE OF 406.69 FEET;
THENCE N00°21'58"E A DISTANCE OF 45.69 FEET;
THENCE N89°44'26"W A DISTANCE OF 1226.91 FEET;
THENCE S00°15'34"W A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING
CONTAINING 4.344 ACRES OR 671746.7 SQ. FEET MORE OR LESS



SITE PLAN

Drawn By: J. Rogers | Approved By:
Checked By: T. Cole | Date: 5/15/2012
Project No.: | Scale: 1"=200'

SITE PLAN
LADD HORSE ARENA
SEC 28, 9N-1W
Cleveland County Oklahoma

PINNACLE
CONSULTING MANAGEMENT GROUP, INC
1141 N. ROBINSON AVE. SUIT 402
OKLAHOMA CITY, OK 73103
PH (405) 879-0600 Fax (405) 604-4627
CA 6117 Expires 6-30-13

SHEET 1 OF 1 SHEETS

City of Norman Predevelopment **March 22, 2012**

Applicant	Jennifer Ladd
Location	8809 Alameda Drive
Case Number	PD 12-05
Time	6:00-6:30 PM

Attendee	Stakeholder	Address	phone
Jennifer Ladd	applicant	8809 Alameda Dr	343-4244
Ben Odom	Applicant's attorney	2350 McKown Drive Norman	701-1863
Randy Worden	Agency representative	Central OK Master Water Conservancy Dist 12500 Alameda Dr	329-5228
Stephen and JoAnita Weichbrodt	Neighbors	601 84th St NE	364-3457
Edwin and Susanne Corr	Applicant's parents	1617 Jenkins	321-7036
Susan Atkinson	City staff		366-5392
Doug Koscinski	City staff		
Leah Messner	City staff		

Application Summary. The applicant is seeking to rezone her 20-acre property from the current A-1 and A-2 to A-2. The *Norman 2025 Land Use Plan* designation is Country Residential.

Applicant's Opportunity. The applicant is a licensed social worker who is seeking to use her 20-acre property in east Norman to offer equine therapy to her counseling patients, primarily children. The southeast quadrant of the property—approximately 5 acres—is currently zoned A-1 which does not allow a public riding stable land use. The applicant would like to rezone this section of the property in order to allow the legal construction of the public stable and corral.

As is permitted in an A-2 zone, the applicant already keeps horses on the property but does not anticipate increasing the number of horses. She foresees that these therapy sessions will occur for 5-10 hours per week and sessions will include between 1-8 clients.

The applicant will add a fence to the west side of her property to prevent riders from leaving her property but she anticipates that there will not be occurrences of unattended riders wandering around the property. She added that many of her clients will never even ride horses but will work with them on the ground.

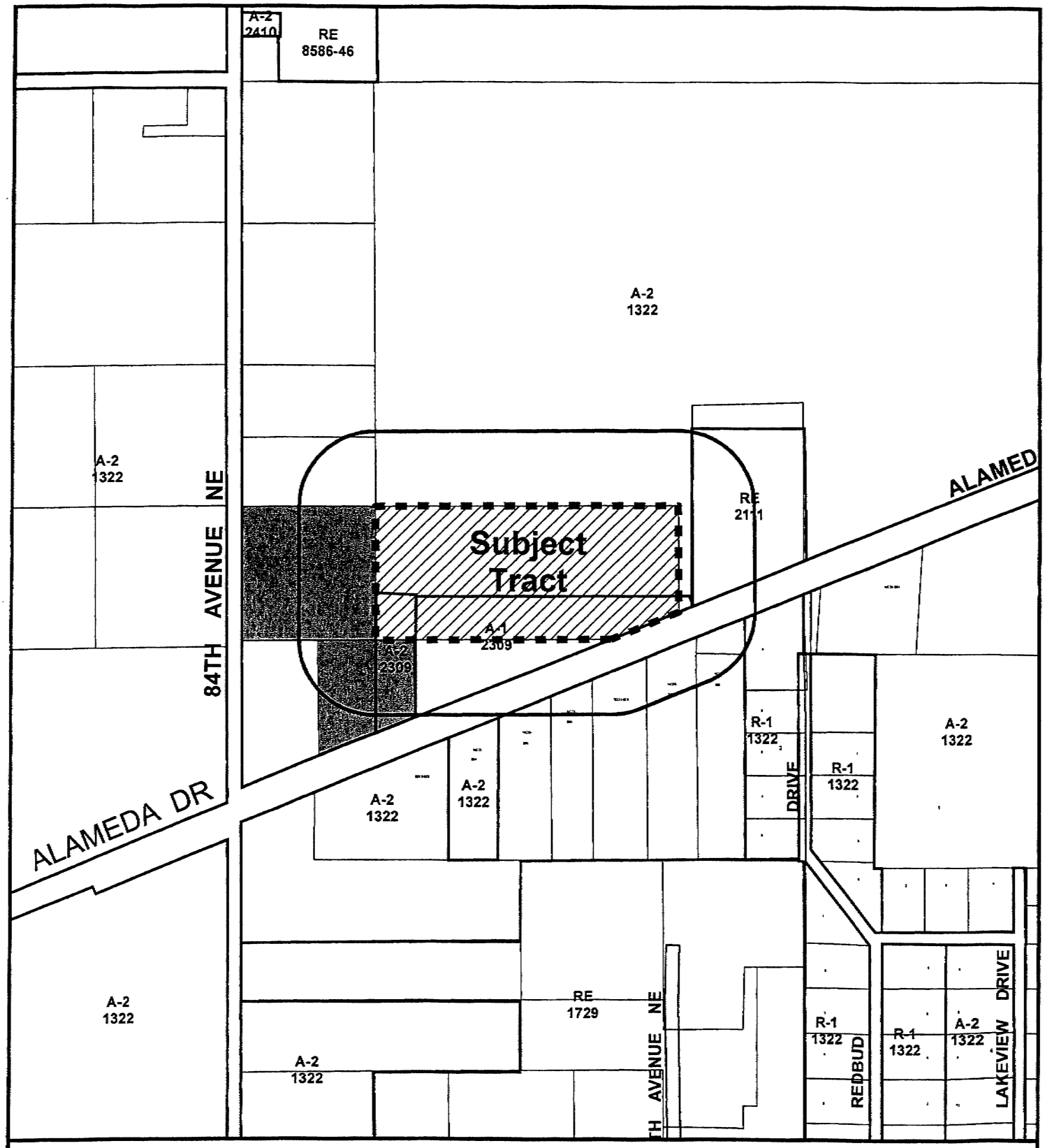
Neighbors' Questions and Comments.

Q. Possibility of trespassing onto neighboring property?

> **Applicant's answer.** She stated that she would add a fence to the west property line which would prevent the possibility that any riders could wander onto neighboring property.

Q. Increase in number of horses?

> A representative of the Central Oklahoma Master Water Conservancy was in attendance to ask about the number of horses and possible negative impact on the Lake Thunderbird watershed. The applicant stated there would be no increase in the number of horses.



Protest Map

23.3% Protest Within Notification Area

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

N
W E
S

Scale: 1" = 300'

June 12, 2012

Subject Tract

Protest

Notification Area

Protest Outside
Notification Area

Stephen N. & Janita Weinbrecht
601 84TH Street NE.
Norman, Oklahoma 73026

6/11/2012

Norman Planning Commission, Secretary
201 - A West Gray Street
Norman, Oklahoma 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-11-12

Dear Commission Members and concerned citizens,

The purpose of this letter is to state our feelings concerning the proposed rezoning ordinance request by our neighbor Jennifer Ladd, whose property adjoins our property on our east boundary, Jennifer's west boundary. This boundary currently has no fencing or other means to prevent riders from accessing our property.

From previous discussions, it is our understanding that Jennifer's intentions are to use only a portion of her property for the counseling therapy which is located away from our property toward the east. This area is to be contained by a corral and fence, as mentioned in your correspondence. We have no objections to this use and are entirely supportive.

Our objections center on the entire 11.765 acres being rezoned when there is no proposed objective for doing so other than saving money. As this rezoning would allow for a Riding Academy and Public Stable adjacent to our property, riders could conceivably enter onto our property where there is no barrier to prevent this trespass.

In the past, and certainly to happen in the future, some of the general public who visit Lake Thunderbird State Park, hike and camp across its boundaries, even though it is fenced by the State. Our property was vandalized in the recent past and when talking with the police who investigated, we learned the area in which we live is a high crime rate area which is underserved by patrolling police.

If Jennifer's request to rezone her entire parcel of land to save costs, is allowed without proper protection, i.e. fencing, we feel our protection and safety would be subject to undo peril.

In closing, we belive Jennifer's intentions to be honorable and honest. Our concerns rest with any future owners and their intentions. As a public stable, a proactive approach is necessary to minimize any future problems. These are our concerns. Sincerely, Stephen & Jani Weinbrecht

United States Department of the Interior

BUREAU OF RECLAMATION
Oklahoma-Texas Area Office
Oklahoma City Field Office
5924 NW 2nd Street, Suite 200
Oklahoma City, OK 73127-6514

IN REPLY REFER TO:
OK-AD
PIO-1.10

MAY 24 2012

Mr. Andy Sherrer
Chairman
Norman Planning Commission
201 West Gray, Bldg. A
Norman, Oklahoma 73070

Subject: Notice of Request for Rezoning and Special Use for a Riding Stable Near Lake Thunderbird, Norman Project, Oklahoma (Your Notice Dated May 24, 2012)

Dear Mr. Sherrer:

Thank you for providing notice of the subject request for rezoning to facilitate a proposed riding stable at 8809 Alameda Drive. The Bureau of Reclamation's Managing Partner, the Central Oklahoma Master Conservancy District, will have a representative at the meeting to discuss Ms. Ladd's proposed rezoning.

Please contact me at 405-470-4821 if you have any questions or need additional information.

Sincerely,

Jeff Tompkins
Supervisor, Land Resources Group

cc: Mr. Randy Worden
District Manager
Central Oklahoma Master Conservancy District
12500 Alameda Drive
Norman, Oklahoma 73026

RECEIVED
MAY 2 2012
Planning & Community Development

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 14, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of June 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:33 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	None

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer Shawn O'Leary, Director, Public Works Susan Atkinson, Planner I

* * *

Item No. 9, being:
ORDINANCE NO. O-1112-42 – JENNIFER LADD REQUESTS REZONING FROM A-1, GENERAL AGRICULTURAL DISTRICT, TO A-2, RURAL AGRICULTURAL DISTRICT, FOR 4.344 ACRES OF PROPERTY, AND SPECIAL USE FOR A RIDING ACADEMY AND PUBLIC STABLE ON 19.765 ACRES OF PROPERTY LOCATED AT 8809 ALAMEDA DRIVE.

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

PRESENTATION BY STAFF:
1. Ms. Hudson – The applicant is requesting a special use for a riding stable. She's going to be performing what they consider equine therapy. Currently she has A-1 zoning and A-2 zoning on her property. To be able to do this request for special use, she has to have A-2 for the entire property. Current land use is all residential out there. There is one corral in place and it is my understanding she will be putting a different one in. There is an existing barn. The applicant has requested A-2 for the entire property. She is a licensed social worker and she already owns several horses, which she will be using for the equine therapy with children. The parcel of land and small class size doesn't create any additional impacts on neighbors. The parking on gravel surfaces is appropriate and adequate for the small class sizes that will be going on. Staff recommends approval of this rezoning and special use request. The applicant is here with her representative.

PRESENTATION BY THE APPLICANT:
1. Benjamin Odom, 2350 McKown Drive, representing the applicant – The applicant is here also. I realize that riding stable conjures up a certain image, but in reality what we're talking about is she's a licensed clinical social worker that uses equine psychotherapy to help traumatized children. It's been advantageous for the children to not necessarily ride the horses, but to take care of the horses. That has a very beneficial impact for the children. The primary purpose here for trying to upgrade the corral area, which is on the eastern side of the property, and 20 acres is not a large tract in terms of what we're discussing here. As you saw, it was heavily forested to the west. I would simply say that what we're trying to do here is make sure that we have the ability to use the area without, oops, we've gone over some magic line of just 3 or 4 acres that's supposed to be where the horses are. The horses are out there now. I don't think we're having any additional impact on anything that's going on, except that we're trying to follow all the rules and procedures. Riding stable is the term of special use that this city has that would allow her to do what she is doing. The primary impact here at the moment is we intend to try to help the traumatized children. I note that there was a letter filed concerning the fencing. We intend to fence on the west side of the property if this use is granted and the rezoning is granted. We indicated at the Pre-Development meeting that, when the times comes for us to build a fence, we're happy to consult with the neighbor to the west as to what type of input they would like to have toward the fencing. If someone has a real concern about the fencing, now, of course, they're not prohibited from putting up a fence on their property now if they wanted to. But we haven't had much of an issue, I think, in terms of our land use with the horses there now, and I would ask that the Commission give us an approval.

2. Mr. Lewis – You said that her horses are currently on the property. So this is really a question for Ms. Ladd. How many horses are on the property now and, basically, will that number increase at any point in time in the future – is that your intention?

3. Jennifer Ladd, the applicant – I have three horses currently. I've had more than that in the past. I sold one not too long ago. It's possible I would get another horse at some time. I don't need one for what I'm going to do.

4. Mr. Lewis – It's not going to be a horse farm any time soon, in other words?

5. Ms. Ladd – Well, it is a horse farm already and has been for many years.

6. Mr. Lewis – And the horses have been there?

7. Ms. Ladd – For that, you don't need special use.

8. Mr. Lewis – Right. Exactly. But the time frame that the horses have already been there?

9. Ms. Ladd – I'd say maybe 8 years.

10. Mr. Lewis – So what we have is a 20-acre parcel of land that has 3 or 4 horses on it you're going to use in therapy for traumatized children. We don't intend to increase the number of horses there. So really there's nothing changing other than we're just rezoning or using a special use for this piece of property?

11. Ms. Ladd – Right. To allow me to have a business rather than just personal use.

AUDIENCE PARTICIPATION:

1. Stephen Weichbrodt, 1400 Classen Boulevard – My interest in this particular parcel of land is that we are the neighbor to the west of this property. Jennifer's property line is the western boundary; ours is the eastern boundary. My concern is some of the words like "public stable." The only public stable I'm familiar with is Thunderbird Riding Stable and that's fraught with anybody that wants to come in and ride horses and sometimes they have parties and things and it gets out of hand and things like that. That's what my concern is. I have no objection to Jennifer's request for treating the children. I think that's a noble cause and I'm very supportive of that. My concern is if she is just wanting to use a portion of her property on the east side, why does she want to rezone the entire 20 acres if she's not going to use that? Why not just rezone the part that's necessary to accomplish her goals, instead of the entire 20 acres? I think in the event that the property changes hands in the future, then the objectives of that zoning could be different than what Jennifer's are.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Dave Boeck moved to recommend approval of Ordinance No. O-1112-42 to the City Council. Chris Lewis seconded the motion.

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

YEAS	Dave Boeck, Jim Gasaway, Cynthia Gordon, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-42 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-1112-43

File ID:	O-1112-43	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/15/2012
File Name:	Cies Rezone O-1112-43			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-43 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 PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-43 upon First Reading by title.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 9

Attachments: Text File O-1112-43, Brookhaven 41 Rezone Location, Brookhaven 41 Cies Staff Rpt, Brookhaven 41 PUD Narrative, Brookhaven 41 Prelim Site Dev Plan, 6-12-14 PC Minutes - Brookhaven 41

Project Manager: Jane Hudson, 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	06/14/2012	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	06/14/2012

Text of Legislative File O-1112-43

Body

BACKGROUND: The applicant has requested rezoning from RM-6, Medium Density Apartment District, to R-1, Single Family Dwelling District, and PUD, Planned Unit Development, for two tracts within the Brookhaven 41 Addition. The developer owns a total of 46.50 acres within the revised preliminary plat, Brookhaven 41 Addition. The revised preliminary plat consists of C-1, Local Commercial District, 7 acres; R-1, Single Family Dwelling District, 28.99 acres; and the PUD consists of 10.51 acres.

"Tract 1" consists of 4.97 acres and is proposed for 15 single-family lots consistent with the lots in the existing areas of Brookhaven. There will be "Limits of No Access" established on the lots adjacent to the collector street Brookhaven Boulevard, with the exception of Lot 15, Block 4 which fronts Brookhaven Boulevard. The lots backing up to West Rock Creek Road will have fencing requirements and an additional "Limits of No Access" will be established for Rock Creek Road.

"Tract 2" consists of 10.51 acres and is the area designated for the Planned Unit Development. There are 40 single-family lots which are designed in a townhouse type setting. The lots will have zero building setbacks for the front and side yard setbacks. Rear utility easements and public alley easements will be provided for utility connections and access to rear garages. The lot widths will vary from 36 to 45 feet and depths of 100 feet.

OPEN SPACE: All common areas or amenities for the PUD will consist of landscaping areas at the entry of the proposal, cutback parking within the interior common area. The amenities proposed will be gazebos and/or pavilion structures, park benches, sidewalks, fountains and landscaping. Any lighting within the common areas will be required to meet the lighting requirements in the zoning ordinance. The common areas and amenities will be maintained by a Property Owners Association.

PARKING: Each single family home within the R-1 zoning and PUD will have, at a minimum, the required 2 parking spaces with a two-car garage. The PUD common open space area, located within the one-way 20 foot wide street, contains 21 parking spaces for overflow parking and visitors. The parking for the townhouse residents is located outside the public right-of-way, accessed via alleys and will be maintained by the Property Owners Association.

PHASES: The Planned Unit Development will be developed in one phase. The single-family lots will be developed on an as-needed basis.

IMPACTS: The sanitary sewer and water lines have been designed and are sufficient in size to accommodate both the single-family development as well as the proposed PUD. The PUD is not a gated development and will utilize public streets and alleys for residents and services.

PARKS BOARD: The developer previously dedicated a 6.7 acre park for the Brookhaven development as a whole. Fee-in-lieu of park land will be utilized for this remaining area of the preliminary plat. Those fees will be utilized on the existing park land to the south of this area.

PUBLIC WORKS AND UTILITIES: A large detention pond is currently under construction to convey the storm water from the Planned Unit Development into the detention pond. The single-family properties north of the PUD will convey its storm water into an existing underground storm sewer that runs east under 36th Avenue NW and into Brookhaven Creek. Existing utilities will be extended to serve each proposed residential lot. Sidewalks will be installed as required by city standards creating a connection between existing and future development as well as the park area to the south.

STAFF RECOMMENDATION: With the reduction in the RM-6 zoning, the proposed development will be compatible with what has been built in the area. A reduction in density will create a more open appeal to the development for both the single family area as well as the PUD. Staff is able to support this request for R-1, Single-Family zoning and the request for PUD zoning and recommends approval. The Planning Commission, at their meeting on June 14, 2012, unanimously recommended approval of the requested rezoning from RM-6 to R-1 and PUD.

O-1112-43

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

§ 1. WHEREAS, Cies Properties, Inc., the owner of the hereinafter described property, have made application to have a portion of their property placed in the R-1, Single-Family Dwelling District, and to have the same removed from the RM-6, Medium Density Apartment District; and

§ 2. WHEREAS, Cies Properties, Inc., the owner of the hereinafter described property, have made application to have a portion of their property placed in the PUD, Planned Unit Development District, and to have the same removed from the RM-6, Medium Density Apartment District; and

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

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

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

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the R-1, Single Family Dwelling District, and to have the same removed from the RM-6, Medium Density Apartment District, to wit:

A tract of land lying in the NE/4 of Section 22, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of said NE/4; THENCE North 89°57'05" West on the North Line of said NE/4 for a distance of 1050.13 feet to the POINT OF BEGINNING;
THENCE South 00°04'37" West a distance of 680.00 feet;
THENCE North 89°57'05" West a distance of 220.66 feet;
THENCE South 00°04'46" West a distance of 131.72 feet;
THENCE South 49°56'50" West a distance of 32.23 feet;
THENCE North 80°11'07" West a distance of 75.40 feet;
THENCE North 35°11'07" West a distance of 35.36 feet;
THENCE North 09°48'53" East a distance of 33.74 feet;
THENCE Northeasterly, on a curve to the left, having a radius of 997.96 feet, a chord bearing of North 07°34'06" East, for a curve distance of 78.26 feet;
THENCE North 05°19'19" East a distance of 108.06 feet;
THENCE North 09°53'04" East a distance of 94.28 feet;
THENCE North 05°19'19" East a distance of 61.37 feet;
THENCE Northeasterly, on a curve to the left, having a radius of 637.50 feet, a chord bearing of North 02°41'07" East, for a curve distance of 58.67 feet;
THENCE North 00°02'55" East a distance of 284.81 feet;
THENCE North 45°02'55" East a distance of 35.36 feet;
THENCE North 00°02'55" East a distance of 50.00 feet to a point on the North Line of said NE/4;
THENCE South 89°57'05" East on said North Line a distance of 265.09 feet to the POINT OF BEGINNING.

Said tract containing 4.97 acres, more or less

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the PUD, Planned Unit Development District, and to have the same removed from the RM-6, Medium Density Apartment District, to wit:

A tract of land lying in the NE/4 of Section 22, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of said NE/4; THENCE North 89°57'05" West on the North Line of said NE/4 for a distance of 1050.13 feet;
THENCE South 00°04'37" West a distance of 680.00 feet to the POINT OF BEGINNING;
THENCE South 00°04'37" West a distance of 226.38 feet;
THENCE South 89°55'22" East a distance of 375.00 feet;
THENCE South 89°13'55" East a distance of 56.01 feet;
THENCE South 00°37'04" West a distance of 560.00 feet;
THENCE South 89°13'55" East a distance of 560.00 feet;
THENCE South 00°39'04" West, a distance of 131.07 feet;
THENCE North 89°13'55" West a distance of 414.42 feet;
THENCE North 72°29'56" West a distance of 654.00 feet;
THENCE North 26°18'09" West a distance of 278.95 feet;
THENCE North 00°04'46" East a distance of 176.99 feet;

THENCE North 80°11'07" West a distance of 110.08 feet;
THENCE South 56°28'44" West a distance of 34.31 feet;
THENCE Northeasterly on a curve to the left, having a radius of 630.00 feet, a chord bearing of North 11°28'44" East and a chord distance of 36.59 feet, for a curve distance of 36.59 feet;
THENCE North 09°48'53" East, a distance of 61.97 feet;
THENCE South 35°11'07" East a distance of 35.36 feet;
THENCE South 80°11'07" East a distance of 75.40 feet;
THENCE North 49°56'50" East a distance of 32.23 feet;
THENCE North 00°04'46" East a distance of 131.72 feet;
THENCE South 89°57'05" East a distance of 220.70 feet to the POINT OF BEGINNING

Said tract containing 10.51 acres, more or less

§ 7. Further the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the PUD Narrative as revised and resubmitted May 29, 2012, and the Site Development Plan contained therein and supporting documentation submitted by the applicant and approved by the Planning Commission and made a part hereof.

§ 8. 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

_____, 2012.

_____
Mayor

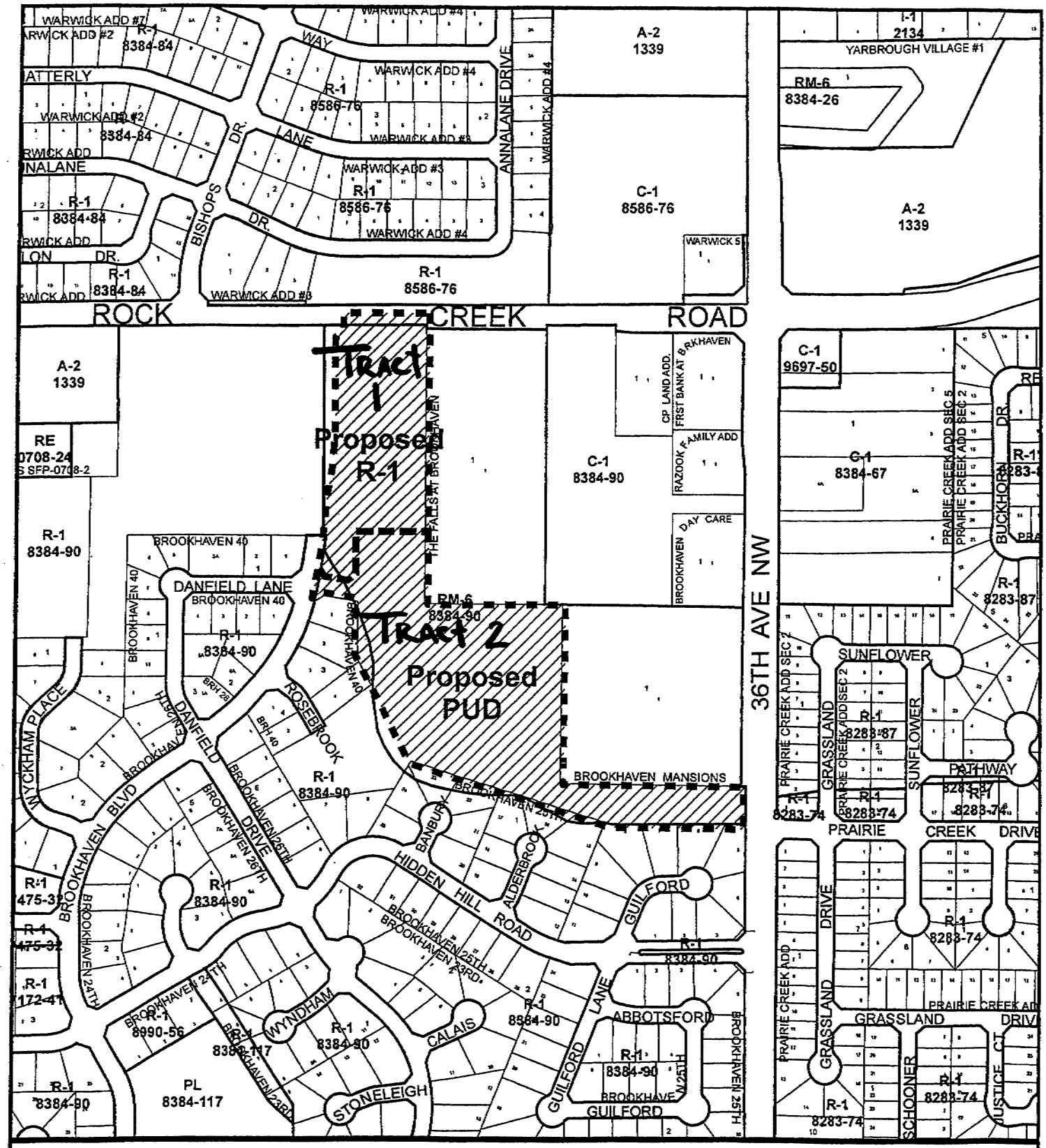
NOT ADOPTED this _____day of

_____, 2012.

_____
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.

N W E S

May 16, 2012

0 200 400 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1112-43 | ITEM NO. 10a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Cies Properties, Inc.
REQUESTED ACTION	Rezoning of Tract 1 – From RM-6, Medium Density Apartment District to R-1, Single Family Dwelling District Rezoning of Tract 2 - From RM-6, Medium Density Apartment District to Planned Unit Development (PUD)
EXISTING ZONING	RM-6, Medium Density Apartment District
SURROUNDING ZONING	North: R-1, Single Family Dwelling District East: RM-6, Medium Density Apartment South: R-1, Single Family Dwelling District West: R-1, Single Family Dwelling District
LOCATION	Generally located on the south side of Rock Creek Road approximately 1,000 feet west of 36th Avenue NW
SIZE	Tract 1 – 4.97 Acres Tract 2 – 10.51 Acres
PURPOSE	Single-Family Residence
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential & Vacant East: Multi-family (Under construction) South: Residential West: Residential & Vacant
LAND USE PLAN DESIGNATION	Low Density Residential

SYNOPSIS: The applicant has requested rezoning from RM-6, Medium Density Apartment District to R-1, Single Family Dwelling District and PUD, Planned Unit Development for two tracts within the Brookhaven 41 Addition, see attached map for area designations. The hatched areas are the only areas applying for rezoning. The developer owns a total of 46.50 acres within the revised preliminary plat, Brookhaven 41 Addition. The revised preliminary plat that has been submitted consists of C-1, Local Commercial District, 7 acres; R-1, Single Family Dwelling District, 28.99 acres; and the PUD consists of 10.51 acres.

ANALYSIS:

"Tract 1" noted on the attached map consists of 4.97 acres and is proposed for 15 single-family lots consistent with the lots in the existing area(s) of Brookhaven. There will be "Limits of No Access" established on the lots adjacent to the collector street Brookhaven Boulevard with the exception of Lot 15, Block 4 which fronts Brookhaven Boulevard. The lots backing up to West Rock Creek Road will have fencing requirements and an additional "Limits of No Access" will be established for Rock Creek Road.

"Tract 2" noted on the attached map consists of 10.51 acres. This is the area designated for the Planned Unit Development. There are 40 single-family lots which are designed as a townhouse type setting. The lots will have zero building setbacks for the front and side yard setbacks. Rear utilities easements and public alley easements will be provided for utility connections and access to rear garages. The lot widths will vary from 36 to 45 feet and depths of 100 feet.

OPEN SPACE: All common areas or amenities for the PUD will consist of landscaping areas at the entry of the proposal, cutback parking within the interior common area. The amenities proposed will be gazebos and/or pavilion structures, park benches, sidewalks, fountains and landscaping. Any lighting within the common areas will be required to meet the lighting requirements in the zoning ordinance. The common areas and amenities will be maintained by a Property Owners Association.

PARKING: Each single family home within the R-1 zoning and PUD will have, at a minimum, the required 2 parking spaces with a two car garage. The PUD common open space area located within the one-way 20 foot wide street contains 21 parking spaces for overflow parking and visitors. The parking for the townhouse residents is located outside the public right-of-way, accessed via alleys and will be maintained by the Property Owners Association.

PHASES: The Planned Unit Development will be developed in one phase. The single-family lots will be developed on an as needed basis.

IMPACTS: The infrastructure of the sanitary sewer and water have been designed and are sufficient in size to accommodate both the single-family development as well as the proposed PUD. The PUD is not a gated development and will utilize public streets and alleys for residents and services.

OTHER AGENCY COMMENTS:

PARKS BOARD: The developer previously dedicated a 6.7 acre park for the Brookhaven development as a whole. Fee-in-lieu of park land will be utilized for this remaining area of the preliminary plat. Those fees will be utilized on the existing park land to the south of this area.

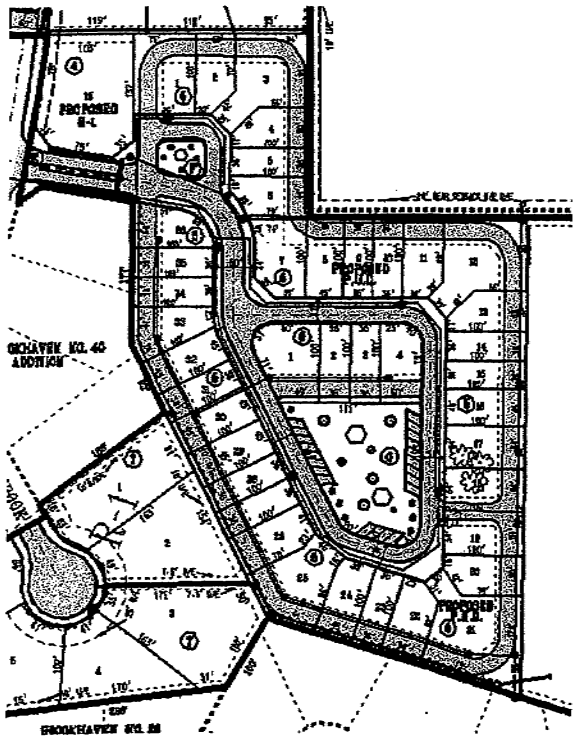
PUBLIC WORKS AND UTILITIES: A large detention pond is currently under construction to convey the storm water from the Planned Unit Development into the detention pond. The single-family properties north of the PUD will convey its storm water into an existing underground storm sewer that runs east under 36th Avenue NW and into Brookhaven Creek. Existing utilities will be extended to serve each proposed residential lot. Sidewalks will be installed as required by city standards creating a connection between existing and future development as well as the park area to the south.

STAFF RECOMMENDATION: With the reduction in the RM-6 zoning the proposed development will be compatible with what has been built in the area. A reduction in density will create a more open appeal to the development for both the single family area as well as the PUD. Staff is able to support this request for R-1, Single-Family zoning and the request for PUD zoning and recommends approval.

Brookhaven PUD Addition

A Planned Unit Development

DESIGN STATEMENT
&
P.U.D. REPORT



Prepared for:

The City of Norman
Box 370
Norman, Oklahoma 73070

May 14th, 2012
Revised: May 29th, 2012

CPES

Clour Planning & Engineering Services

ENGINEERS • SURVEYORS • PLANNERS
408 Bannister Ct.
Norman, Oklahoma 73072
Tel: (405) 833-2522
enginsurv@aol.com

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NARRATIVE

The proposed Brookhaven PUD Addition is to be a Planned Unit Development (P.U.D.) within the City of Norman, Cleveland County, Oklahoma, located on the east side of Brookhaven Boulevard approximately 825 feet south of West Rock Creek Road. The proposed PUD is located within the Brookhaven No. 41 Revised Preliminary Plat.

The current physical character of the site is open grassland, gently sloping to the east as a temporary drainage way for Brookhaven No. 40 Addition, and discharging into a regional detention pond, which serves the areas required to detain within the overall preliminary plat. This proposed PUD site will be completely re-graded, as the temporary drainage flumes will no longer be required, now that the major appurtenances of the stormwater collection system have been constructed with the previous final platted developments.

This development will provide approximately 40 single family residential lots. The neighboring subdivisions in the general area of this proposed development currently consist of single family residences, multi-family complexes and apartments. Most of these developments are in ongoing construction phases. The major, immediate, neighboring developments are: Brookhaven No. 40 Addition (R-1 residential to the west), The Falls at Brookhaven Addition (RM-6, multi-family apartments to the north) and Brookhaven Mansions Addition (RM-6, multi-family senior independent living center, to the east) and commercial (C-1) developments further to the northeast. The proposed Brookhaven Addition PUD will comprise high-end, single-family "townhouse" type homes (similar to previous developments of the Brookhaven Square Additions) with minimum front yards, and parking access to vehicular garages from alleyways extending behind the structures. There will be three designated, public street parking lots around a central, common area within the site. No other street side parking will be allowed.

AREAS & USE

This Planned Unit Development (P.U.D.) contains a total of 10.51 acres in the NE/4 of Section 22, T9N, R3W, I.M. in Norman, Cleveland County, Oklahoma (A copy of the legal description has been attached to the Preliminary Plat and Application for Re-Zoning). The existing zoning is RM-6, Medium Density Apartment District.

A PUD zoning designation for this site will reduce the potential population density that could have been built on the property under the RM-6 zoning classification. Projected habitation modeling demonstrates a potential reduction from ~220 persons, to ~71 persons.

The PUD will provide 40 platted lots in Blocks 5 (36 lots) & Block 6 (4 lots) for single family use. Common Blocks F & G are designated as "open space" to be utilized by the residents and public, consisting of gazebos and/or pavilion structures, park benches, sidewalks, fountains, and other landscaped amenities. Light fixtures in these and other common areas will be compliant with the City of Norman lighting ordinance.

DEVELOPMENT REGULATIONS

Typical lots vary in width from 36 feet (35' min.), to an average of 45 feet wide and 100 feet deep. A few lots will have upwards to 54 feet of frontage. There are six, larger corner lots. Many of the townhouses will incorporate additional lots, or portions thereof. The standard practice of lot line adjustments will be utilized to facilitate the extra, required building area for such housing.

All lots will have a zero front yard building setback line, and zero lot line side yard setbacks. There will be a standard utility easements (for public utilities) and an alley easement along the rear of all the lots. Additional easements will be provided for private, franchised utilities. Utility easements are depicted on the Preliminary Plat, or will be filed as separate instruments.

Fire hydrants will be located at the curb returns (300' in between hydrants) in front of the lots to ensure adequate coverage for fire protection. Sanitary sewer mains will be installed at the rear of the lots to avoid conflict with other utilities (water, gas, electric, cable, etc.) normally installed in the front of subdivisions.

The newly constructed detention pond for the Brookhaven No. 41 Revised Preliminary Plat will serve the PUD site for stormwater collection.

CIRCULATION

A public street will allow the only ingress and egress to the PUD addition. This street will branch off to the east of Brookhaven Boulevard, and provide access to the PUD. The entrance street is to be collector width (34') and will have a center island extending to the first intersection. Both sides of the entrance street will be landscaped or have fenced screening. A decorative entrance (not gated) will delineate the PUD from the adjoining R-1 tracts.

The interior streets (an initial 26' transitioning to 20' in width) will provide access to the front of the lots, open space areas, and the public parking. These streets will be concrete or asphalt, curb and gutter typical section. Interior curves have radii which will permit emergency and waste disposal vehicles ease of navigation through the subdivision. Both streets will loop and intersect to a curved section connecting the individual blocks. The looped street section (20' width) will be directionally designated (signed) as "one way."

Access to the garages at the back of the residences will be from the alleyways which encompass the back of the lots of the addition. There will be five points of access from the public streets to the alleyways. Four foot wide sidewalks (5' wide if adjacent to curb,) ADA compliant will be constructed in accordance with the standards of the City of Norman, to accommodate pedestrian traffic within and around the development.

PROPERTY OWNERS ASSOCIATION

Due to unique conditions for this site, a Property Owner's Association (POA) will be created, or incorporated with the adjacent residential platted additions. Any common areas or amenities (parking, entrances, screening fences, lawns, etc.) will be maintained by the property owner's association. Other dedicated rights-of-way will be maintained by the City.

PERIMETER TREATMENT

Perimeter fencing will be installed (except in areas which will conflict with site distances) according to City standards and requirements. The fencing shall be of construction and material type to provide privacy and security. Any additional fencing that is not maintained by the POA will be maintained by the individual property owners.

LANDSCAPING

Sodding, seeding, and other vegetative practices (temporary and permanent) will be implemented to provide soil stabilization, and to minimize siltation onto streets and through stormwater conveyance and detention structures.

Landscaping for the single family lots is to be provided by the owner of the lot, as is done in other single family additions. As there is to be no front building line setback, the landscaping at the front of the lots will be limited and possibly restricted from large trees. Landscaping will be provided for the interiors of the open space areas and around the parking stalls, and maintained by the property owner's association.

COVENANTS

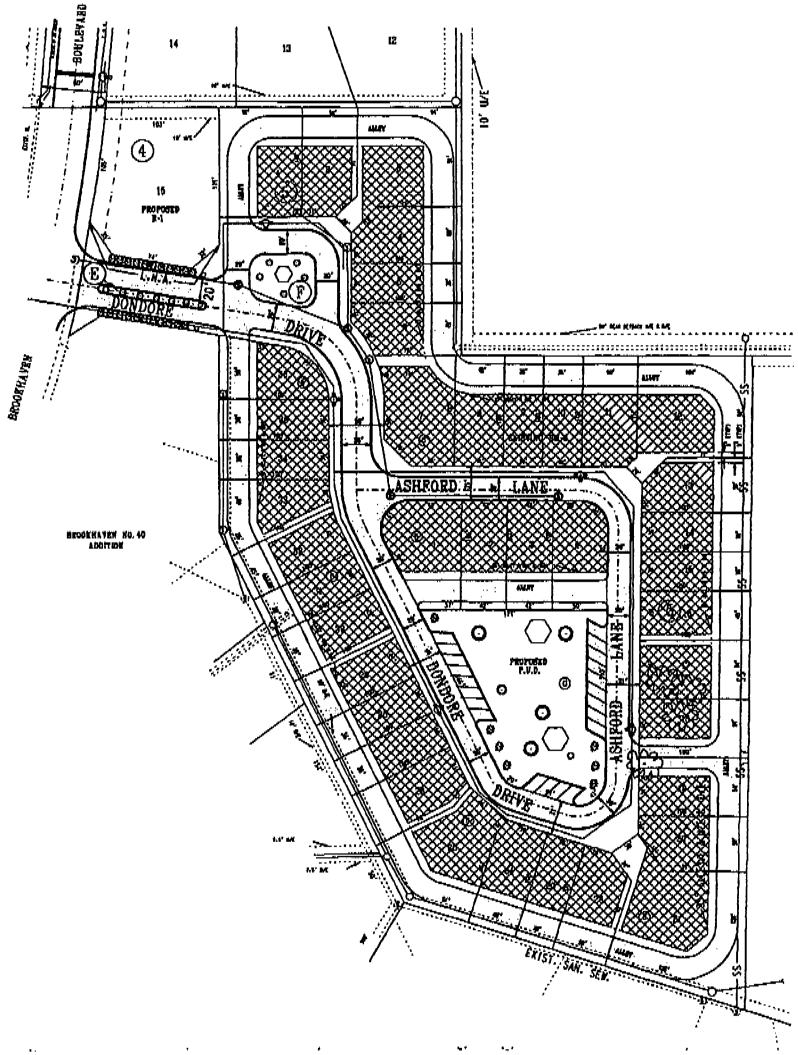
All property covenants will be submitted with the Final Plat. Such covenants will include, but are not limited to: size of residence (minimum square footage, height, etc.) construction methodology (unit connectivity, party wall, etc.), exterior finish (masonry type, etc.), roof type and finish, and property owner's association participation. All covenants will comply with City of Norman legal review and interpretation.

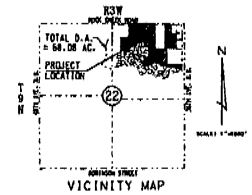
BROOKHAVEN NO. 41 ADDITION

NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

PRELIMINARY SITE DEVELOPMENT PLAN

PAVING ST 01





VICINITY MAP

Scale: 1" = 50'

- DENOTES BUILDABLE AREA

DEVELOPER:
Cles, LLC
1203 Brookhaven Boulevard
Norman, Oklahoma 73072
405-329-0256

ENGINEER/SURVEYOR
CLOUR PLANNING & ENGINEERING SERVICES, LLC
Phil Clour, P.E. No. 10849, L.S. No. 1160
408 Bannister Court
Norman, Oklahoma 73072

ENGINEERS SURVEYORS PLANNERS
CPES
Clour Planning & Engineering Services

BROOKHAVEN NO. 41 ADDITION
NE 1/4, SECTION 22, T9N, R3W, I.M.
PRELIMINARY SITE DEVELOPMENT PLAN

Sheet 3 of 3 | JOB NO. P-029

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 14, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of June 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:33 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	None

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer Shawn O'Leary, Director, Public Works Susan Atkinson, Planner I

* * *

Item No. 10, being:
CONSIDERATION OF A REQUEST SUBMITTED BY CIES PROPERTIES, INC. FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD.

10A. ORDINANCE NO. O-1112-43 – CIES PROPERTIES, INC. REQUESTS REZONING FROM RM-6, MEDIUM DENSITY APARTMENT DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT (4.97 ACRES), AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT (10.51 ACRES), FOR PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD.

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

10B. PP-1112-19 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY CIES PROPERTIES, INC. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN NO. 41 ADDITION, GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD.

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

PRESENTATION BY STAFF:
1. Ms. Hudson – This is a request for rezoning from RM-6 to R-1 and a Planned Unit Development. The entire area is currently zoned RM-6. Tract 1 is what they will be rezoning to R-1 and Tract 2 is what they're requesting for the Planned Unit Development. The single-family is approximately 5 acres. The Planned Unit Development is approximately 11 acres. The PUD will be divided into approximately 40 single-family tracts. There is currently an apartment complex going in on the east side of the property. With the reduction in the RM-6 zoning, the proposed development will be compatible with the area of single-family homes currently in the area. Staff supports this request for R-1 and PUD. The applicant's representative is here and he has a presentation for you.

PRESENTATION BY THE APPLICANT:
1. David Hargis, Clour Planning & Engineering Services, 408 Bannister Court, representing the applicant – Brookhaven No. 41 Addition Revised Preliminary Plat. This is a subsequent submittal to what was submitted and approved last November. The former preliminary plat, submitted in November, had to be submitted because we were seeking the final plat of the Falls at Brookhaven Addition and we already had a final plat ongoing of the Brookhaven Mansions Addition. These areas that were zoned RM-6 – we weren't really sure how we were going to further subdivide, so we just listed on there "future development is unknown" and now that we do have further subdivision, that has necessitated resubmission of a preliminary plat. So our current zoning now as it stands is R-1, C-1, and RM-6. What we are proposing is R-1, C-1 and PUD. Here's a commercial area, and we're not really planning on changing that one. It's doing very well just as it is. This was the original R-1 areas. This was initially planned to be a final plat for Brookhaven 41, and then, of course, we have Brookhaven 40 in this area and a little cul-de-sac to kind of augment that. Note that we are including the detention pond in this area as well. Even though it's under construction, it's not tied to any final plat. It was going to be dedicated

within a private drainage easement, but we felt – and the staff also felt – it would be better to tie it to some future final plat, so we're going to do that with the PUD. This is our new preliminary plat. You can see where we've shown taking the RM-6 addition – we want to rezone it to R-1. We'll extend our cul-de-sacs over to the east. This is an unnamed street right now because this addition doesn't exist. Wyckham Drive will tie into this one here and, of course, terminate it's own little cul-de-sac. To the south, we have the entrance to the PUD area. The Planned Unit Development is going to resemble Brookhaven Square Additions, which are north of the Sooner Fashion Mall. We have Brookhaven Square 1, 2, 3, and 4. There has been some demand and interest for some more of that type of housing – the townhouses – especially in this area. We have a lot of neighbors around there. We have Warwick Addition to the north. We have Brookhaven 25 to the south, Brookhaven 26, Brookhaven 40. This is future Brookhaven 41 final plat. Prairie Creek Addition over there on the other side of Rock Creek Road. CP Land Addition and the commercial area with First Bank at Brookhaven, Razook Addition, Brookhaven Day Care Addition, and our new neighbors the Falls at Brookhaven apartments and Brookhaven Mansions Addition senior living center. So there's a lot of activity going on out there right now. If you drive by you'll see the construction for the Brookhaven Mansions and the Falls going on concurrently. This is an aerial view. You can see where Brookhaven Boulevard terminates right now. One of our initial final plats will actually allow us to extend Brookhaven Boulevard to Rock Creek Road. That is an overlay of the lot layouts to the aerial. Everything fits in here. This is a site plan for the commercial addition – it hasn't changed; it's the same. We're really not doing anything at that time. This is another aerial – kind of like a fly-over view. Again, you can see where we can connect Brookhaven Boulevard to Rock Creek Road. This is another aerial view to the northwest, and to the southwest. I'd be glad to answer any questions you have.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
1. Ms. Pailes – Is there still an oil well out there.

2. Mr. Hargis – There is an active oil well out there. It's in the commercial area. We're not developing now.

Chris Lewis moved to recommend approval of Ordinance No. O-1112-43, and the Revised Preliminary Plat for BROOKHAVEN NO. 41 ADDITION, 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	Dave Boeck, Jim Gasaway, Cynthia Gordon, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-43 and the Revised Preliminary Plat for BROOKHAVEN NO. 41 ADDITION 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: AP-1213-7

File ID:	AP-1213-7	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	07/02/2012
File Name:	Appointments			**Final Action:**	

Title: CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE
TERM: 07-10-12 TO 02-13-13: MICHELLE CARR, 1319 ANN ARBOR DRIVE

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 07-10-12 TO 10-27-12: ODETTE HORTON, 318 COLLEGE AVENUE

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 10

Attachments: Text File Appointments, Text File Appt

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File AP-1213-7

body

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Michelle Carr will replace Tobin Vigil who has resigned and Odette Horton will replace Marc Jensen who is no longer eligible to serve.

City of Norman, OK

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

Master

File Number: AP-1213-6

File ID:	AP-1213-6	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	07/02/2012
File Name:	Appointment to Strategic Water Supply Citizens Committee			**Final Action:**	

Title: CONSIDERATION OF THE MAYOR'S APPOINTMENTS TO THE STRATEGIC WATER SUPPLY CITIZENS COMMITTEE AS FOLLOWS:

BOB THOMPSON, WARD ONE
MATTHEW LEAL, WARD TWO

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 11

Attachments: Text File Appointments to SWSCC, Text File Appointments, Text File Strategic Water Supply Appointment

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File AP-1213-6

Body

INFORMATION: City Council, in its meeting of March 13, 2012, approved Contract No. K-1112-114 with Carollo Engineers, Inc., in the amount of $385,947 to prepare the 2020 Strategic Water Supply Plan. A citizens' committee was appointed on May, 2012, for the following purposes: To ensure open and two-way dialogue between the project and the community; to make sure the project continues on track and on schedule; to ensure the options and suggestions of the public for potential water supplies are addressed; to assist in evaluating non-monetary criteria for potential water supply sources; and to understand and be able to communicate the objectives and conclusions of the Stormwater Strategic Plan to the public. There are presently two vacancies on the committee. Bob Thompson is being appointed to replace Al Atkins who has resigned and Matthew Leal will replace Chris Lohne who has resigned.

City of Norman, OK

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

Master

File Number: RPT-1213-1

File ID:	RPT-1213-1	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	05/31/2012
File Name:	NRH 2013 Budget			**Final Action:**	

Title: SUBMISSION OF THE NORMAN REGIONAL HEALTH SYSTEM 2013 BUDGET.

ACTION NEEDED: Motion to acknowledge receipt of the Norman Regional Health System 2013 Budget and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 12

Attachments: Text File NRH Budget, NRH Budget

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1213-1

Body

INFORMATION: Article IX, Section 4, of the Charter of the City of Norman, states "The Board of Norman Regional Hospital Authority as current operator of the Norman Regional Health System shall keep a record of its meetings and official transactions, and shall make financial reports to the City Councilmembers in such form as may be required by the Councilmembers at such times as may be prescribed, and the Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption. Such adopted budget shall, in addition to any other information required by the Councilmembers, show an estimate of anticipated income, and estimated expenditures." In accordance therewith, the above-described item is submitted for City Council's consideration

in order that acknowledgment of the receipt of the budget may be noted in the minutes as a matter of permanent record.

Norman Regional Health System
FY 2013 Budget Presentation

FY 2012 Financial Results

- Volumes
  - Discharges projected to be up 1.7% from FY11
  - Hospital outpatient volume projected to be up 3.2% from FY11
  - Adjusted discharges projected to be up 12.1% from FY11
  - Emergency Department visits projected to be up 1.4% from FY11
  - Surgery cases projected to be up 3.1% from FY11
  - Cath Lab cases projected to be up 11.6% from FY11
- Net Revenue projected at $327.1 million
  - $40.1 million (or 14.0%) over FY11
  - Per adjusted discharge projected to be $8,894 (or 1.7% over FY11)
- Total Operating Expenses projected at $316.5 million
  - $29.7 million (or 10.4%) over FY11
  - Per adjusted discharge projected to be $8,605 (or 1.6% below FY11)

FY 2012 Financial Results (continued)

- FY 2012 Income from Operations projected at $10.6 million
  - $10.4 million (or 4578.8%) over FY11
  - $ 5.3 million (or 99.1%) over FY12 budget
- System productive FTEs per AOB projected to decline from 5.05 to 4.98 (a 1.4% improvement in efficiency over FY11)
- Days Cash on Hand improved from 126.1 to a projected 130.1
- Net Days in A/R declined from 55.7 to a projected 54.5
- Maximum Annual Debt Service Coverage improved from 2.02 to a projected 2.42
- Moody's Investors Service upgraded long-term rating from Ba1 to Baa3 and also revised their outlook from stable to positive

FY 2013 Financial Goals

- Meet or exceed budgeted target operating margin of 2.5%.
  - Meet or exceed budgeted volume growth of 2.6% in adjusted discharges
  - Operate at or below budgeted costs per adjusted discharge of $8,903
  - Operate at or below budgeted FTE's per AOB of 4.9 (system productive)
- Continue to strengthen balance sheet
  - Increase Days Cash on Hand to 134.0 or higher by June 30, 2013
  - Decrease Net Days in Net Accounts Receivable to 49.0 or lower by June 30, 2013
  - Improve Maximum Annual Debt Service Coverage from 2.42 to 2.46

FY 2013 Budget Highlights

- Volumes
  - Inpatient discharges expected to grow 1.5%, or 260 cases more than FY 2012 projection
  - Hospital outpatient visits (including E.D. visits) expected to grow 3.3%, or 8,837 visits more than FY 2012 projection
  - Adjusted discharges expected to grow 2.6%, or 944 cases more than FY 2012 projection
- Net Revenue and Total Operating Expense per Adjusted Discharge
  - Net revenue per adjusted discharge budgeted to increase $237 per case (or 2.7%) over FY 2012 projection
  - Total Operating Expense per adjusted discharge budgeted to increase $298 per case (or 3.5%) over FY 2012 projection
- FTEs per AOB
  - System productive FTEs per AOB budgeted at 4.91 compared to FY 2012 projected of 4.98 (a 2.7 % improvement in efficiency)
  - Hospital-based productive FTEs per AOB budgeted at 4.51 compared to FY 2012 projected of 4.64 (a 1.3 % improvement in efficiency)

FY 2013 Budget Highlights (continued)

- Total Net Revenue is budgeted to be $344.5 million, or $17.4 million more than FY 2012 projected
  - $10.4 million results from facility related volume
    - $ 5.2 million from additional neurosurgery cases
    - $ 7.2 million from increased outpatient volume
    - $(2.0) million reduction due to decrease in Disproportionate Share payments in FY 13
  - $ 4.8 million results from clinic related volume
  - $ 2.2 million results from the following:
    - $1.0 million from a charge increase
    - $1.2 million from improved insurance reimbursement rates

FY 2013 Budget Highlights (continued)

- Total Operating Expense budgeted to be $335.9 million, or $19.3 million more than FY 2012 projected
  - $7.63 million relates to volume
  - $3.40 million relates to anticipated salary increases and potential market adjustments
  - $2.74 million relates to operating costs associated with increased neurosurgery volume
  - $1.89 million relates to inflation and new device tax on supplies
  - $0.95 million relates to fees for neurosurgery contract
  - $0.78 million relates to collection of increased facility and clinic revenue
  - $0.69 million relates to additional costs for Meaningful Use and other quality initiatives
  - $0.60 million relates to increased advertising and marketing, insurance, travel, and physician education
  - $0.57 million relates to ICD-10 conversion preparations ($400k consulting, $170k contract labor)

FY 2013 Budget Highlights (continued)

- Operating Income budgeted at $8.6 million (2.5% operating profit margin)
- Excess of Revenues over Expenses budgeted at $13 million (3.7% profit margin)
- Capital expenditures budgeted at $13.5 million for FY 2013

FY 2013 Operating Budget
Norman Regional Health System

		FY 2013 Budget	FY 2012 Projected	Variance % Incr/(Decr)
	OPERATING REVENUE			
(1)	Inpatient Revenue	$ 638,720,207	$ 602,744,720	6.0%
(2)	Outpatient Revenue	641,158,031	596,431,709	7.5%
(3)	Other Outpatient Revenue	9,856,720	9,297,673	6.0%
(4)	Clinic Income	65,163,881	56,603,908	15.1%
(5)	TOTAL PATIENT REVENUE	$ 1,354,898,839	$ 1,265,078,010	7.1%
	DEDUCTIONS FROM REVENUE			
(6)	Charity Deductions	40,114,990	37,248,191	7.7%
(7)	Bad Debt Expense	64,236,924	59,528,267	7.9%
(8)	Government & Other Deductions	914,080,541	849,401,781	7.6%
(9)	TOTAL DEDUCTIONS FROM REVENUE	$ 1,018,432,455	$ 946,178,239	7.6%
(10)	NET PATIENT REVENUE	336,466,384	318,899,771	5.5%
(11)	OTHER OPERATING REVENUE	8,005,709	8,247,798	-2.9%
(12)	NET REVENUE	$ 344,472,093	$ 327,147,569	5.3%
	EXPENSES			
(13)	Salaries	143,906,249	135,020,054	6.6%
(14)	Benefits	25,203,589	24,215,174	4.1%
(15)	Supplies	64,585,253	59,890,478	7.8%
(16)	Professional Fees	2,177,060	2,127,800	2.3%
(17)	Physician Fees	7,353,983	6,102,083	20.5%
(18)	Purchased Services	16,628,818	15,156,600	9.7%

FY 2013 Operating Budget (continued)
Norman Regional Health System

		FY 2013 Budget	FY 2012 Projected	Variance % Incr/(Decr)
(19)	Leases	4,520,060	4,004,642	12.9%
(20)	Utilities	4,702,151	4,324,909	8.7%
(21)	Insurance	4,752,025	4,610,548	3.1%
(22)	Computer services	4,112,218	3,718,842	10.6%
(23)	Dues and Subscriptions	1,602,795	893,165	79.5%
(24)	Service Contracts	3,093,164	2,993,833	3.3%
(25)	Recruitment	1,566,990	1,538,849	1.8%
(26)	Billing & Collections	3,724,564	3,442,094	8.2%
(27)	SHOPP	7,751,124	7,778,985	-0.4%
(28)	Miscellaneous	5,288,875	5,058,587	4.6%
(29)	Interest	11,413,959	11,532,527	-1.0%
(30)	Depreciation and Amortization	23,487,748	24,124,122	-2.6%
(31)	TOTAL OPERATING EXPENSES	$ 335,870,626	$ 316,533,292	6.1%
(32)	OPERATING INCOME	$ 8,601,467	$ 10,614,277	
(33)	Contributions	65,000	270,000	
(34)	Investment Income	4,337,108	(1,895,116)	
(35)	NONOPERATING INCOME	$ 4,402,108	$ (1,625,116)	-370.9%
(36)	EXCESS OF REVENUES OVER EXPENSES	$ 13,003,575	$ 8,989,161	44.7%

FY 2013 Budgeted Volumes

	Discharges			Patient Days			ALOS		
	FY 2012 Projected	FY 2013 Budget	FY12 to FY13 % Incr/Decr	FY 2012 Projected	FY 2013 Budget	FY12 to FY13 % Incr/Decr	FY 2012 Projected	FY 2013 Budget	% Incr/Decr
Porter Campus									
(1) BMS	713	778	9.12%	4,246	5,446	28.26%	5.96	7.00	17.55%
(2) Rehab	454	476	4.85%	5,434	5,669	4.32%	11.97	11.91	-0.50%
(3) Acute	9,016	9,035	0.21%	39,812	39,346	-1.17%	4.42	4.35	-1.38%
(4) Total	10,183	10,289	1.04%	49,492	50,461	1.96%	4.86	4.90	0.91%
HealthPlex Campus									
(5) Acute	5,511	5,641	2.36%	16,380	16,713	2.03%	2.97	2.96	-0.32%
(6) NICU	288	303	5.21%	3,722	3,881	4.27%	12.92	12.81	-0.89%
(7) Total	5,799	5,944	2.50%	20,102	20,594	2.45%	3.47	3.46	-0.05%
Total Porter/HealthPlex									
(8) BMS	713	778	9.12%	4,246	5,446	28.26%	5.96	7.00	17.55%
(9) Rehab	454	476	4.85%	5,434	5,669	4.32%	11.97	11.91	-0.50%
(10) Acute	14,527	14,676	1.03%	56,192	56,059	-0.24%	3.87	3.82	-1.25%
(11) NICU	288	303	5.21%	3,722	3,881	4.27%	12.92	12.81	-0.89%
(12) Total	15,982	16,233	1.57%	69,594	71,055	2.10%	4.35	4.38	0.52%
MMC									
(13) Acute	1,543	1,552	0.58%	3,803	3,796	-0.18%	2.46	2.45	-0.76%
(14) Total	1,543	1,552	0.58%	3,803	3,796	-0.18%	2.46	2.45	-0.76%
Total System									
(15) Acute	16,070	16,228	0.98%	59,995	59,855	-0.23%	3.73	3.69	-1.20%
(16) BMS	713	778	9.12%	4,246	5,446	28.26%	5.96	7.00	17.55%
(17) Rehab	454	476	4.85%	5,434	5,669	4.32%	11.97	11.91	-0.50%
(18) NICU	288	303	5.21%	3,722	3,881	4.27%	12.92	12.81	-0.89%
(19) Total	17,525	17,785	1.48%	73,397	74,851	1.98%	4.19	4.21	0.49%

FY 2013 Budgeted Volumes

	FY 2012 Projected	FY 2013 Budget	% Incr/Decr
Adjusted Statistics			
(1) Patient Days	154,050	158,779	3.07%
(2) Discharges	36,783	37,727	2.57%
Emergency Department			
ER Admits			
(3) NRH	8,130	8,560	5.29%
(4) HealthPlex	2,806	2,948	5.06%
(5) Total NRH/HPX	10,936	11,508	5.23%
(6) MMC	1,642	1,579	-3.84%
(7) Total	12,578	13,087	4.05%
ER Visits (Includes ED Admissions)			
(8) NRH	56,842	58,387	2.72%
(9) HealthPlex	20,006	21,900	9.47%
(10) Total NRH/HPX	76,848	80,287	4.48%
(11) MMC	33,179	32,764	-1.25%
(12) Total	110,027	113,051	2.75%
Deliveries			
(13) HealthPlex	2,317	2,440	5.31%
(14) MMC	670	711	6.12%
(15) Total	2,987	3,151	5.49%

	FY 2012 Projected	FY 2013 Budget	% Incr/Decr
OP Registrations			
Hospital			
(16) NRH	161,545	166,732	3.21%
(17) HealthPlex	40,909	43,648	6.70%
(18) Total NRH/HPX	202,454	210,380	3.91%
(19) MMC	62,069	62,980	1.47%
(20) Total	264,523	273,360	3.34%
Other			
(21) Clinics	141,971	187,840	32.31%
(22) EMSStat	13,327	13,996	5.02%
Surgeries (excluding FBC Surgeries)			
IP			
(23) NRH	2,602	2,835	8.95%
(24) HealthPlex	1,480	1,464	-1.08%
(25) Total NRH/HPX	4,082	4,299	5.32%
(26) MMC	229	218	-4.80%
(27) Total	4,311	4,517	4.78%
OP			
(28) NRH	3,552	3,972	11.82%
(29) HealthPlex	2,844	2,963	4.18%
(30) Total NRH/HPX	6,396	6,935	8.43%
(31) MMC	949	999	5.27%
(32) Total	7,345	7,934	8.02%

City of Norman, OK

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

Master

File Number: GID-1213-2

File ID:	GID-1213-2	**Type:**	Request for Payment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**	$9,810.39	**File Created:**	06/12/2012
File Name:	NHA Requst to waive fee in lieu of taxes payment			**Final Action:**	

Title:

CONSIDERATION OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE FEE IN THE AMOUNT OF $9,810.39 IN LIEU OF TAXES PAYMENT FOR 2011.

ACTION NEEDED: Motion to approve or reject the request from the Norman Housing Authority to waive the fee in the amount of $9,810.39 in lieu of taxes payment for 2011.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 13

Attachments: Text File NHA, Letter from NHA, Compilation of Payment in Lieu of Taxes

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1213-2

Body

INFORMATION: The Norman Housing Authority has requested that the fee paid annually to the City of Norman be waived for 2011 due to funding cuts from the Department of Housing and Urban Development. In accordance therewith, the above-described item is submitted for City Council's consideration.

NHA

Norman Housing Authority

700 N. Berry Road, Norman, OK 73069
Phone: (405) 329-0933 Fax: (405) 329-2542

"Affordable Housing...with Vision"

OFFICE OF
MAYOR

JAN 23 2012

January 20, 2012

Mayor Cindy S. Rosenthal
P.O. Box 370
Norman, OK 73070

Dear Mayor Rosenthal:

The purpose of this letter is to request the waiver of the Norman Housing Authority's Payment in Lieu of Taxes (PILOT) for fiscal year ended 06/30/11; but I would first like to thank you for the support you have given to the Norman housing Authority and our low-income residents as our Mayor. I want to also thank the City Council for their continuing support and for the waiver of the PILOT over the past years. With continuing funding cuts from HUD, this waiver helps insure we provide the best service possible to our low-income clients.

The PILOT is based on our rental income and utility expenses. As per the Cooperation Agreement signed in March, 1979, one half of the payment goes to the City of Norman and the other half to the Norman Public Schools. I have attached a copy of the worksheet for your information. You will notice the full PILOT is $19,620.79. Of the full PILOT, $9,810.39 is owed to the City of Norman. The remaining $9,810.40 is owed, and will be paid to the Norman Public School system. We are requesting the City of Norman waive the $9,810.39 owed by the Norman Housing Authority.

Your favorable consideration of our request will be greatly appreciated by the NHA Board of Commissioners, Staff, and the families, elderly, and disabled population we serve.

Sincerely,

Karen Canavan
Executive Director

BOARD OF COMMISSIONERS
Jeff Cummins, Chairperson, Marianne Ratliff, Vice Chairperson
Mike McDanel, Commissioner, Jan Hunter, Commissioner, Richard McKinney, Commissioner
Karen S. Canavan, Executive Director

Computation of Payments in Lieu of Taxes

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

For Fiscal Year Ended 6/30/2011 OMB Approval No. 2577-0072 (Exp. 11/30/2007)

Public reporting burden for the collection of information is estimated to average .4 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used for HUD to ascertain compliance with requirements of Section 6(D) of the U.S. Housing Act, which provides for PHA exemptions from real and personal property taxes, and inclusion in the formula data used to determine public housing operating subsidies. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control Number.

Name of Local Agency:	Location:	Contract Number:	Project Number:
Norman Housing Authority	700 N. Berry Rd.	FW-3275	OK13900108J

Part I - Computation of Shelter Rent Charged.

1. Tenant Rental Revenue (FDS Line 703)	$ 307,345.94		
2. Tenant Revenue Other (FDS Line 704)			
3. **Total Rental Charged** (Lines 1 & 2)		$	307,345.94
4. Utilities Expense (FDS Line 931 - 939)		$	111,138.00
5. Shelter Rent Charged (Line 3 minus Line 4)		$	196,207.94

Part II - Computation of Shelter Rent Collected. To be completed only if Cooperation Agreement provides for Payment of PILOT on basis of Shelter Rent Collected.)

1. Shelter Rent Charged (Line 5 of Part I, above)	$	196,207.94
2. Add: Accounts Receivable - Tenants (FDS Lines 126, 126.1, & 126.2) at beginning of fiscal year		
3. Less: Tenant Bad Debt Expense (FDS Line 964)		
4. Less: Accounts Receivable - Tenants (FDS Lines 126, 126.1, & 126.2) at end of fiscal year		
5. Shelter Rent Collected (Line 1 plus Line 2 minus Lines 3 & 4)	$	196,207.94

Part III - Computation of Approximate Full Real Property Taxes.

(1) Taxing Districts	(2) Assessable Value	(3) Tax Rate	(4) Approximate Full Real Property Taxes
Total			

Part IV - Limitation Based on Annual Contribution. (To be completed if Cooperation Agreement limits PILOT to an amount by which real property taxes exceed 20% of annual contribution.)

1. Approximate full real property taxes		
2. Accruing annual contribution for all projects under the contract		
3. Prorata share of accruing annual contribution*		
4. 20% of accruing annual contribution (20% of Line 3)	$	-
5. Approximate full real property taxes less 20% of accruing annual contribution (Line 1 minus Line 4, if Line exceeds Line 1, enter zero)		

Part V - Payments in Lieu of Taxes

1. 10% of shelter rent (10% of Line 5 of Part I or 10% of Line 5 of Part II, whichever is applicable)**		
2. Payments in Lieu of Taxes (If Part IV is not applicable, enter the amount shown on Line 1, above, or the total in Part III, whichever is the lower. If Part IV is applicable, enter the amount shown on Line 1, above, or the amount shown on Line 5 of Part IV, whichever is lower.)	$	19,620.79

* Same as Line 2 if the statement includes all projects under the Annual Contributions Contract. If this statement does not include all projects under the Annual Contributions Contract, enter prorata share based upon the development cost of each project.

** If the percentage specified in the Cooperation Agreement or the Annual Contributions Contract with HUD is lower, such lower percentage shall be used.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Prepared by:		Approved By:	
Name: Urlaub & Co., PLLC		Name:	
Title:	Date: 6/30/11	Title:	Date:

City of Norman, OK

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

Master

File Number: E-1213-1

File ID:	E-1213-1	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	06/28/2012
File Name:	E-1213-1 Ideal Homes/Red Canyon Ranch			**Final Action:**	

Title: EASEMENT NO. E-1213-1: A PERMANENT DRAINAGE EASEMENT DONATED BY IDEAL HOMES OF NORMAN, L.P., TO ALLOW ACCESS AND MAINTAIN A DRAINAGE CONCRETE FLUME IN CONNECTION WITH RED CANYON RANCH ADDITION, SECTION 2. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.E.)

ACTION NEEDED: Motion to accept or reject Easement No. E-1213-1; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 14

Attachments: Text File E-1213-1, E-1213-1, Legal Description E-1213-1, Location Map, Final Plat -Red Canyon Ranch, Sec 2

Project Manager: Ken Danner, Subdivision Manager

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File E-1213-1

body

BACKGROUND: The final plat for Red Canyon Ranch Addition, Section 2, a Planned Unit Development, was filed of record with the Cleveland County Clerk on November 16, 2011. After several building permit applications were issued, it was determined a potential storm drainage problem should be resolved by the developer at the rear of Lots 2 through 7, Block 2. Red Canyon Ranch Addition is a 111-acre residential subdivision generally located at the northwest corner of Tecumseh Road and 12th Avenue N.E.

After a field inspection by the developers/owners and City staff, an engineered solution has been determined. The solution is to construct a drainage flume at the rear of the lots and the side of Lot 7. In order to drain across more than three lots, public drainage easements are required. With this installation, the rear of the lots can be drained and eliminate a potential drainage problem for future property owners.

The developer, Ideal Homes of Norman, LP, has been cooperative and helpful throughout this matter, including the payment of all associated costs to remedy the problem.

DISCUSSION: Based upon the fact there is a need within the addition and the developers/owners are willing to install the improvements to correct the problems, staff recommends acceptance of Easement No. E-1213-1 and Easement No. E-1213-2. The maintenance responsibility for these improvements is borne by the property owners and any associated Property Owner's Association.

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1213-1 and E-1213-2 be accepted and the filing thereof be directed.

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT Ideal Homes of Norman, L.P., an Oklahoma limited partnership by Ideal Homes Construction, Inc., an Oklahoma corporation, its general partner, for and in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public drainage easement and right-of-way over, across, and under the following described real estate and premises situated in Cleveland County, Oklahoma, to wit:

See Attached Exhibit

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the following public utility(ies) to wit:

drainage

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

Signed and delivered this 17th day of May, 2012.

Gene McKown
Vice President

ACKNOWLEDGEMENT

STATE OF OKLAHOMA,
COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of May 2012 personally appeared Gene McKown to me known to be the identical persons 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.

LINDA G. STREUN
NOTARY PUBLIC
IN AND FOR
STATE OF
OKLAHOMA
McCLAIN COUNTY

Linda G. Streun
Notary Public

My Commission expires 8/24/2013

APPROVED as to form and legality this 25th day of June, 2012.

Office of Council of the City

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

ATTEST:

City Clerk

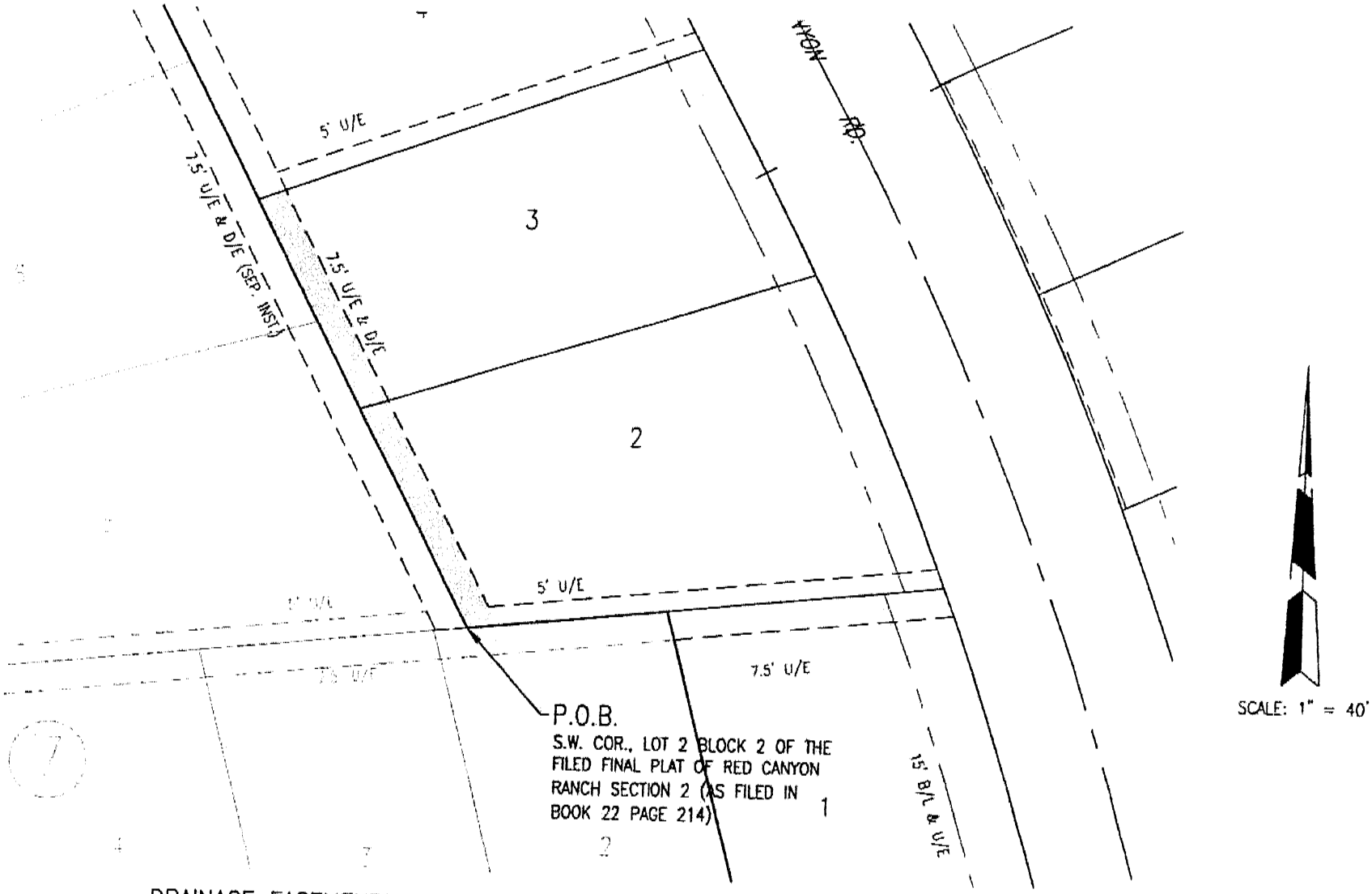
Mayor

LEGAL DESCRIPTION
DRAINAGE EASEMENT
LOTS 2 & 3 BLOCK 2 – RED CANYON RANCH SECTION 2
NORMAN, OKLAHOMA
May 16, 2012

A drainage easement lying in Lots 2 & 3 of Block 2 of the filed final plat of Red Canyon Ranch Section 2 (as filed in Book 22 Page 214), and lying in the Southeast Quarter (S.E. ¼) of Section Eight (8), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 2 Block 2;

Said easement being a 7.50 foot wide drainage easement being the West 7.50 feet of said Lots 2 and 3.



DRAINAGE EASEMENTS FOR
LOTS 2 & 3 OF BLOCK 2,
RED CANYON RANCH SECTION 2
(AS FILED IN BK. 22 PAGE 214)
NORMAN, OKLAHOMA

FINAL PLAT

RED CANYON RANCH SECTION 2

A PLANNED UNIT DEVELOPMENT

A PART OF THE S.E. 1/4, SECTION 8, T9N, R2W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

LEGAL DESCRIPTION

LOCATION MAP

LOCATION MAP

TOTAL LOTS = 26 RESIDENTIAL LOTS

P.O.B.

P.O.C.

LINE TABLE

CURVE TABLE

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET

City of Norman, OK

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

Master

File Number: E-1213-2

File ID:	E-1213-2	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	06/28/2012
File Name:	E-1213-2 Sweetgrass Communities/Red Canyon Ranch			**Final Action:**	

Title: EASEMENT NO. E-1213-2: A PERMANENT DRAINAGE EASEMENT DONATED BY SWEETGRASS COMMUNITIES, L.L.C., TO ALLOW ACCESS AND MAINTAIN A DRAINAGE CONCRETE FLUME IN CONNECTION WITH RED CANYON RANCH ADDITION, SECTION 2. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.E.)

ACTION NEEDED: Motion to accept or reject Easement No. E-1213-2; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 15

Attachments: Text File E-1213-2, E-1213-2, Legal Description - E-1213-2, Location Map -E-1213-2, Final Plat Red Canyon Ranch 2

Project Manager: Ken Danner, Subvidision Manager

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File E-1213-2

body

BACKGROUND: The final plat for Red Canyon Ranch Addition, Section 2, a Planned Unit Development was filed of record with the Cleveland County Clerk on November 16, 2011. After several building permit applications were issued, it was determined a potential storm drainage problem should be resolved by the developer at the rear of Lots 2 through 7, Block 2. Red Canyon Ranch Addition is a 111-acre residential subdivision generally located at the northwest corner of

Tecumseh Road and 12th Avenue N.E.

After a field inspection by the developers/owners and City staff, an engineered solution has been determined. The solution is to construct a drainage flume at the rear of the lots and the side of Lot 7. In order to drain across more than three lots, public drainage easements are required. With this installation, the rear of the lots can be drained and eliminate a potential drainage problem for future property owners.

The developer, Ideal Homes of Norman, LP, has been cooperative and helpful throughout this matter, including the payment of all associated costs to remedy the problem.

DISCUSSION: Based upon the fact there is a need within the addition and the developers/owners are willing to install the improvements to correct the problems, staff recommends acceptance of Easement No. E-1213-1 and Easement No. E-1213-2. The maintenance responsibility for these improvements is borne by the property owners and any associated Property Owner's Association.

STAFF RECOMMENDATION: Staff recommends that Easement No. E-1213-1 and E-1213-2 be accepted and the filing thereof be directed.

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

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

See Attached Exhibit

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating the following public utility(ies) to wit:

drainage

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

Signed and delivered this 17th day of May, 2012

Gene McKown
Manager

Todd Booz
Manager

ACKNOWLEDGEMENT

STATE OF OKLAHOMA,
COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of May, 2012, personally appeared Gene McKown to me known to be the identical persons 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.

Linda G. Streun
Notary Public

LINDA G. STREUN NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA McCLAIN COUNTY

My Commission expires 8/24/2013

STATE OF OKLAHOMA,
COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of May 2012, personally appeared Todd Booz to me known to be the identical persons 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.

Linda G. Streun
Notary Public

LINDA G. STREUN NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA McCLAIN COUNTY

My Commission expires 8/24/2013

APPROVED as to form and legality this 25th day of June, 2012.

Office of Council of the City

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

ATTEST:

City Clerk

Mayor

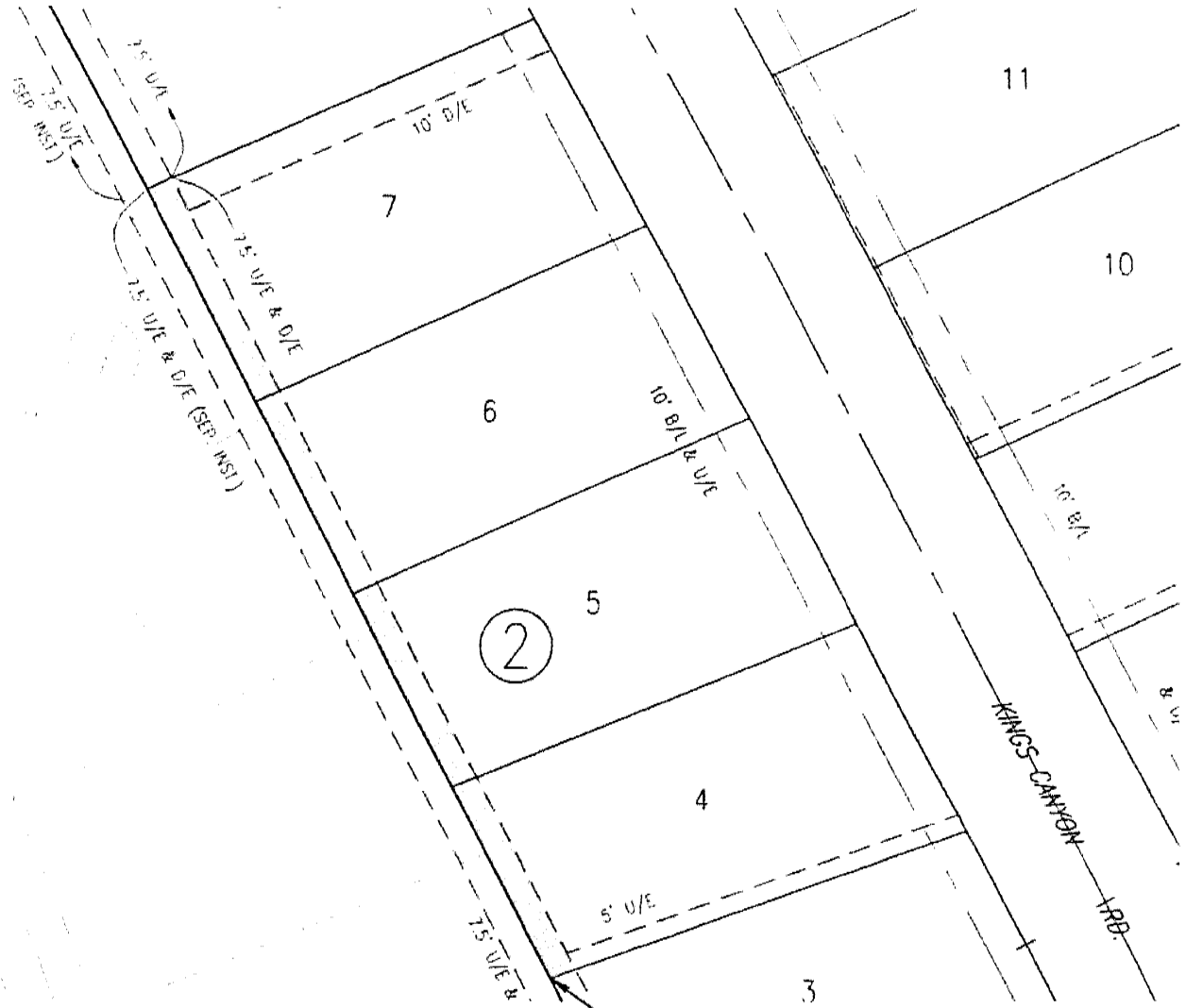
LEGAL DESCRIPTION
DRAINAGE EASEMENT
LOTS 4 thru 7 BLOCK 2 – RED CANYON RANCH SECTION 2
NORMAN, OKLAHOMA
May 16, 2012

A drainage easement lying in Lots 4, 5, 6 and 7 of Block 2 of the filed final plat of Red Canyon Ranch Section 2 (as filed in Book 22 Page 214), and lying in the Southeast Quarter (S.E. ¼) of Section Eight (8), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma being z more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 4 Block 2;

Said easement being a 7.50 foot wide drainage easement being the West 7.50 feet of said Lots 4, 5, 6 and 7, and a 10.00 foot wide drainage easement being the North 10.00 feet of said Lot 7.

Sides of said easement being lengthened or foreshortened so as to terminate at their intersection with easement or parcel lines.



P.O.B.
S.W. COR., LOT 2 BLOCK 2 OF THE FILED
FINAL PLAT OF RED CANYON RANCH SECTION 2
(AS FILED IN BOOK 22 PAGE 214)

SCALE: 1" = 50'

DRAINAGE EASEMENTS FOR
LOTS 4, 5, 6, & 7 OF BLOCK 2,
RED CANYON RANCH SECTION 2
(AS FILED IN BK. 22 PAGE 214)
NORMAN, OKLAHOMA

FINAL PLAT

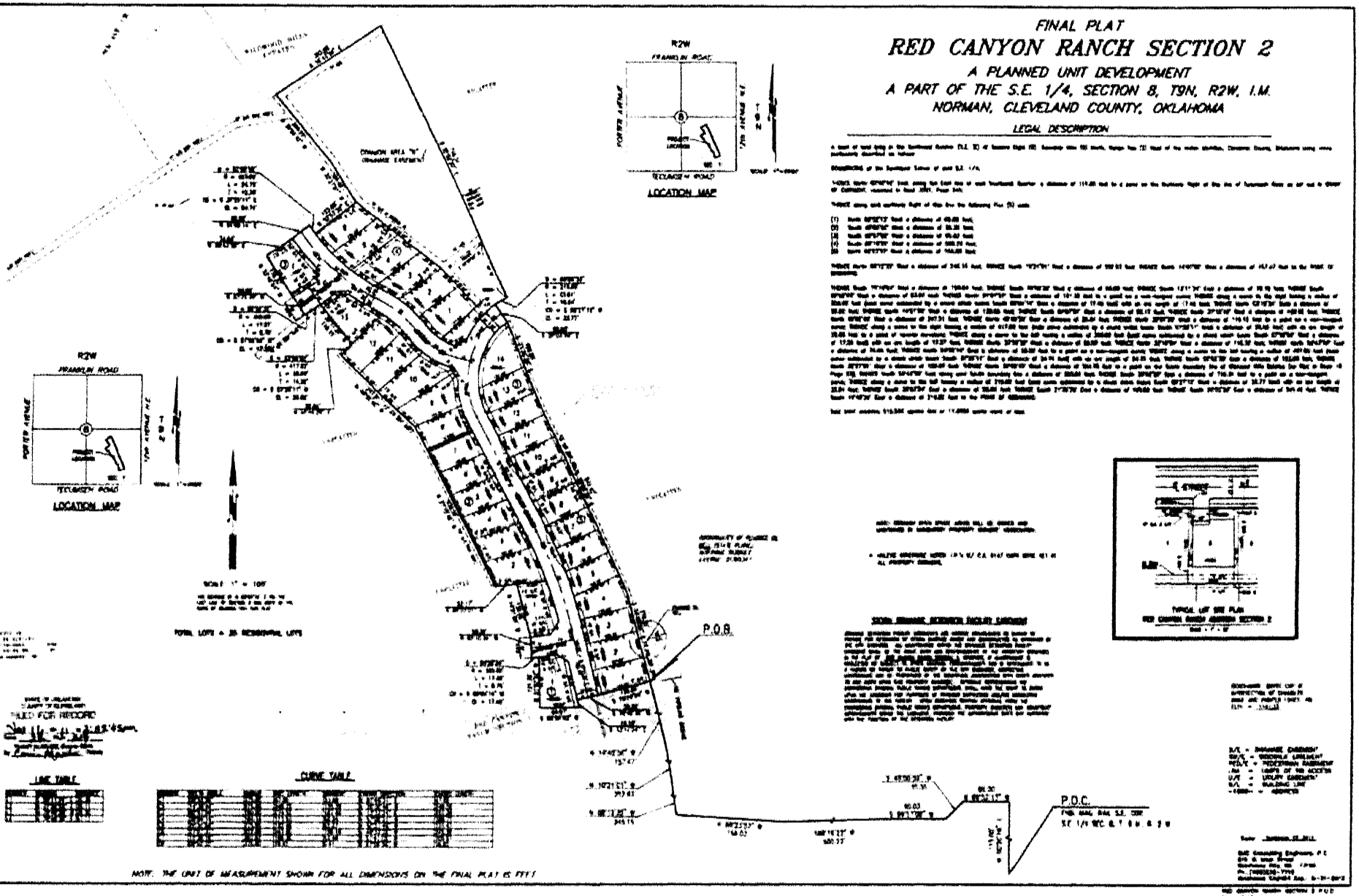
RED CANYON RANCH SECTION 2

A PLANNED UNIT DEVELOPMENT

A PART OF THE S.E. 1/4, SECTION 8, T9N, R2W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

LEGAL DESCRIPTION



City of Norman, OK

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

Master

File Number: FP-1011-5

File ID:	FP-1011-5	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/10/2010
File Name:	Mission Norman FP			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR MISSION NORMAN ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (2525 EAST LINDSEY STREET)

ACTION NEEDED: Motion to approve or reject the final plat for Mission Norman Addition; and, if approved, accept the public dedications contained within the plat; authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 16

Attachments: Text File Mission Norman, Location map Mission Norman, Mission Norman Final Plat, Stf-rept Fina Plat-Mission Norman Addn, a PUD _09-09-10_, Mission Norman Final Site Plan, Preliminary Plat Mission Norman, 9-9-10 PC Minutes FP-1011-5

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/09/2010	Recommended for Adoption at a subsequent City Council Meeting	City Clerk Department			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Clerk Department					
1	Planning Commission	09/09/2010					

Text of Legislative File FP-1011-5

body

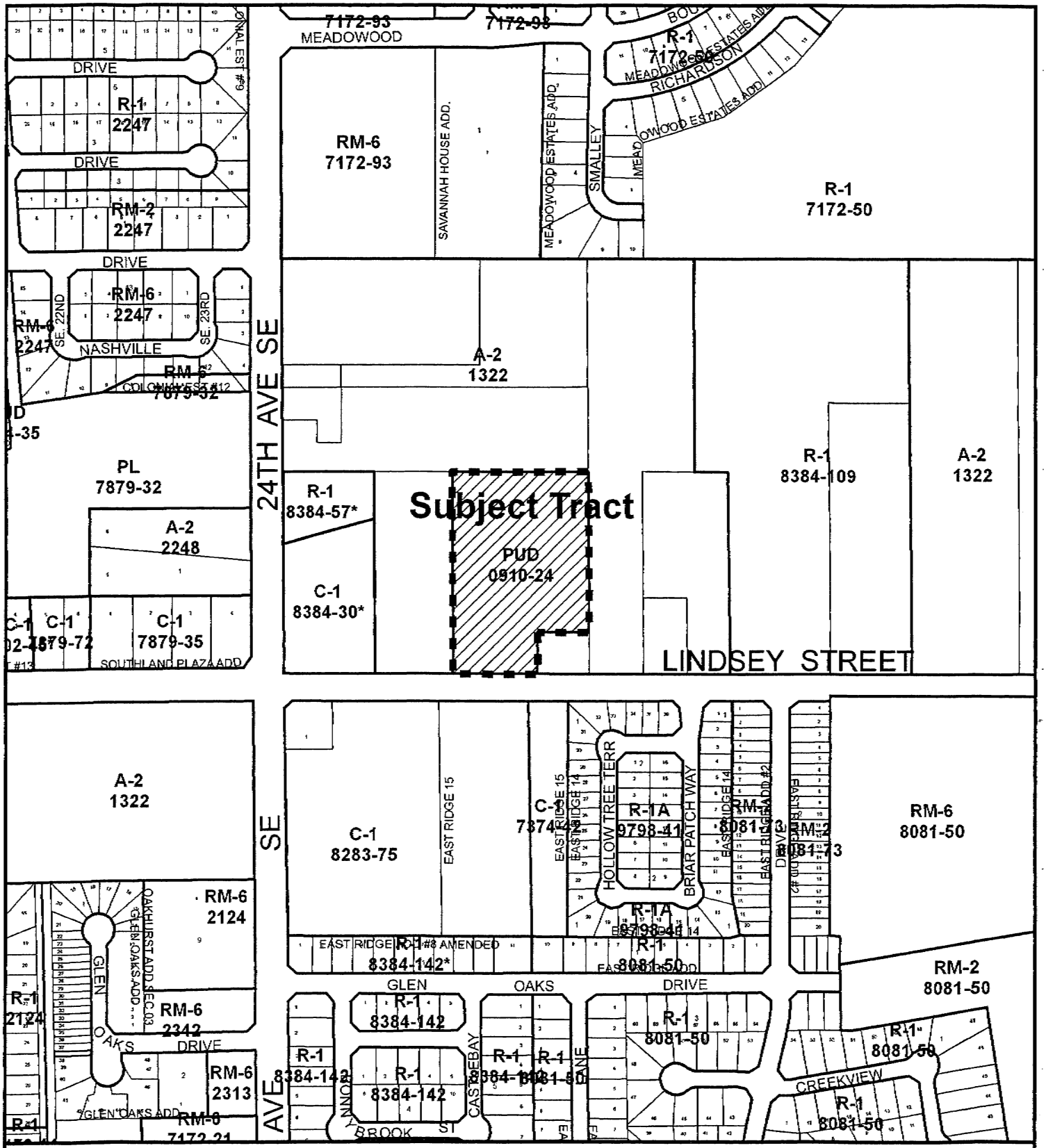
BACKGROUND: This item is a final plat for Mission Norman Addition and is located at 2525 East Lindsey Street. This property consists of 5.77 acres and one lot. The proposed development includes one main church building and five (5) residential four-plexes.

City Council, at its meeting of May 10, 2010, adopted Ordinance No. O-0910-24, placing this property in the PUD, Planned Unit Development District. Also, City Council approved a preliminary plat for the Mission Norman Addition, a Planned Unit Development. Planning Commission, on September 9, 2010 approved the final plat for Mission Norman Addition, a Planned Unit Development.

DISCUSSION: Public improvements consist of water mains with fire hydrants, sanitary sewer, drainage, paving and sidewalk improvements. Public improvements are under construction.

A privately maintained storm water detention facility will be constructed as part of the building permit.

STAFF RECOMMENDATION: The final plat is consistent with the preliminary plat. Based upon the above information, staff recommends approval of the final plat, acceptance of the public dedication contained therein with authorization to the Mayor to sign the final plat and required bonds for Mission Norman Addition, a Planned Unit Development, subject to completion and the City Development Committee's acceptance of the public improvements and bonds



Location Map

Map Produced by the City of Norman Geographic Information System. (405) 366-5436
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N
W E
S

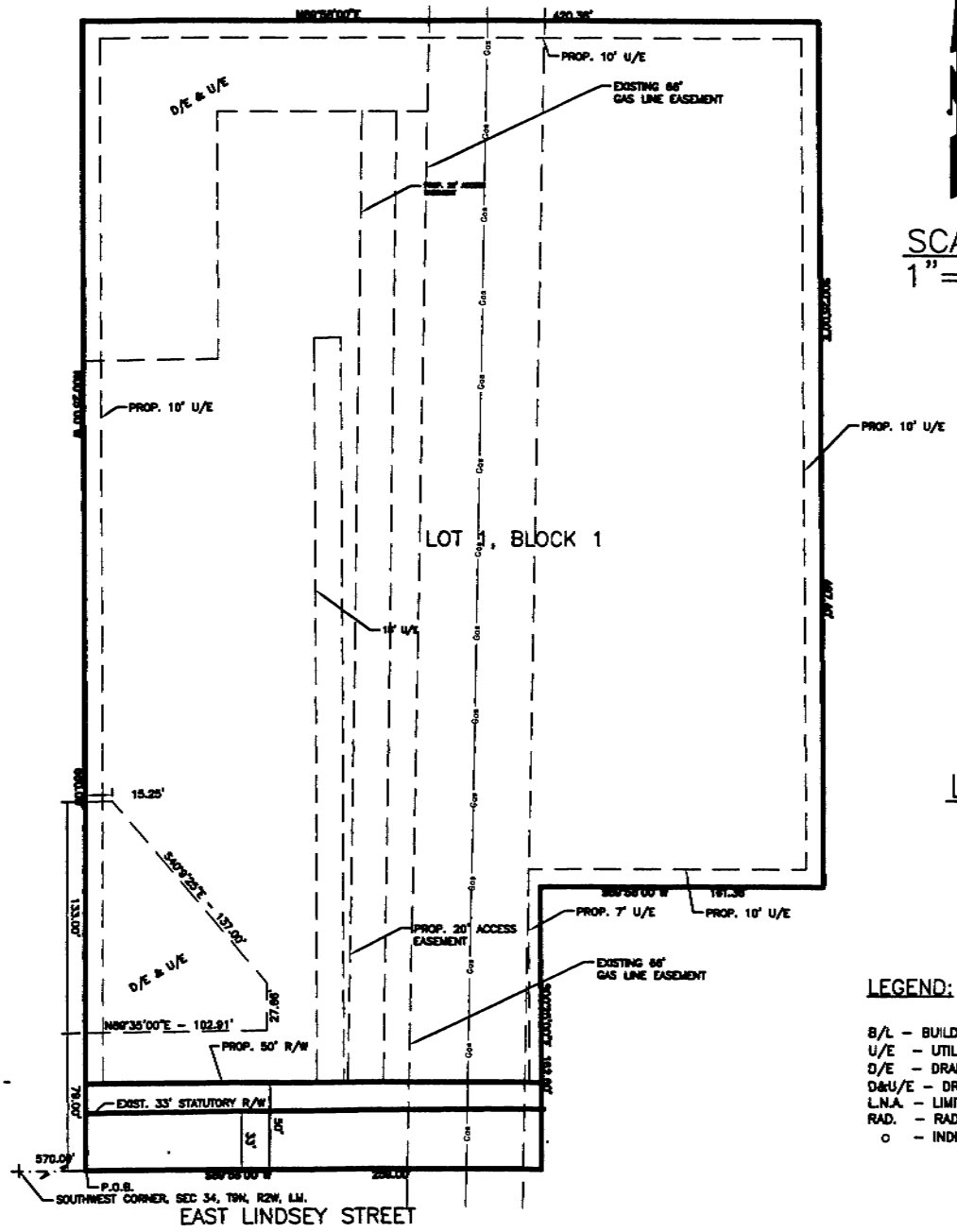
August 31, 2010

0 200 400 Ft.

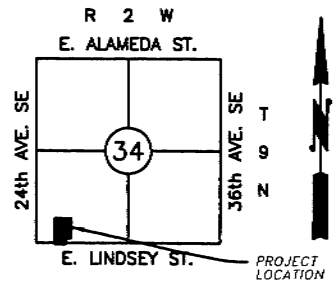
Subject Tract

Zoning

FINAL PLAT
OF
MISSION NORMAN ADDITION
A PLANNED UNIT DEVELOPMENT
BEING A PART OF THE SW/4, SEC. 34, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



SCALE:
1"=50'



LOCATION MAP
NOT TO SCALE

LEGEND:

B/L – BUILDING LIMIT LINE
U/E – UTILITY EASEMENT
D/E – DRAINAGE EASEMENT
D&U/E – DRAINAGE AND UTILTITY EASEMENT
L.N.A. – LIMITS OF NO ACCESS
RAD. – RADIUS
o – INDICATES 3/8" IRON PIN (SET)

FINAL PLAT ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a FINAL PLAT FOR MISSION NORMAN ADDITION.

LOCATION: Located at 2525 East Lindsey Street.

INFORMATION:

1. Owner. Mission Norman, Inc.
2. Developer. Mission Norman, Inc.
3. Engineer. JTK Engineering Co.

HISTORY:

1. October 30, 1961. Planning Commission recommended approval of the request to place this property in A-2 zoning classification.
2. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2 zoning classification.
3. March 11, 2010. Planning Commission, on a vote of 9-0, recommended amending the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential to Medium Density Residential Designation.
4. March 11, 2010. Planning Commission, on a vote of 9-0, recommended placing this property in a Planned Unit Development (PUD) and removing it from A-2 zoning classification.
5. March 11, 2010. Planning Commission, on a vote of 9-0, recommended approval of the preliminary plat for Mission Norman Addition, a Planned Unit Development.
6. May 10, 2010. City Council amended the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential to Medium Density Residential designation.

HISTORY (con't):

7. May 10, 2010. City Council adopted Ordinance No. O-0910-24 placing this property in the Planned Unit Development (PUD) and removing it from A-2 zoning classification.

8. May 10, 2010. City Council approved the preliminary plat for Mission Norman Addition, a Planned Unit Development.

9. September 2, 2010. The Norman Board of Parks Commissioners is scheduled to consider park land for Mission Norman Addition, a Planned Unit Development. Since this property contains a residential component, park land determination is required. Staff is recommending fee in lieu of park land. Results of that review will be presented separately.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. A sanitary sewer main will be extended to serve this property and will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be required adjacent to East Lindsey Street.

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities will be utilized.

6. Streets. East Lindsey Street will be constructed as an arterial street to City paving standards and specifications.

7. Water Mains. There is an existing 12-inch (12") water main on the south side of East Lindsey Street. Water lines will be installed internally to serve proposed fire hydrants.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final site development plan, and final plat are included in the Agenda Book.

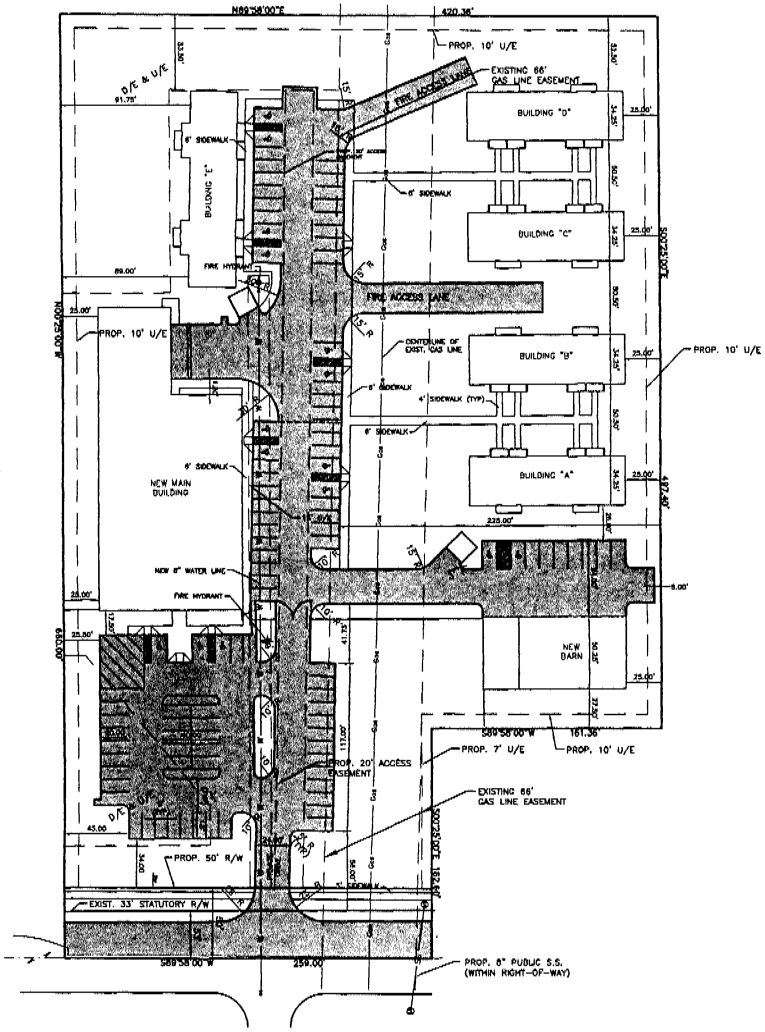
STAFF COMMENTS AND RECOMMENDATION: The owners have been working with the petroleum pipeline company to reduce its blanket easement to a defined easement. Currently the proposal is a 66-foot wide easement. The owners are negotiating the capability of encroaching part of the easement with pavement. Also, there will be an additional 17-feet on each side of the easement as a no build or building setback. This will not present a problem since the proposed site plan does not show encroachments of the buildings Staff recommends approval of the final plat for Norman Mission Addition, a Planned United Development.

ACTION NEEDED: Approve or reject the final site development plan and final plat for Mission Norman Addition, a Planned Unit Development.

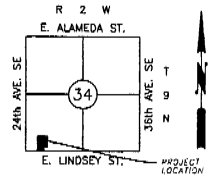
ACTION TAKEN: _____

FINAL SITE PLAN
OF
MISSION NORMAN ADDITION
A PLANNED UNIT DEVELOPMENT

SCALE:
1"=40'



1/C-1 SITE LAYOUT PLAN
1"=40'



LOCATION MAP
NOT TO SCALE

GENERAL CONSTRUCTION NOTES:

1. ALL FILLS TO BE COMPACTED TO 95% STANDARD PROCTOR DENSITY.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL UTILITIES EITHER PUBLIC OR PRIVATE.
3. EVERY EFFORT HAS BEEN MADE TO LOCATE AND IDENTIFY APPROXIMATE LOCATIONS OF UNDERGROUND UTILITY LINES. BURIED UTILITIES ARE NOT NECESSARILY AS SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL SERVICES. CONTRACTOR MUST CONTACT ALL UTILITIES PRIOR TO ANY CONSTRUCTION.
4. A COPY OF THE EROSION CONTROL PLAN MUST BE ON SITE AT ALL TIMES AND MADE AVAILABLE TO THE INSPECTOR UPON REQUEST.
5. ALL DIMENSIONS ARE TO PROPERTY LINE, FACE OF CURB, FACE OF BUILDING OR CENTERLINE OF STRIPE UNLESS NOTED OTHERWISE.

LEGAL DESCRIPTION:
Part of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section Thirty-four (34), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows: BEGINNING at the Southwest Corner of Section 34; T hence N89°58'E, a distance of 570.00 feet for a Point of Beginning; Thence N00°25'W, a distance of 660.00 feet; Thence N89°58'E, a distance of 420.36 feet; Thence S00°25'E, a distance of 497.40 feet; Thence S89°58'W, a distance of 161.36 feet; Thence S00°25'E, a distance of 162.60 feet; Thence S89°58'W, a distance of 259.00 feet to the Point of Beginning.

No.	Revision/Issue	Date

JTK Engineering Co.
37906 Wolverine Road
Shawnee, OK 74804
(405) 878-0715
CA #4186
Renewal Date: 6/30/2011

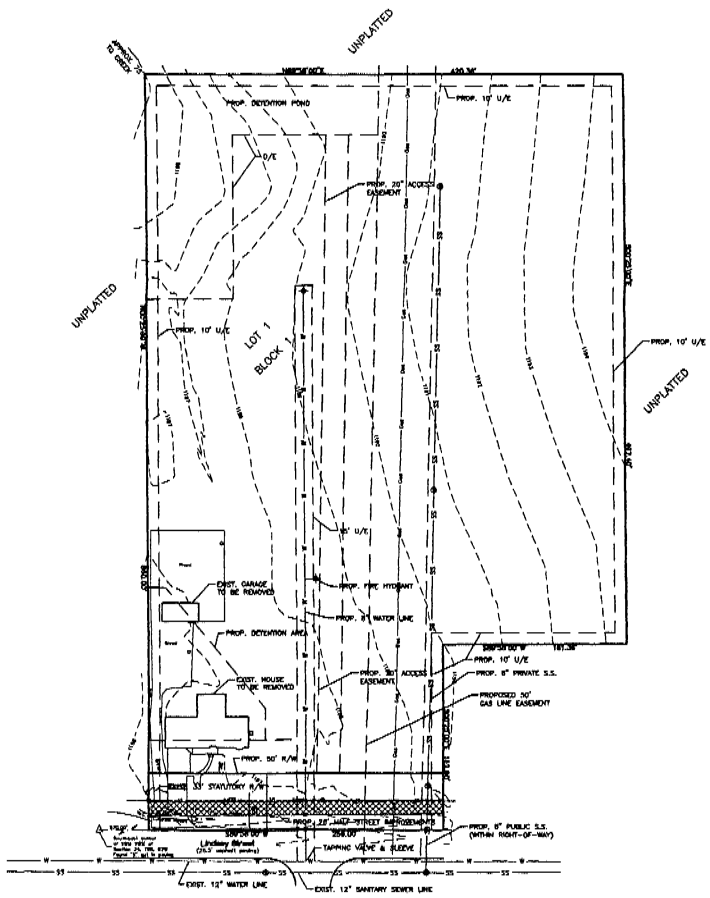
MISSION NORMAN ADDITION

SITE LAYOUT PLAN

REGISTERED PROFESSIONAL ENGINEER
KEITH B. COOK
19560
OKLAHOMA

Project #: 09021	Sheet: C-1
Date: 07/27/10	
Scale: 1" = 40'	

PRELIMINARY PLAT
OF
MISSION NORMAN ADDITION
A PLANNED UNIT DEVELOPMENT
BEING A PART OF THE SW/4, SEC. 34, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



NOTE:
BORE/ENCASE WATER AND
SEWER UNDER LINDSEY STREET

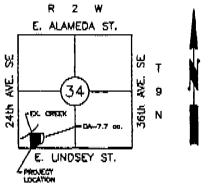
SCALE:
1" =50'

SUBDIVISION AREA=5.77 ac.
1 LOT PROPOSED

NOTES:

1. Elevations shown hereon are based on the Southwest corner of section being assumed to be 1179.00' as shown on USGS Quad map.
2. A blanket gas line right-of-way exists in favor of Southern Star Central Gas Pipeline, Inc. The right-of-way agreement is found in Book 211, Page 497.

OWNER/DEVELOPER	CIVIL ENGINEER	SURVEYOR
Mission Norman, Inc.	JTK Engineering Company	Cornerstone Surveying
2525 E. Lindsey	37906 Wolverine Road	22161 Lodd Avenue
Norman, OK 73071	Shawnee, OK 74804	Purcell, OK 73080-4509



LOCATION MAP
NOT TO SCALE

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF MISSION NORMAN ADDITION; HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Legend

	Utility Pole
— gas —	Gas Line
—ut—	Overhead Utility Line
	Sanitary Sewer Manhole
	Gas Meter
	Water Meter
	Guy Wire
	Light Pole

LEGAL DESCRIPTION:
Part of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section Thirty-four (34), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows: BEGINNING at the Southwest Corner of Section 34; T hence N89°58'E, a distance of 570.00 feet for a Point of Beginning; Thence N00°25'W, a distance of 660.00 feet; Thence N89°58'E, a distance of 420.36 feet; Thence S00°25'E, a distance of 497.40 feet; Thence S89°58'W, a distance of 161.36 feet; Thence S00°25'E, a distance of 162.60 feet; Thence S89°58'W, a distance of 259.00 feet to the Point of Beginning.

THIS PLAN SET IS COPYRIGHTED BY JTK ENGINEERING COMPANY. A LICENSE IS HEREBY GRANTED TO REGULATORY AGENCIES FOR UNRESTRICTED USE. A LICENSE WILL BE GRANTED TO PROJECT OWNER AND CONTRACTOR(S) UPON PAYMENTS OF ENGINEERING AND DRAFTING FEES.

No.	Revision/Issue	Date

JTK Engineering Co.
37906 Wolverine Road
Shawnee, OK 74804
(405) 878-0715

CA #4186
Renewal Date: 6/30/2011

MISSION NORMAN ADDITION

PRELIMINARY PLAT

Project # 09021	Sheet 1
Date 03/03/10	
Scale 1" = 50'	

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 9, 2010

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9th day of September, 2010. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Zev Trachtenberg called the meeting to order at 6:35 p.m.

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Cynthia Gordon Diana Hartley Tom Knotts Chris Lewis Curtis McCarty Roberta Pailes Andy Sherrer Jim Gasaway Zev Trachtenberg
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

* * *

Chairman Trachtenberg welcomed new Commissioner Cynthia Gordon.

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Trachtenberg announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:
APPROVAL OF THE AUGUST 26, 2010 REGULAR SESSION MINUTES AND AUGUST 26, 2010 STUDY SESSION MINUTES

Item No. 4, being:
FP-1011-4 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR COMMERCE PARKWAY ADDITION SECTION 2, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED APPROXIMATELY 700 FEET NORTH OF MARKET PLACE ON THE WEST SIDE OF THE I-35 FRONTAGE ROAD.

Item No. 5, being:
FP-1011-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY MISSION NORMAN, INC. (CORNERSTONE SURVEYING) FOR MISSION NORMAN ADDITION, LOCATED AT 2525 E. LINDSEY STREET.

Item No. 6, being:
FP-1011-6 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SKS1, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 1 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.

Item No. 7, being:
FP-1011-7 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHWEST CAPITAL GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 2 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.

Item No. 8, being:
FP-1011-8 -- CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHWEST CAPITAL GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR FOUNTAIN VIEW ADDITION, SECTION 3 (REAPPROVAL), GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 2,000 FEET SOUTH OF WEST TECUMSEH ROAD.

*

Chairman Trachtenberg asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked whether anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Item No. 5, being:
FP-1011-5 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY MISSION NORMAN, INC. (CORNERSTONE SURVEYING) FOR MISSION NORMAN ADDITION, LOCATED AT 2525 E. LINDSEY STREET.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Final Site Plan
5. Preliminary Plat

This item was approved as submitted on the Consent Docket by a vote of 9-0.

* * *

City of Norman, OK

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

Master

File Number: FP-1112-1

File ID:	FP-1112-1	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	06/21/2011
File Name:	Southlake Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR SOUTH LAKE ADDITION, SECTION 12, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF CLASSEN BOULEVARD/U.S. HIGHWAY 77 SOUTH OF RENAISSANCE DRIVE).

ACTION NEEDED: Motion to approve or reject the final plat for South Lake Addition, Section 12; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of $107,191.73, and direct the filing of the final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 17

Attachments: South Lake Location Map, South Lake Final Plat, Staff Report -South Lake, South Lake Site Plan, South Lake Prelim Plat, 7-14-11 PC Minutes - South Lake

Project Manager: Ken Danner

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	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	07/14/2011					

Text of Legislative File FP-1112-1

body

BACKGROUND: This item is a final plat for South Lake Addition, Section 12, and is generally located east of Classen Boulevard (US Highway No. 77) and south of Renaissance Drive.

City Council, at its meeting of September 11, 1984, adopted Ordinance No. O-8485-9 placing a portion of this property in C-1, Local Commercial District, with permissive use for an Automobile Service Station, and removing it from C-1, Local Commercial District. City Council, at its meeting of May 22, 2007, adopted Ordinance No. O-0506-25 placing a portion of this property in C-1, Local Commercial District and removing it from O-1, Office-Institution District. The developer has proposed commercial businesses, possibly including banks, retail and neighborhood services.

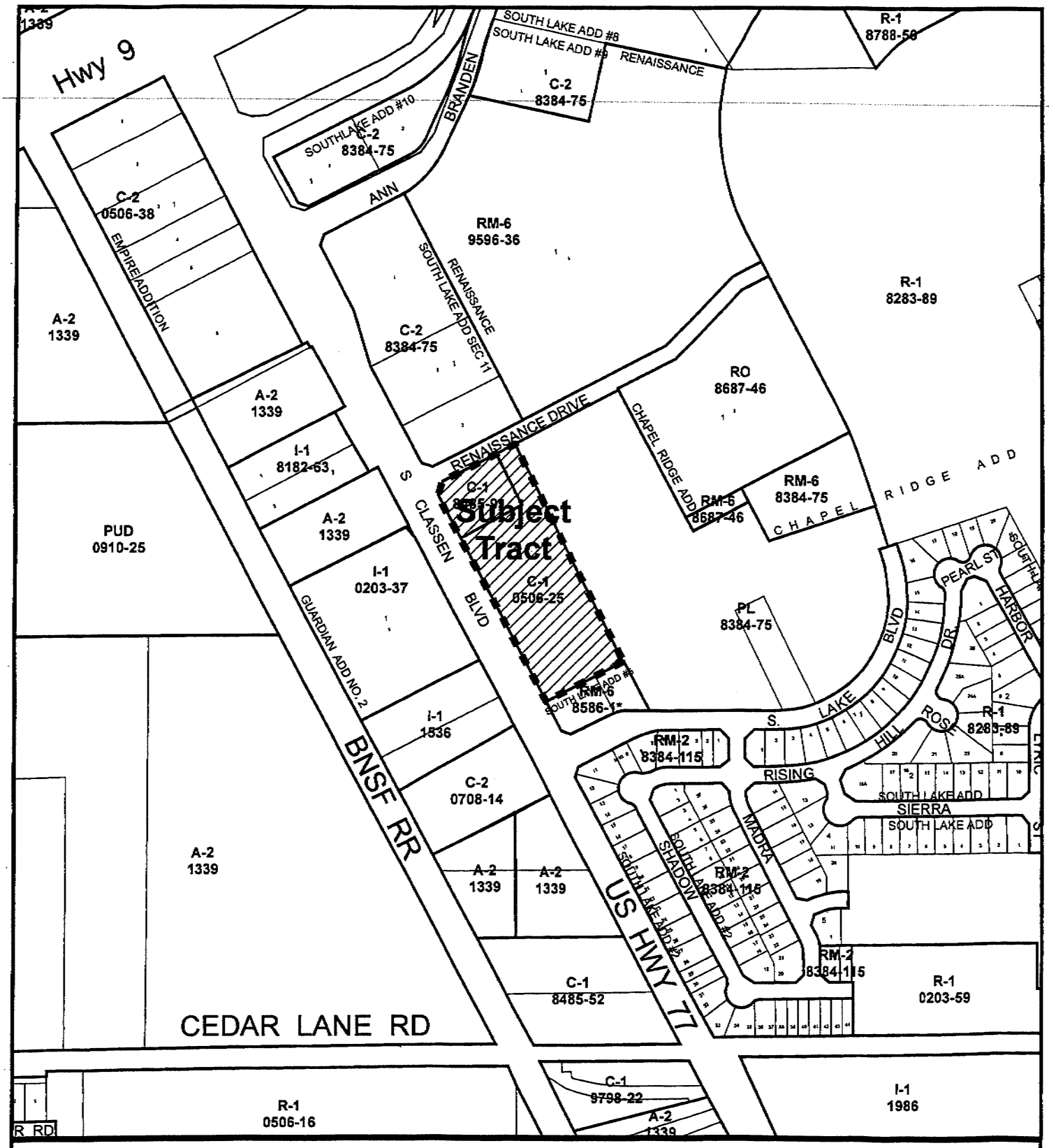
City Council, at its meeting of May 22, 2007, approved the preliminary plat for South Lake Addition, Section 11. It should be noted the preliminary plat expired in May 2012. With Planning Commission's approval of the final plat on July 14, 2011, the developer has contracted for the installation of the required water improvements and those improvements are currently under construction. The remaining improvements to be constructed are sidewalks along Classen Boulevard and Renaissance Drive.

This is the remaining final plat of the property owned by this applicant. Since there have been no changes in the subdivision regulations and this property is not part of the Water Quality Protection Zone, staff is recommending the extension of the preliminary plat deadline based on the completion of the water improvements and filing of the final plat within two (2) months from this date. The final plat consists of 4.78 acres and 4 commercial lots. There will be two common driveways on Classen Boulevard and one on Renaissance Drive.

DISCUSSION: Construction plans have been reviewed for required public improvements for this property. These improvements consist of sidewalks, storm drainage and water main improvements. The water improvements are currently under construction. The storm drainage improvements including a detention basin are complete. Sidewalks will be constructed as part of the building improvements.

Storm water will be conveyed to a proposed privately maintained detention facility.

RECOMMENDATION: The final plat is consistent with the preliminary plat. Based upon the above information, Staff recommends approval of the final plat and filing of the plat subject to the Development Committee's acceptance of all required public improvements, and receipt of traffic impact fees in the amount of $107,191.73 and authorization of the Mayor to sign the final plat and bonds.



Location Map

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

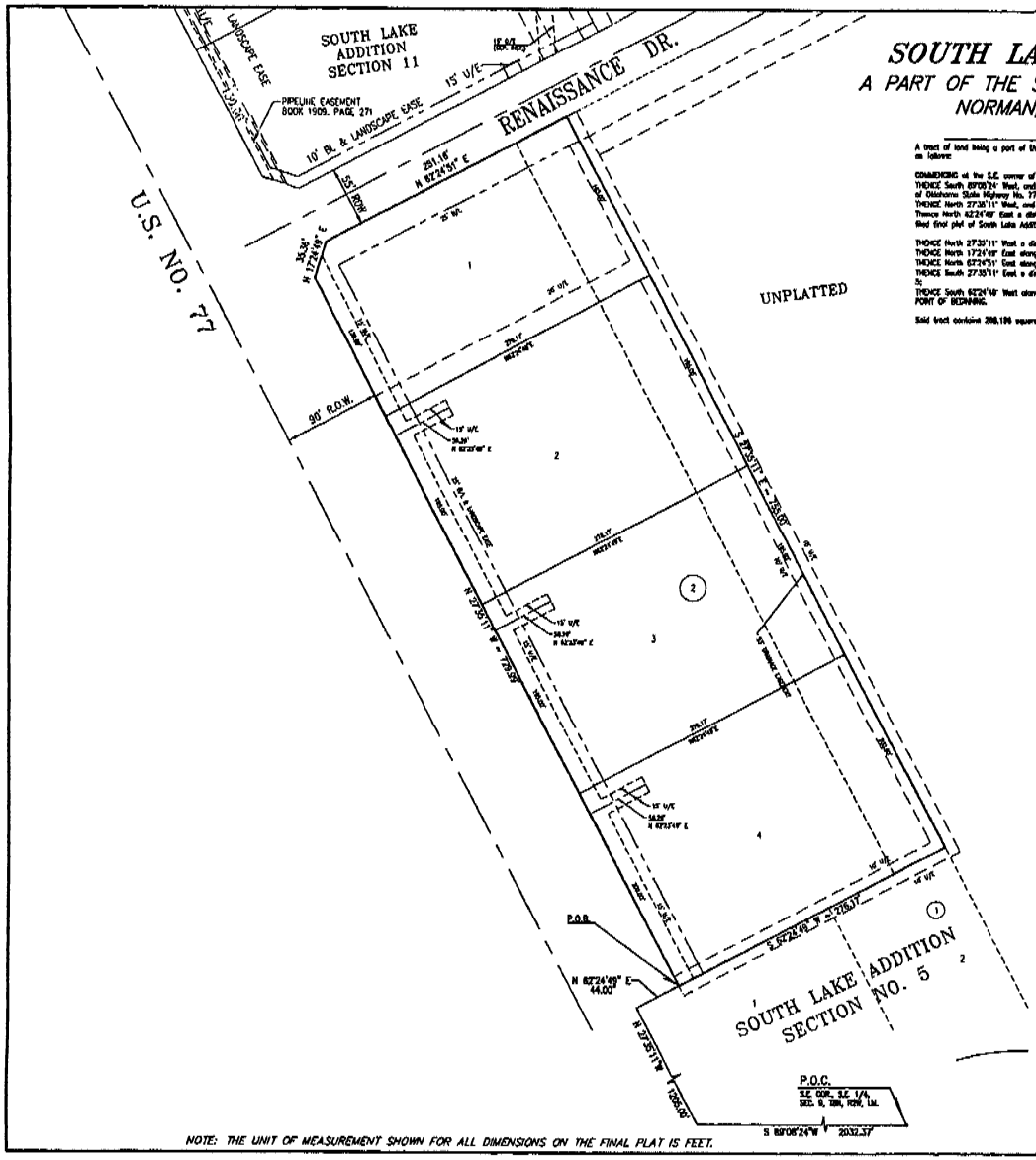
N
W E
S

July 7, 2011

0 200 400 Ft.

Subject Tract

Zoning



FINAL PLAT

SOUTH LAKE ADDITION SECTION 12

A PART OF THE SOUTH 1/2 OF SECTION 9, T8N, R2W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA

LEGAL DESCRIPTION

A tract of land being a part of the South ½ of Section 9, T8N, R2W, I.M. Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

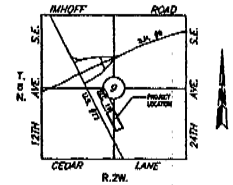
COMMENCING at the S.E. corner of the S.E. 1/4 of said Section 9;
THENCE South 89°08'24" West, and along the South line of said South 1/2, a distance of 2032.37 feet to a point on the former East right-of-way line of Oklahoma State Highway No. 77;
THENCE North 27°35'11" West, and along the former East right-of-way line of Oklahoma State Highway No. 77, a distance of 1200.00 feet;
Thence North 82°24'49" East a distance of 44.00 feet to the POINT OF BEGINNING, said point also being the Northwest corner of Lot 1 Block 1 of the filed final plat of South Lake Addition Section 3 (as filed in Book 13 Page 145);

THENCE North 27°35'11" West a distance of 728.89 feet to a point on the South right-of-way line of Renaissance Drive;
THENCE North 17°24'49" East along said South right-of-way line a distance of 35.36 feet;
THENCE North 67°24'51" East along said South right-of-way line a distance of 251.16 feet;
THENCE South 27°35'11" East a distance of 756.00 feet to the Northwest corner of Lot 2 Block 1 of the filed final plat of South Lake Addition Section 3;
THENCE South 82°24'49" West along the North property line of the filed final plat of South Lake Addition Section 3 a distance of 278.17 feet to the POINT OF BEGINNING.

Said tract contains 208,196 square feet or 4.7795 acres, more or less.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF SOUTH LAKE ADDITION SECTION 12; HOWEVER, IF MAINTENANCE IS NEGLECTED OR SERVICE TO OTHER UNLAWFUL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE ENGINEERING DIVISION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.



VICINITY MAP
SCALE: 1" = 2000'

SCALE: 1" = 50'

SOUTHLAKE ADDITION SECTION 11 WAS USED AS THE BASIS OF BEARING FOR THIS PLAT.

SET 3/8" I.P. W/ CA4738 CAP AT ALL PROPERTY CORNERS.

NOTE:
THE 10' B/L & U/E IS PARALLEL TO PROPERTY LINES.

D/E = DRAINAGE EASEMENT
PED/E = PEDESTRIAN EASEMENT
L/A = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

LOT COUNT

LOTS – 4

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET.

Date: NOV. 25, 2011

SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106
Ph.: (405)232-7715
Oklahoma CA #864 Exp: 6-31-2013

SOUTH LAKE ADDITION SECTION 12
FINAL PLAT SHEET 2 of 2

FINAL PLAT ITEM NO. 4

STAFF REPORT

ITEM: Consideration of a Final Plat for SOUTH LAKE ADDITION, SECTION 12.

LOCATION: Generally located east of Classen Boulevard (U.S. Highway No. 77) and south of Renaissance Drive.

INFORMATION:

1. Owner. Southlake Group, LLC.
2. Developer. Southlake Group, LLC
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 15, 1983. Planning Commission, on a vote of 9-0, recommended to City Council that this property be placed in C-2, and removed from I-1, zoning classification.
2. December 15, 1983. Planning Commission, on a vote of 9-0, approved the preliminary plat for South Lake Addition.
3. January 17, 1984. City Council adopted Ordinance No. O-8384-75 placing this property in C-2 zoning classification.
4. June 9, 1988. Planning Commission, on a vote of 8-0, approved the preliminary plat for South Lake Addition.
5. November 14, 1991. Planning Commission, on a vote of 8-0, approved the preliminary plat for South Lake Addition, Section 7.
6. November 14, 1996. The approval of the preliminary plat for South Lake Addition became null and void.
7. December 8, 2005. Planning Commission, on a vote of 9-0, recommended to City Council that the preliminary plat for South Lake Addition 11, be approved.
8. May 8, 2007. City Council postponed the preliminary plat for South Lake Addition, Section 11.
9. May 22, 2007. City Council approved the preliminary plat for South Lake Addition, Section 11.

IMPROVEMENT PROGRAM

1. Alleys. City Council at its meeting of May 22, 2007, approved a request to waive alley requirements for the preliminary plat of South Lake Addition, Section 11.

2. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Norman Fire Department.

3. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

4. Sanitary Sewers. Sanitary sewer mains are existing.

5. Sidewalks. Sidewalks will be constructed adjacent to Renaissance Drive and Classen Boulevard.

6. Storm Sewers. Stormwater runoff will be conveyed to the State Highway No. 9 right-of-way through a proposed detention and existing storm sewer system.

7. Streets. Streets are existing.

8. Water Mains. A 12-inch water main will be extended across this property to the south and to the north. It will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

9. Intersection Improvement and New Traffic Signals. The intersection of Classen Boulevard and the State Highway 9 Eastbound Ramps will need to be improved to accommodate the future traffic demand. The intersections of Classen Boulevard with Ann Branden Boulevard, Renaissance Drive and South Lake Boulevard will need new traffic signals. The owner/developer will contribute to their proportional share of the improvements with the platting process.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

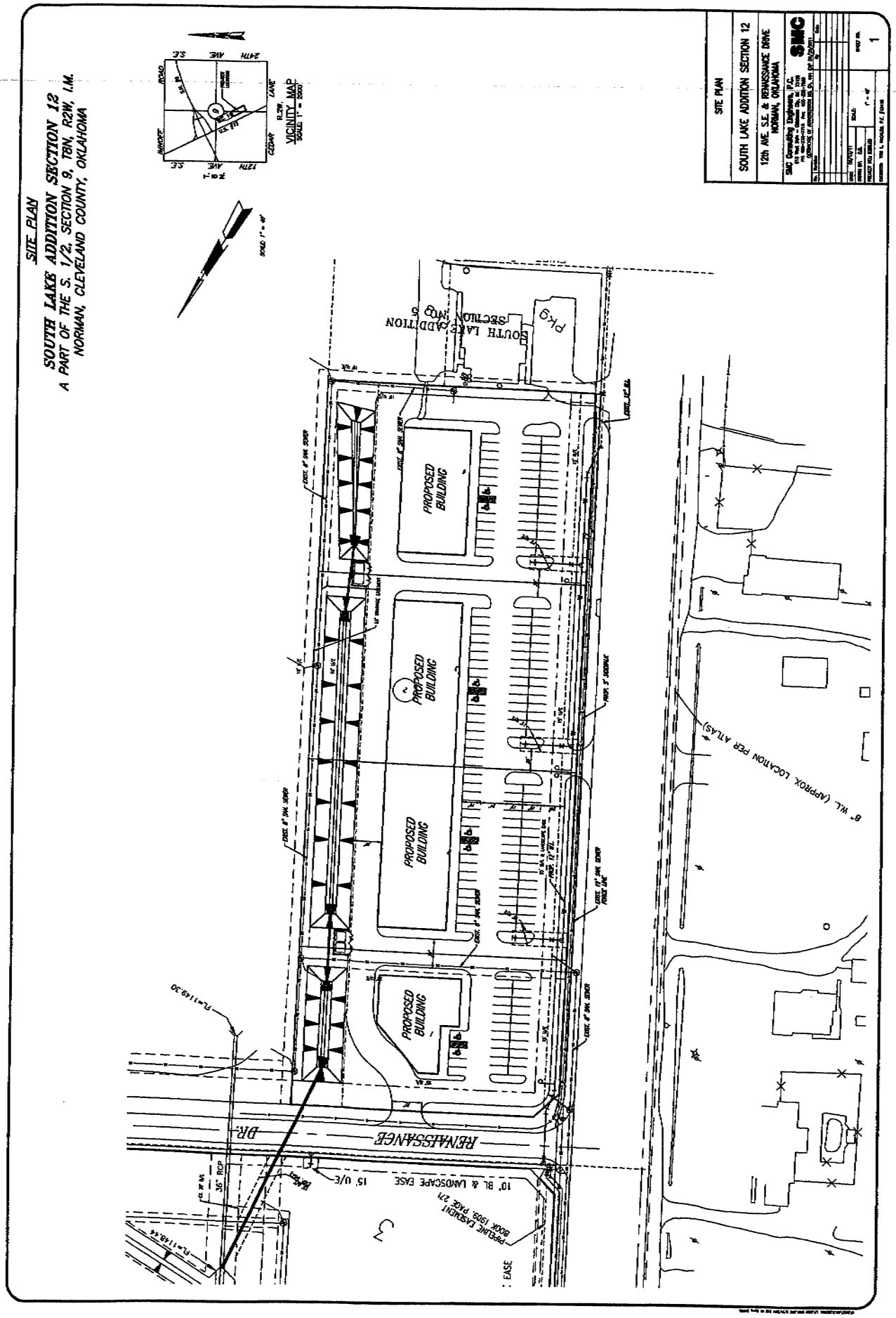
2. Rights-of-Way. Street right-of-ways are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, site plan, and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Staff recommends approval of the final plat for South Lake Addition, Section 12.

ACTION NEEDED: Approve or disapprove the final plat for South Lake Addition, Section 12.

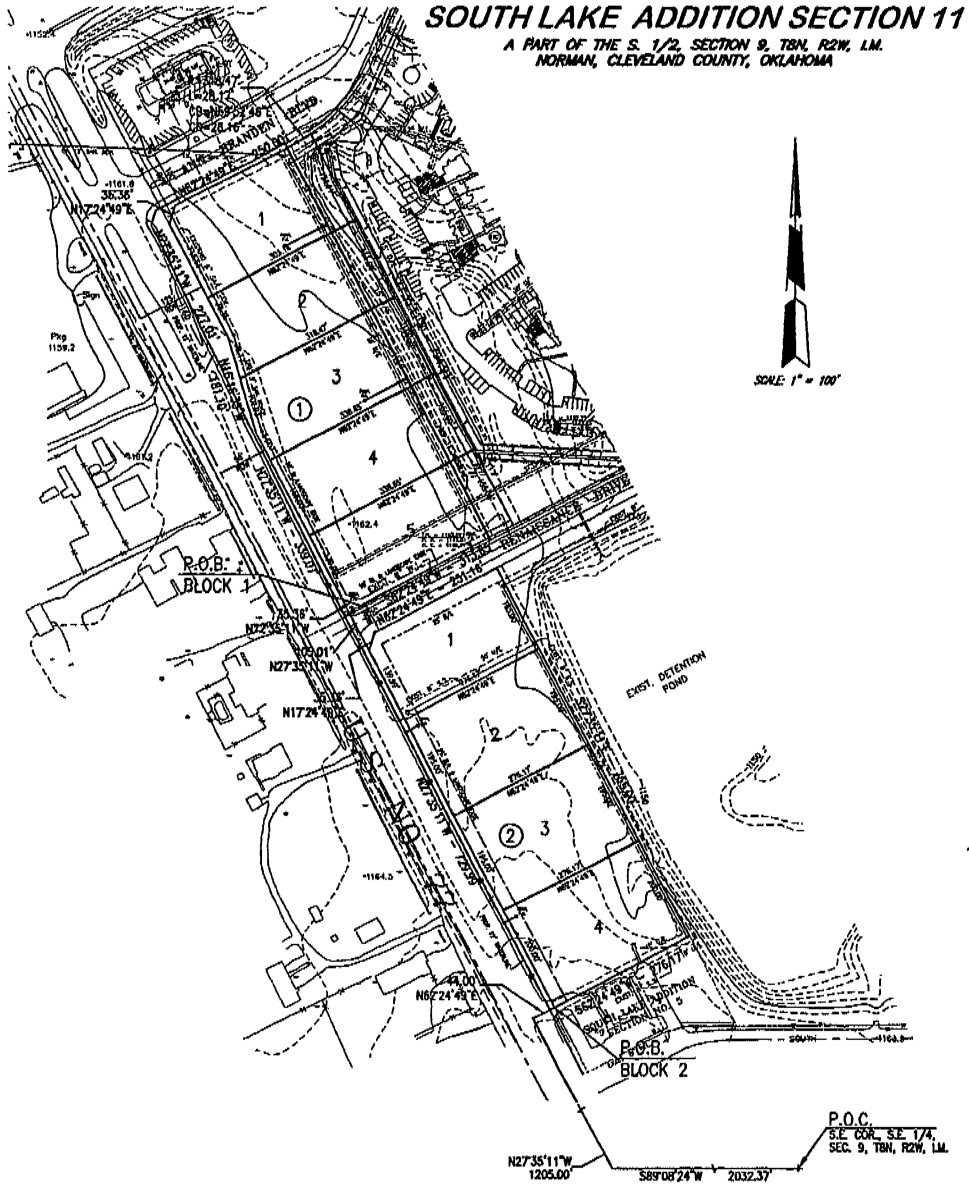
ACTION TAKEN:_____

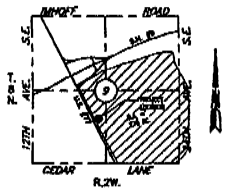

SITE PLAN
SOUTH LAKE ADDITION SECTION 12
A PART OF THE S. 1/2, SECTION 9, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
VICINITY MAP
SITE PLAN
SOUTH LAKE ADDITION SECTION 12
12th AVE. S.E. & RENAISSANCE DRIVE
NORMAN, OKLAHOMA
SMC
PROPOSED BUILDING
PROPOSED BUILDING
PROPOSED BUILDING
PROPOSED BUILDING
SOUTH LAKE ADDITION SECTION NO. 5
Pkg
RENAISSANCE DR.
8" W.L. (APPROX. LOCATION PER ATLAS)
10' BL & LANDSCAPE EASE
15' U/E
PIPELINE EASEMENT BOOK 1909, PAGE 271
36" RCP

PRELIMINARY PLAT

SOUTH LAKE ADDITION SECTION 11

A PART OF THE S. 1/2, SECTION 9, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





VICINITY MAP

NOTES :

1. EXISTING ZONING IS O-1, C-2, AND O-1. PROPOSED TO REZONE THE O-1 TO O-1.
2. ALL PUBLIC UTILITIES SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS.
3. ALL SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS.
4. ALL PUBLIC UTILITIES WILL BE IN DEDICATED EASEMENTS.
5. ALL SANITARY SEWER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.
6. ALL WATER LINES TO BE 6" DIA. UNLESS NOTED OTHERWISE.
7. FIRE HYDRANTS TO BE SPACED A MAXIMUM OF 300' APART.

BENCH MARK: TOP OF RIM, EXIST. MANHOLE AT THE N.W. PROPERTY CORNER SOUTH AND EAST OF THE INTERSECTION OF O.S.H. 9 & U.S. HWY. 77. ELEV. = 1160.39

BLOCK 1, LOT 1 = 1.20 ACRES
LOT 2 = 1.09 ACRES
LOT 3 = 1.18 ACRES
LOT 4 = 1.20 ACRES
LOT 5 = 1.20 ACRES

BLOCK 2, LOT 1 = 1.04 ACRES
LOT 2 = 1.24 ACRES
LOT 3 = 1.24 ACRES
LOT 4 = 1.27 ACRES

TOTAL AREA = 10.66 ACRES

OWNER/DEVELOPER

SOUTH LAKE GROUP, L.L.C.
1800 N. INTERSTATE DR.
SUITE 300
NORMAN, OK 73072
(405) 329-1460

DESIGNED BY :

SPEAR & McCALEB, CO., P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
(405) 232-7715

PRELIMINARY PLAT

SOUTH LAKE ADDITION SECTION 11
U.S. HWY. #77 & O.S.H. #9

NORMAN, OKLAHOMA

SPEAR & McCALEB CO., P.C. SMC

SHEET NO. 1

FINAL PLAT ITEM NO. 4

STAFF REPORT

ITEM: Consideration of a Final Plat for SOUTH LAKE ADDITION, SECTION 12.

LOCATION: Generally located east of Classen Boulevard (U.S. Highway No. 77) and south of Renaissance Drive.

INFORMATION:

1. Owner. Southlake Group, LLC.
2. Developer. Southlake Group, LLC
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 15, 1983. Planning Commission, on a vote of 9-0, recommended to City Council that this property be placed in C-1, Local Commercial and RM-6, Medium Density Apartment District, and removed from I-1, Light Industrial District zoning classification.
2. December 15, 1983. Planning Commission, on a vote of 9-0, approved the preliminary plat for South Lake Addition.
3. January 17, 1984. City Council adopted Ordinance No. O-8384-75 placing this property in C-1, Local Commercial and RM-6, Medium Density Apartment District and removing them from I-1, Light Industrial District.
4. August 9, 1984. Planning Commission, on a vote of 9-0, recommended to City Council that a portion of this property be placed in C-1, Local Commercial District with permissive use for an Automobile Service Station and removed from C-1, Local Commercial District.
5. September 11, 1984. City Council adopted Ordinance No. O-8485-9 placing a portion of this property in C-1, Local Commercial District With Permissive Use for an Automobile Service Station and removed from C-1, Local Commercial District.

6. July 11, 1985. Planning Commission, on a vote of 8-0, recommended to City Council that a portion of this property be placed in RM-6 With Permissive Use for Professional Offices and removed from RM-6 zoning classification.

7. July 11, 1985. Planning Commission, on a vote of 8-0, approved the revised preliminary plat for South lake Addition.

8. August 6, 1985. City Council adopted Ordinance No. O-8586-1, placing a portion of this property in RM-6, Medium Density Apartment District with permissive use for professional offices and removing it from RM-6 zoning classification.

9. March 13, 1986. Planning Commission, on a vote of 6-0, recommended to City Council that a portion of this property be placed in O-1, Office-Institution District and removed fromRM-6, Medium Density Apartment District.

10. April 15, 1986. City Council adopted Ordinance No. O-8586-59, placing a portion of this property in O-1, Office-Institution District and removing it from RM-6, Medium Density Apartment District.

11. June 9, 1988. Planning Commission, on a vote of 8-0, approved the revised preliminary plat for South Lake Addition.

12. November 14, 1991. Planning Commission, on a vote of 8-0, approved the preliminary plat for South Lake Addition.

13. November 14, 1996. The approval of the preliminary plat for South Lake Addition became null and void.

14. December 8, 2005. Planning Commission, on a vote of 9-0, recommended to City Council that a portion of this property be placed in C-1, Local Commercial District and removing it from O-1, Office-Institution District.

15. December 8, 2005. Planning Commission, on a vote of 9-0, recommended to City Council that the preliminary plat for South Lake Addition 11, be approved.

16. May 8, 2007. City Council postponed a request to place a portion of this property in C-1, Local Commercial District and removing it from O-1, Office-Institution District.

17. May 8, 2007. City Council postponed the preliminary plat for South Lake Addition, Section 11.

18. May 22, 2007. City Council adopted Ordinance No. O-0506-25 placing a portion of this property in C-1, Local Commercial District and removing it from O-1, Office-Institution District.

19. May 22, 2007. City Council approved the preliminary plat for South Lake Addition, Section 11.

IMPROVEMENT PROGRAM

1. Alleys. City Council at its meeting of May 22, 2007, approved a request to waive alley requirements for the preliminary plat of South Lake Addition, Section 11.

2. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Norman Fire Department.

3. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

4. Sanitary Sewers. Sanitary sewer mains are existing.

5. Sidewalks. Sidewalks will be constructed adjacent to Renaissance Drive and Classen Boulevard.

6. Storm Sewers. Stormwater runoff will be conveyed to the State Highway No. 9 right-of-way through a proposed detention and existing storm sewer system.

7. Streets. Streets are existing.

8. Water Mains. A 12-inch water main will be extended across this property to the south and to the north. It will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

9. Intersection Improvement and New Traffic Signals. The intersection of Classen Boulevard and the State Highway 9 Eastbound Ramps will need to be improved to accommodate the future traffic demand. The intersections of Classen Boulevard with Ann Branden Boulevard, Renaissance Drive and South Lake Boulevard will need new traffic signals. The owner/developer will contribute to their proportional share of the improvements with the platting process.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

2. Rights-of-Way. Street right-of-ways are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, site plan, and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Staff recommends approval of the final plat for South Lake Addition, Section 12.

ACTION NEEDED: Approve or disapprove the final plat for South Lake Addition, Section 12.

ACTION TAKEN:_____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 14, 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 14th day of July 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 Roberta Pailes Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Curtis McCarty

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

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:
APPROVAL OF THE JUNE 9, 2011 REGULAR SESSION MINUTES AND THE JUNE 23, 2011 SPECIAL SESSION MINUTES

Item No. 4, being:
FP-1112-1 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHLAKE GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SOUTH LAKE ADDITION, SECTION 12, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF CLASSEN BOULEVARD (US HIGHWAY NO. 77) AND SOUTH OF RENAISSANCE DRIVE.

*

Chairman Gasaway also noted that the applicant has requested postponement of Item No. 8, **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,** until the August 11 meeting, and that could also be done as part of the Consent Docket.

Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Tom Knotts moved to place approval of Item Nos. 3 and 4, and the postponement of Item No. 8 until the August 11 meeting, on the Consent Docket and approve by one unanimous vote. Roberta Pailes 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, Roberta Pailes, Andy Sherrer, Zev Trachtenberg, Jim Gasaway
NAYES	None
ABSENT	Curtis McCarty

Recording Secretary Roné Trombie announced that the motion, to place approval of Item Nos. 3 and 4, and the postponement of Item No. 8 until the August 11 meeting, on the Consent Docket, passed by a vote of 8-0.

* * *

Item No. 4, being:

FP-1112-1 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SOUTHLAKE GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SOUTH LAKE ADDITION, SECTION 12, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF CLASSEN BOULEVARD (US HIGHWAY NO. 77) AND SOUTH OF RENAISSANCE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Final Plat
3. Staff Report
4. Site Plan
5. Preliminary Plat

This item was approved on the Consent Docket by a vote of 8-0.

* * *

City of Norman, OK

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

Master

File Number: FP-1112-18

File ID:	FP-1112-18	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	03/20/2012
File Name:	Tecumseh Project Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE WEST OF 36TH AVENUE N.W. ON THE SOUTH SIDE OF TECUMSEH ROAD)

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat for Tecumseh Project Addition, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 18

Attachments: Text File Tecumseh Project, Tecumseh Project Location Map, Tecumseh Project Final Plat, Staff Report Tecumseh Project, Tecumseh Project Final Site Plan, Tecumseh Project Prelim Plat, 4-12-12 PC Minutes - Tecumseh Project

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/12/2012					

Text of Legislative File FP-1112-18

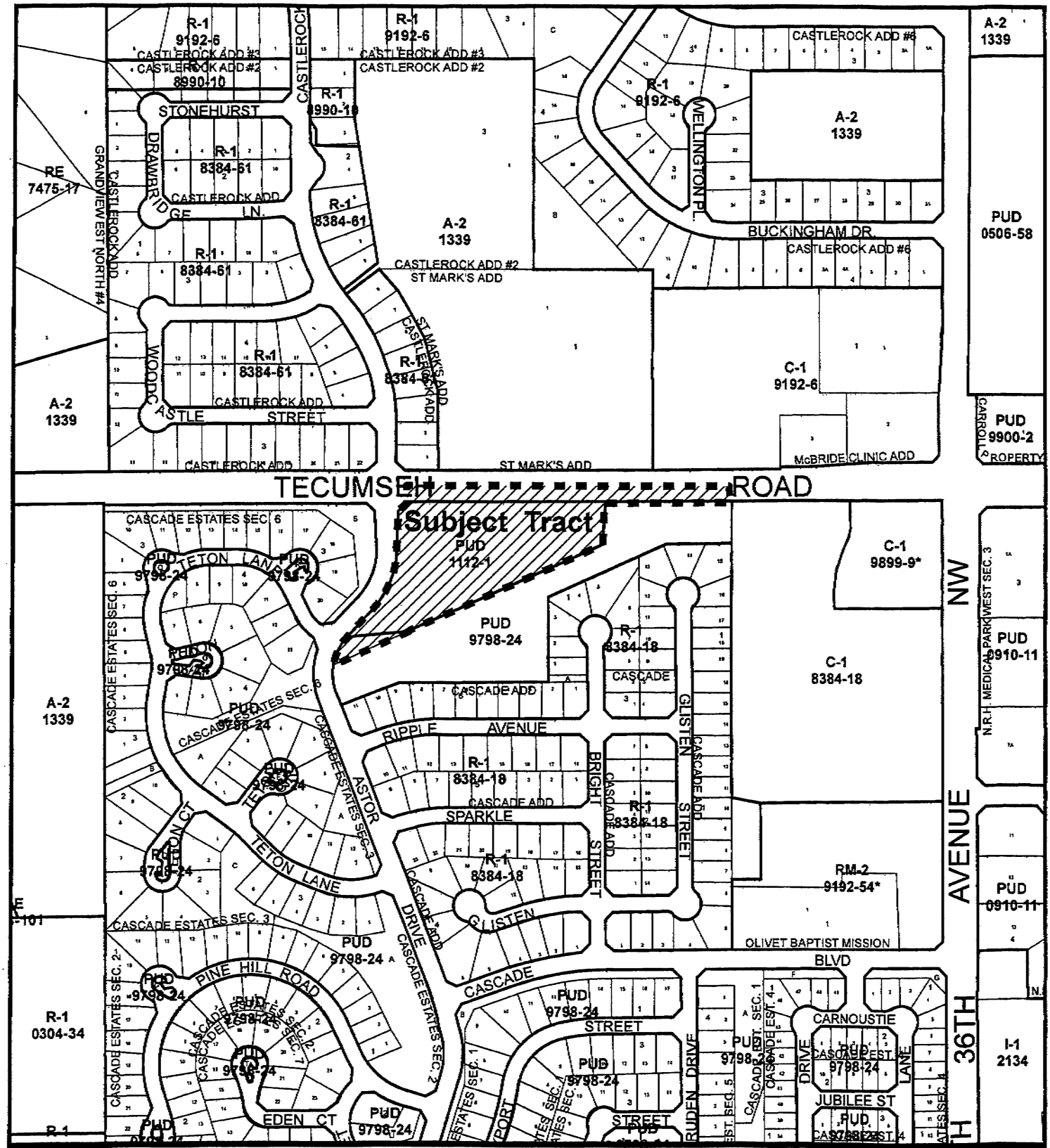
body

BACKGROUND: This item is a final plat for Tecumseh Project Addition and is generally located one-half mile west of 36th Avenue N.W. on the south side of Tecumseh Road. This property consists of 5.53 acres and 4 business, medical or professional office lots.

City Council, at its meeting of October 25, 2011, amended Ordinance No. O-9798-24, allowing business, medical and professional offices within the Planned Unit Development and approved a preliminary plat for the Tecumseh Project Addition, a Planned Unit Development. Planning Commission, on April 12, 2012 approved the final plat for Tecumseh Project Addition, a Planned Unit Development.

DISCUSSION: Public improvements consist of water mains with fire hydrants, drainage, and sidewalk improvements. Public improvements are near completion.

STAFF RECOMMENDATION: The final plat is consistent with the preliminary plat. Based upon the above information, staff recommends approval of the final plat, acceptance of the public dedication contained therein and authorized the Mayor to sign the final plat and required bonds for Tecumseh Project Addition, a Planned Unit Development, subject to completion and the City Development Committee's acceptance of the public improvements and bonds.



Location Map

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

N W E S

April 4, 2012

0 200 400 Ft.

Subject Tract

Zoning

FINAL PLAT
TECUMSEH PROJECT
A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4, OF SECTION 15, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

LEGAL DESCRIPTION

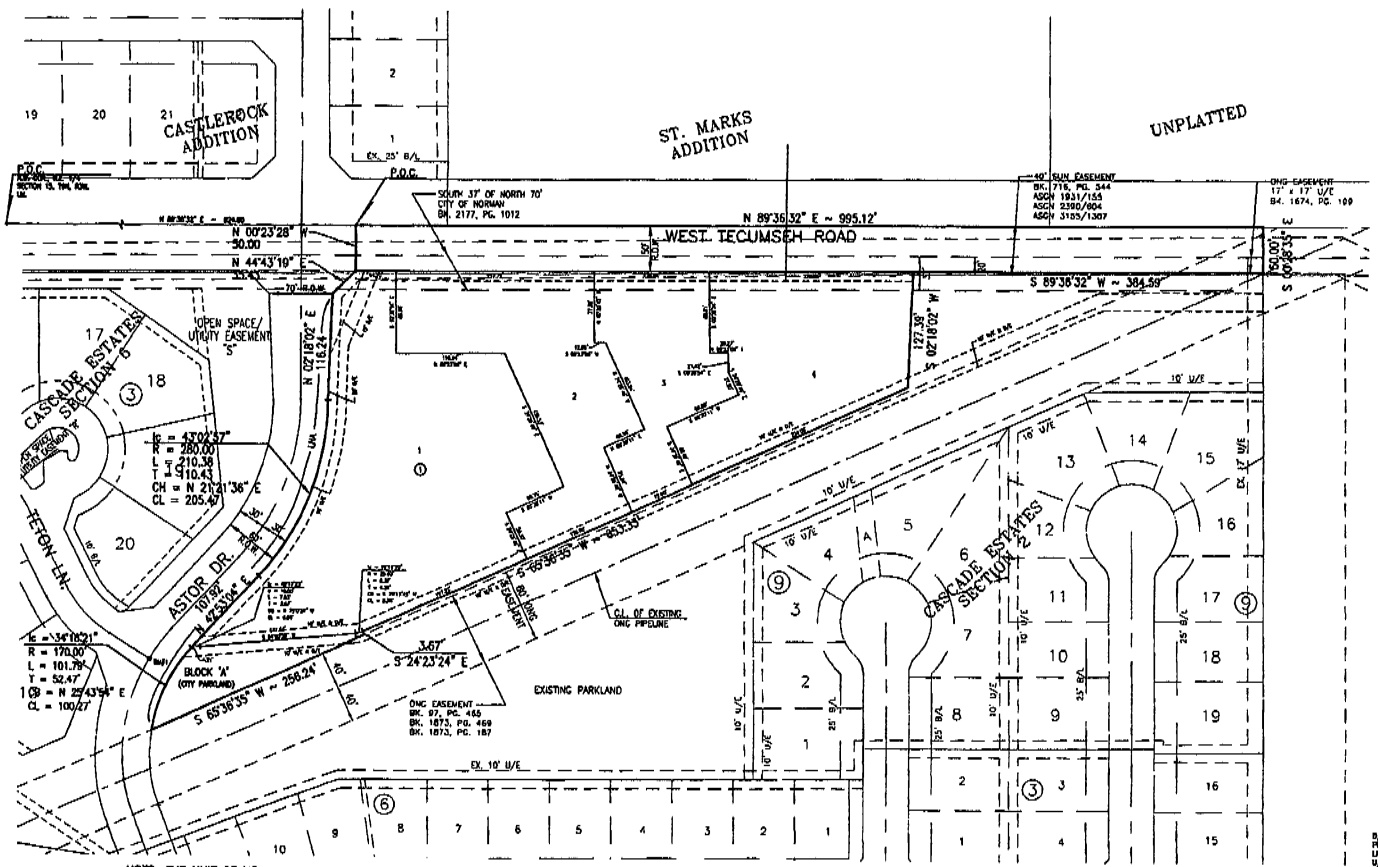
A tract of land being a part of the N.E. 1/4, Section 15, Township 9 North, Range 3 West, I.M., Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

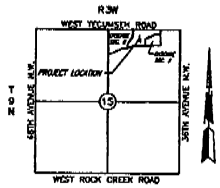
Commencing at the Northwest corner of the N.E. 1/4 of Said Section 15.

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°23'28" 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 127.38 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 79°15'45" West a distance of 8.38 feet) with an arc length of 8.38 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 73°50'24" West a distance of 8.89 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°33'04" East a distance of 103.71 feet to a point of curvature; THENCE along a curve to the left having a radius of 200.00 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 33.43 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 3.33 acres, more or less.





VICINITY MAP
SCALE: 1" = 2000'

BASIS OF BEARING FOR THIS FINAL PLAT IS N 89°36'32" E AS SHOWN ON THE NORTH SECTION LINE.

NOTE:
LOTS 1, 2, 3 & 4 WILL SHARE CROSS ACCESS RIGHTS BETWEEN ALL FOUR LOTS.

BM: MONUMENT #1
BRASS CAP AT INTERSECTION OF ASTOR DRIVE AND TETON LANE
ELEVATION = 1195.05

LOT COUNT
4

D/E = DRAINAGE EASEMENT
PED/E = PEDESTRIAN EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

Date: April 2, 2012

SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106
Ph.:(405)232-7715
Oklahoma CA #664 Exp.: 6-31-2013

TECUMSEH PROJECT
A PLANNED UNIT DEVELOPMENT
SHEET 2 OF 2
SHEET 3

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS U.S. SURVEY FEET.

FINAL PLAT ITEM NO. 5

ITEM: Consideration of a Final 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.

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.

5-4

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 became null and void.

22. July 14, 2011. Planning Commission, on a vote of 8-0, postponed an amendment to the NORMAN 2025 Land Use and Transportation Plan, amendment to the Planned Unit Development established by Ordinance No. O-9798-24, and the preliminary plat for Tecumseh Project at the request of the owners/developers.

23. August 11, 2011. Planning Commission, on a vote of 6-0, recommended amending the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Office Designation.

24. August 11, 2011. Planning Commission, on a vote of 6-0, recommended amending the Planned Unit Development Ordinance No. O-9798-24 to allow business, medical and professional offices.

25. August 11, 2011. Planning Commission, on a vote of 6-0, recommended to City Council the approval of request to waive alley requirements and approval of the preliminary plat for Tecumseh Project Addition.

26. October 11, 2011. City Council, on a vote of 8-0, postponed an amendment to the NORMAN 2025 Land Use and Transportation Plan, amendment to the Planned Unit Development established by Ordinance No. O-9798-24, and the preliminary plat for Tecumseh Project.

27. October 25, 2011. City Council amended the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Office Designation.

28. October 25, 2011. City Council amended the Planned Unit Development Ordinance No. O-9798-24 to allow business, medical and professional offices.

29. October 25, 2011. City Council approved a request to waive alley requirements and approved the preliminary plat for Tecumseh Project.

IMPROVEMENT PROGRAM:

1. Alleys. City Council, at its meeting of October 25, 2011 approved the request to waive alley requirements.

5-5

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.

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. There will be an interior water line to serve fire hydrants.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

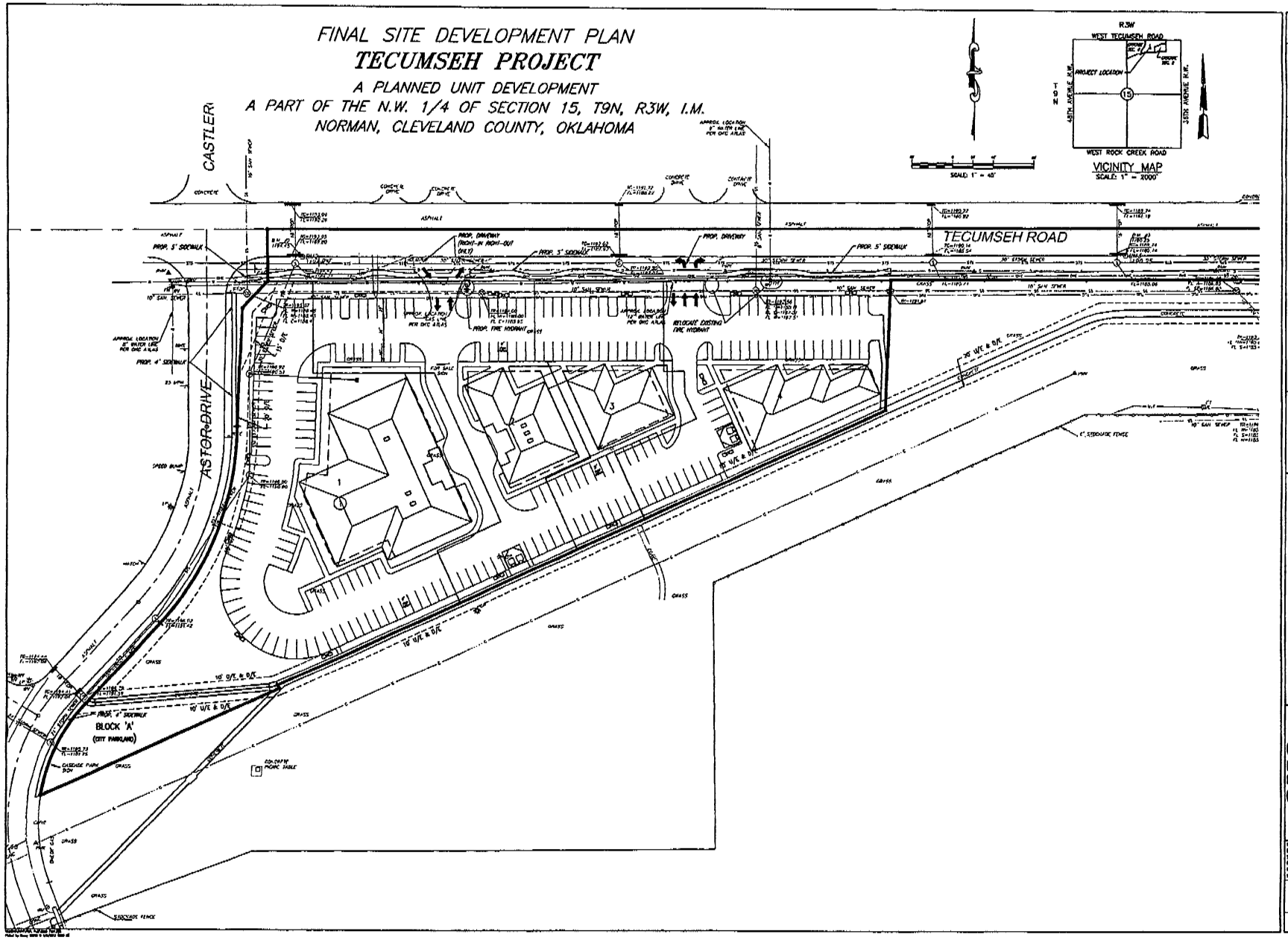
2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

SUPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final site development plan, and preliminary plat are included in the Agenda Book.

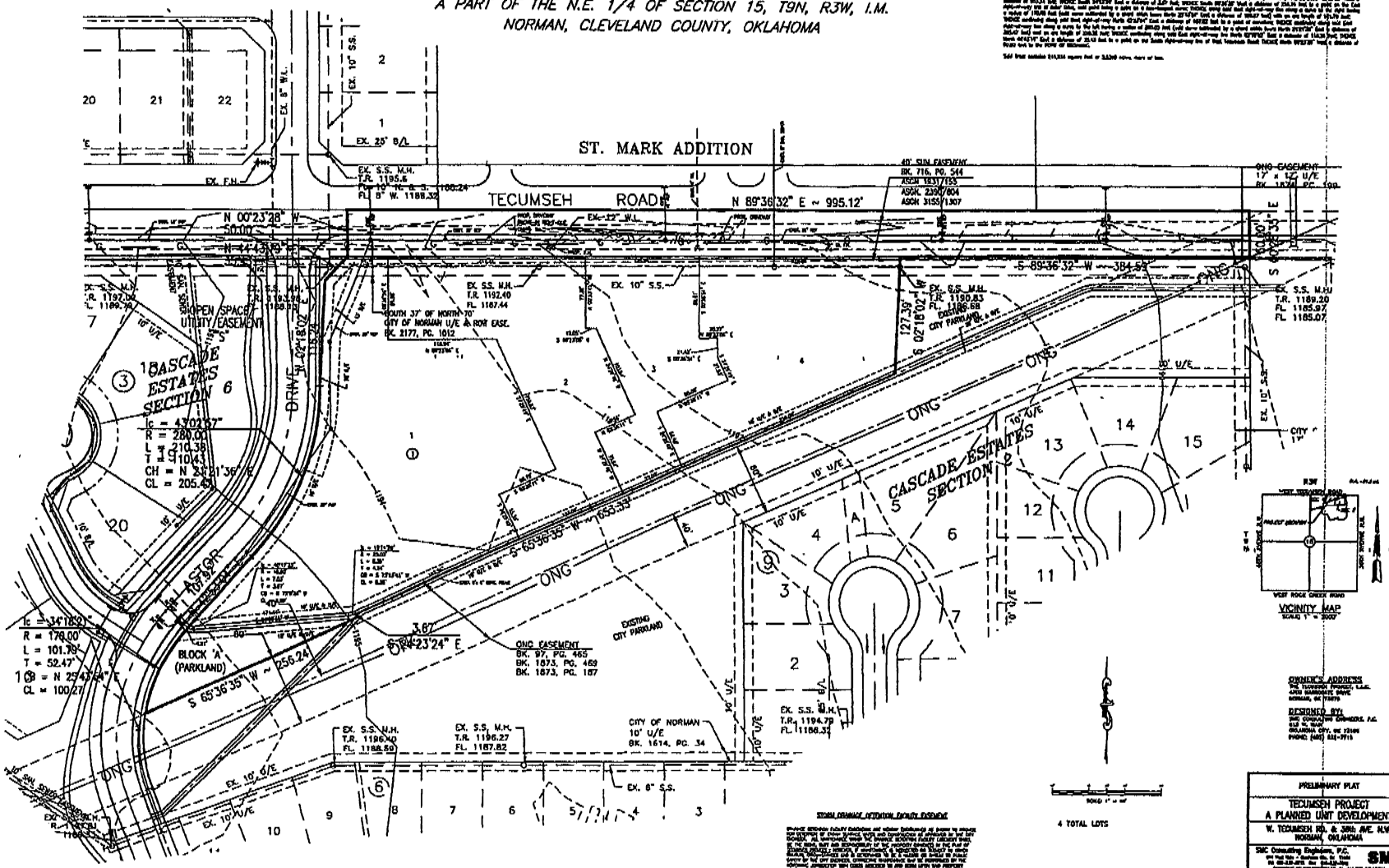
STAFF COMMENTS AND RECOMMENDATION: Staff recommends approval of the final site development plan and final plat for Tecumseh Project Addition, a Planned Unit Development.

ACTION NEEDED: Approve or disapprove the final plat for Tecumseh Project, a Planned Unit Development.

ACTION TAKEN:_____


FINAL 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
CASTLER
ASTOR DRIVE
TECUMSEH ROAD
BLOCK 'A'
(CITY PARKLAND)
VICINITY MAP
SCALE: 1" = 2000'
WEST TECUMSEH ROAD
WEST ROCK CREEK ROAD
PROJECT LOCATION
48TH AVENUE N.W.
36TH AVENUE N.W.
SCALE: 1" = 40'
OWNER'S ADDRESS
TECUMSEH PROJECT, L.L.C.
4700 HARROGATE DRIVE
NORMAN, OK 73070
DESIGNED BY:
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
PHONE: (405) 232-7715
TECUMSEH PROJECT
W. TECUMSEH RD. &
36th AVE. N.W.
NORMAN, OKLAHOMA
SMC
SMC Consulting Engineers, P.C.
FINAL SITE DEVELOPMENT PLAN
1

PRELIMINARY PLAT
TECUMSEH PROJECT
A PLANNED UNIT DEVELOPMENT
A PART OF THE N.E. 1/4 OF SECTION 15, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



LEGAL DESCRIPTION

STORM DRAINAGE DETENTION FACILITY EASEMENT

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:
APPROVAL OF THE MARCH 8, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1112-5 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY PAMELA AND CHRISTOPHER ZABAWA (HALE & BUCKLEY SURVEY CO.) FOR ZABAWA WILDERNESS, GENERALLY LOCATED NORTH OF ROCK CREEK ROAD AND EAST OF 108TH AVENUE N.E. AT THE END OF TRACY DRIVE.

Item No. 5, being:
FP-1112-18 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TECUMSEH PROJECT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR THE TECUMSEH PROJECT, GENERALLY LOCATED SOUTH OF TECUMSEH ROAD AT ASTOR DRIVE.

*

Chairman Sherrer asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Jim Gasaway moved to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote. Curtis McCarty seconded the motion.

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

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes
NAYES	None
RECUSED	Andy Sherrer
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote, passed by a vote of 6-0-1.

* * *

Item No. 5, being:
FP-1112-18 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TECUMSEH PROJECT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR THE TECUMSEH PROJECT, GENERALLY LOCATED SOUTH OF TECUMSEH ROAD AT ASTOR DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Final Site Development Plan
5. Preliminary Plat

The Final Plat for THE TECUMSEH PROJECT was approved on the Consent Docket by a vote of 6-0-1.

* * *

City of Norman, OK

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

Master

File Number: EN-1112-10

File ID:	EN-1112-10	**Type:**	Encroachment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	06/29/2012
File Name:	Encroachment 4132 Nicole Place			**Final Action:**	

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-10 FOR LOT 20, BLOCK 1, CASTLEROCK ADDITION, SECTION 3. (4132 NICOLE PLACE)

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-10; and, if approved, direct the filing thereof with the Cleveland County Clerk Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 19

Attachments: Text File Encroachment, EN-1112-10, Clerk Memo, Parrott Request Letter and Backup, Memo from Utilities Dept, Memo from Planning, Memo from Public Works, Letters from Utilities

Project Manager: Leah Messner, Assistant City Attorney

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File EN-1112-10

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Mr. Craig Parrott requesting a Consent to Encroach upon a City of Norman utility easement for a portion of concrete slab and garage on the referenced property.

DISCUSSION: The application for the consent to encroach concerns the encroachment upon a City of Norman utility easement for a portion of concrete slab and garage. The easement to be encroached upon is a 50' wide easement purposed and used as a Conoco pipeline easement only. The pipeline was purged and abandoned in 2004. The proposed concrete slab and garage would not extend beyond

the boundaries of the 50' Conoco easement. A Release of Right-of-Way Agreement was filed in Book 3885 at pages 1180-1182 on September 3, 2004 by Conoco. There are no other utilities in that easement. However, because the easement is noted on the plat as a general utility easement, rather than solely dedicated as a pipeline easement, this Consent to Encroach has been requested in order to ensure compliance with City of Norman requirements.

Further review of the location map indicates two other structures that violate the various easements contained in this property. There is a concrete pad located in the northwest corner of the ONG 40' right-of-way and a portion of a frame and wood floor shed located in the 40' utility easement. These additional structures are included in this Consent to clear any title issues.

Staff has reviewed the application and the "hold harmless" clause. From a legal perspective, it protects the City's concerns with respect to damage to the property owner's property should the City or other authorized entities be required to perform work within its easements.

The benefit of having a Consent to Encroach on file is that it is evidence of the property owners' understanding that, while the City is allowing them to encroach upon the easements, the City is not liable and will not be responsible for damage to the property owners' property in the event such maintenance has to be performed within the easements.

STAFF RECOMMENDATION: Based upon the above and foregoing, the City Attorney's office is forwarding the above Consent to Encroachment No. EN-1112-10 for Council consideration.

CONSENT

Consent to Encroachment No. 1112-10

WHEREAS, the City of Norman, Cleveland County, is in possession of utility easement on the land described as follows, to-wit:

Lot 20, Block 1, Castlerock Addition Section 3 to the City of Norman, Cleveland County, Oklahoma, a/k/a 4132 Nicole Place;

AND WHEREAS, the owner of the above-described property requests that portions of structures be allowed to encroach upon the existing utility easement;

AND, WHEREAS, the owner of the above-described property requests that additional encroachments for a concrete pad located in the northwest corner of the ONG 40' right-of-way easement, and a portion of a frame and wood floor shed located in the 40' utility easement. These additional structures are included in this consent to clear any title issues;

AND WHEREAS, the City has been requested to consent in writing for a portion of these structures to encroach upon existing utility easements on the property being located at the requested location;

NOW, THEREFORE, the City of Norman does hereby consent to said encroaching structures being allowed to encroach on the property being within and upon the utility easements with the following conditions:

1. The property owner be responsible for the cost of repairs for any damages to the City's utility easement caused by any excavation or other construction activities conducted on their behalf;
2. The property owner will be responsible for the cost the City incurs to remove any or all of the encroachments, if needed, to facilitate maintenance or repair of the City's utilities;
3. The property owner will be responsible for the cost to repair or replace any or all of the encroaching structures for such repairs;
4. The property owner waives and releases any claims against the City for any damages to any or all of encroaching structures and related improvements caused by any excavation by the City for purposes of maintaining or replacing the City's utility facilities within the easement areas;
5. By encroaching on said easements, the property owner releases Oklahoma Electric Cooperative, Oklahoma Gas & Electric, Oklahoma Natural Gas, AT&T Southwest, and/or Cox Communications, Inc. of responsibility to repair, rebuild, or maintain any portion of the encroaching structures in the easements.
6. Damages to Oklahoma Electric Cooperative, Oklahoma Gas & Electric, Oklahoma Natural Gas, AT&T Southwest, or Cox Communications, Inc. facilities resultant from any current/future construction may carry possible financial charges to the property owner.

The consent is limited to the currently encroaching structures and concrete slab and garage as indicated in the application, being located within the utility easement, and the other established easements, the City does not authorize or consent to the construction or location of any other structure(s) of a permanent nature within the easements. Further, this Consent is given with the understanding that the property owner is responsible for any and all direct and consequential damages resulting from the granting of this consent with entry to or upon the existing utility easements as required at any time in the future.

The City, or any other entity so authorized, shall not be held responsible for any and all direct or consequential damages to encroaching improvements resulting from entry, by the City or any other entity so authorized, upon said utility easements, for any purpose associated with the maintenance, construction, relocation, etc. of any utility located within the said easement.

IN WITNESS WHEREOF, the undersigned has executed this consent this ____ day of July, 2012.

THE CITY OF NORMAN, OKLAHOMA

_____

Mayor

ATTEST:

_____

City Clerk

On this _____ day of July, 2012, before me personally appeared _____ and _____, to me to be known to be the identical persons who executed the same as their free and voluntary act and deed of such municipal corporation, for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

My Commission Expires:

_____

Notary Public

_____

OWNER:

By: _____

Craig Parrott, Owner

On this 3rd day of July, 2012, before me personally appeared Craig Parrott to me to be known to be the identical person(s) who executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

My Commission Expires:

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
LOU ELLEN USRY
Commission #00006975
Expires May 21, 2016

Lou Ellen Usry

Notary Public

The City of Norman
Post Office Box 370
Norman, OK 73070

19-1

office memorandum

DATE: May 15, 2012

TO: Jeff Bryant, City Attorney
Jane Hudson, Current Planning Manager
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities

FROM: Brenda Hall, City Clerk

SUBJECT: Consent to Encroachment No. 1112-10

An Encroachment Request was filed in my office today for permission to encroach on a utility easement located at 4132 Nicole Place to construct a garage. I am forwarding the letter of request, survey, and Release of Right-of-way Agreement. The application fee has been paid. Mr. Parrott originally filed the encroachment with Ken Danner, Subdivision Manager, who states that there is no utility in the easement, which contains a currently abandoned gas pipeline. After the information has been received from the Planning Department, Public Works Department, and Utilities Department and a determination has been made on whether to recommend approval or denial, please forward your recommendation and Consent to Encroachment Form, if needed, to my office in order that it may be scheduled as an agenda item.

This item will be scheduled as an agenda item on June 26, 2012, and the information must be received in my office by June 11, 2012. If there is a problem in meeting that timeframe, please advise.

smr
attachments

Craig Parrott
4132 Nicole Place
Norman, Ok 73072
201-7848 cell#
parrotcrest@cox.net email address

May 11, 2012

RE: Permission to encroach an easement
At 4132 Nicole Place, Norman

City of Norman City Clerks Office:

I wish to pour a concrete slab and construct a garage in my backyard on my 1 acre lot at the above address. The majority of my backyard is taken up in easements. The area I am seeking permission to build on is classified as a U/E easement. However, this particular 50 foot width easement was purposed and used for a Conoco pipeline only. This pipeline was purged and abandoned in 2004. The abandonment of the easement was filed on September 3, 2004 in Book: RB 3885 Page: 1180 (copy of filing attached).

The building would not extend beyond the boundaries of this abandoned easement. No other utilities lie within this area. The utilities lie in a different adjacent 17' width easement also designated as U/E. The building is planned to be approximately 26' wide by 20' deep.

I have already spoken and visited with Ken Danner, Norman Subdivision Planning Manager, a few times. He said that to clear up any ambiguity about the pipeline easement being called a U/E easement that I should submit the request in this manner to get an official approval to build in that abandoned easement area.

The building would of course conform to all existing building codes and requirements as well as be approved by the homeowners association.

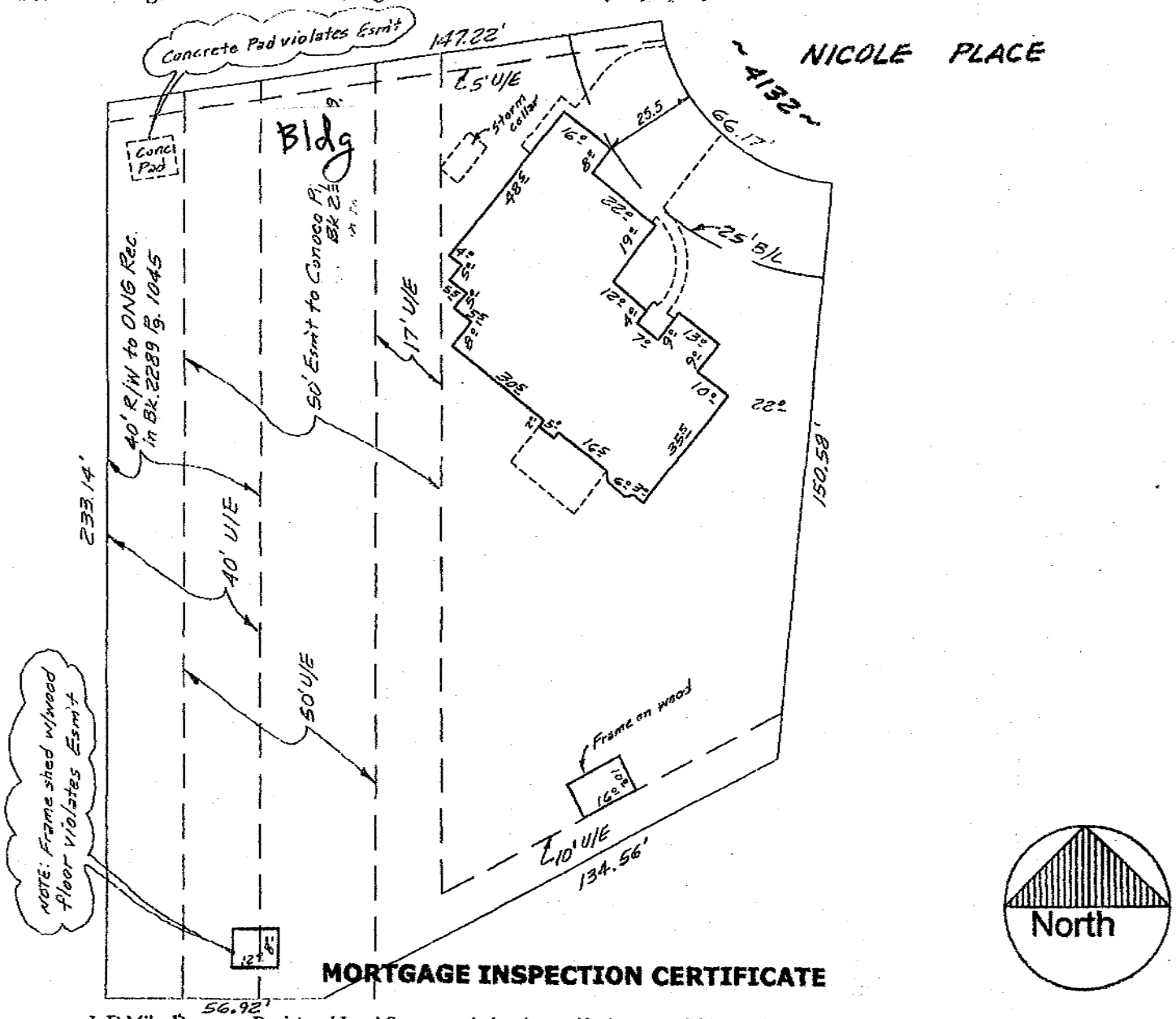
Thank you,

Craig Parrott

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-15-12

NOTE: According to the Flood Insurance Rate Map (FIRM) Community Panel Number 40027C0080 F, dated March 17, 1997, the subject property is located in ZONE X, which is not in a flood hazard area...

NOTE: The Articles of Association recorded in Book 2246, Page 993 (amended in Book 2399, Page 705) apply to, but do not affect subject property.....The Rules & Regulations recorded in Book 1897, Page 303 and in Book 1899, Page 29 do affect the subject property as stated in filed instruments.... The Indenture recorded in Book 1209, Page 1 does affect subject property, however as of date of survey gas lines are located in platted utility easements...The Easements of record filed in Book 60, Page 133 (partially released in Book 2424, Page 383), Book 1172, Page 449 (assigned in Book 1931, Page 155 and Book 2390, Page 604), Book 361, Page 552, and (partially released in Book 2188, Page 110) Book 2407, Page 981,, Book 2408, Page 2 and in Book 2663, Page 938 do not cross the subject property.....



MORTGAGE INSPECTION CERTIFICATE

I, D.Mike Dossey, a Registered Land Surveyor, do hereby certify that a careful inspection has been made under my supervision on the following described property, to wit;

Lot Twenty (20), in Block One (1), of CASTLEROCK ADDITION SECTION 3, an Addition to Norman, Cleveland County, Oklahoma according to the recorded plat thereof.

Physical Address: 4132 Nicole Place, Norman, Oklahoma 73072

as shown on the annexed plat hereto and there are no encroachments of dwelling structure except if shown hereon; and the above inspection shows all recorded plat easements and other such easements as have been disclosed and furnished by the title insurer. The Mortgagee's inspection has been prepared for identification purpose for the Mortgagee in connection with a new loan and mortgage and is not intended or represented to be a land or property line survey. No corners were set. Do not use this drawing for establishing fence or building lines. This inspection was made for loan purposes only and no other responsibility is hereby extended to the land owner or occupant. Dated at Oklahoma City, Oklahoma on this 19th of October 20 09

19-4

RELEASE OF RIGHT OF WAY AGREEMENT

FA 17.00 2-176213

(B)

Doc#:R 2004 44671
Bk&Pg:RB 3885 1180-1182
Filed:09-03-2004 GJW
01:00:19 PM RAG
Cleveland County, OK

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, CONOCO PIPE LINE COMPANY is the present owner of the Right of Way Agreement executed the 28th day of January, 1992, by CastleRock Development Corp. to Conoco Pipe Line Company, covering the following described land in the Cleveland County, State of Oklahoma, to-wit:

See Attached Exhibit A

which said Right of Way Contract was filed for record in Book 2372, Page 209; and

WHEREAS, it is the desire of CONOCO PIPE LINE COMPANY, the present owner of said Right of Way Agreement, to release all of its right, title and interest under said Right of Way Agreement above described.

NOW, THEREFORE, for and in consideration of One Dollar ($1.00) and other good and valuable consideration to it paid, CONOCO PIPE LINE COMPANY releases, remises and quitclaims and by these presents does release, remises and quitclaim unto Castlerock Development Corp., their successors and assigns, all of its right, title and interest in and to the above described tract acquired under the above described Right of Way Agreement.

EXECUTED this 25th day of August, 2004.

ConocoPhillips

CONOCO PIPE LINE COMPANY

By: _____
Attorney-in-Fact

Bobby Joe Sharp
Consultant
Cental Region
Property Tax, Real Estate,
Right of Way & Claims

Bobby-joe.j.sharp@conocophillips.com

ConocoPhillips Company
201 N.W. 63
Suite 300
Oklahoma City, Oklahoma 76116
USA
phone 405.879.4840
fax 405.879.4855
cell 405.250.9306

EXHIBIT"A"

Being a part of the Southeast Quarter (SE/4) of Section 10, Township 9 North, Range 3 West, I.M., Norman, Cleveland County, Oklahoma, being more particularly described as follows:

A fifty-foot (50') wide easement for pipeline purposes being twenty-five feet (25') either side of a centerline commencing at the Southwest Corner (SW/C) of said Southeast Quarter (SE/4); thence N00 09'51"W and along the West of said Southeast Quarter (SE/4) a distance of 2644.80 feet; to a point or place of beginning.

Thence N89 45'30.I"E a distance of 33.00 feet;
Thence S10 45'51"E a distance of 202.68 feet;
Thence S00 08"55.7"E a distance of 1053.02 feet;
Thence N89 41'01"E a distance of 1000.83 feet;
Thence S45 00'00"E a distance of 23.91 feet;
Thence N89 41'01"E a distance of 227.12 feet;
Thence S00 08'13"E a distance of 349.51 feet;
Thence S42 30'00"E a distance of 475.34 feet and point "A";
Thence S89 36'32"W a distance of 67.39 feet;
Thence N42 30'00"W a distance of 449.50 feet;
Thence N00 10'51"W a distance of 315.87 feet;
Thence S89 38'51"W a distance of 194.64 feet;
Thence N45 00'00"W a distance of 28.12 feet;
Thence S89 41'01"W a distance of 1030.10 feet;
Thence N00 08'55.7"W a distance of 1137.34 feet;
Thence N40 00'00"W a distance of 31.67 feet;
Thence N00 09'51.3"W a distance of 140.67 feet;
To a point or place of beginning containing 3.81 acres more or less.
AND,
Commencing at Point "A" in this description thence S42 30'00"E a distance of 70.90' to a point of beginning.
Thence S42 30'00"E a distance of 11.70 feet,
Thence N89 41'01"E a distance of 939.12 feet;
Thence S00 11'51"W a distance of 50.00 feet;
Thence S89 41'01"W a distance of 946.80 feet;
Thence N00 23'28"E a distance of 58.67 feet;
To a point or place of beginning containing 1.08 acres more or less.

THE STATE OF OKLAHOMA §

COUNTY OF OKLAHOMA §

Before me, the undersigned, a Notary Public in and for said County and State, on this 1st day of September 2004, personally appeared Jon Barcus, the duly constituted Attorney-in-Fact for CONOCO PIPE LINE COMPANY, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

Susan Beeler
Notary Public

My Commission Expires: 06.18.05

My Commission Number is: 01001007

SUSAN BEELER NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA OKLAHOMA COUNTY

office memorandum

DATE: May 21, 2012

TO: Leah Messner, Assistant City Attorney

FROM: Jane Hudson, Principal Planner

SUBJECT: Consent to Encroach
Lot 20, Block 1, Castlerock Addition, Section 3
4132 Nicole Place

Planning and Community Development Staff does not oppose the proposed garage (storage building) encroaching a 50' petroleum pipeline easement and an overlapping 50' utility easement. Public Works/Engineering Staff will obtain responses from the utility companies. The applicant has received a response from the petroleum pipeline company.

The request as proposed on the site plan does not violate any building setback or coverage requirements within the Zoning Ordinance.

Since there are no zoning violations associated with the consent to encroach request, Planning Staff is not opposed to the request

Reviewed by: Susan Connors, AICP
Director of Planning and Community Development

cc: Brenda Hall, City Clerk

office memorandum

Date: May 31, 2012

To: Brenda Hall, City Clerk

From: Jim Speck, Capital Projects Engineer JS

Re: Consent to Encroach 1112-10
Lot 20, Block 1, Castlerock Addition Section 3
4132 Nicole Place

Currently, Lot 20, Block 1, Castlerock Addition Section 3, has multiple utility easements running along the western property line. The owner requests construction of a building, which would be located in one of the platted utility easements labeled as a Continental Pipeline easement recorded in Bk 361, Pg 552. No City utilities are located in the pipeline easement. However, there is a sanitary sewer line located in a 17 foot Utility Easement located to the east and running adjacent to and parallel with the labeled pipeline easement.

The current drawing showing the location of the proposed building has the easements mislabeled. However, the location of the proposed building, as shown, does not encroach into the 17 foot utility easement.

The Utilities Department objects to all encroachments on utility easements unless the applicant agrees to certain requirements being filed of record on the property deed. A recommendation to approve is forwarded only when the applicant agrees to the following:

1. The building is constructed so there is no encroachment into the 17-foot utility easement.
2. The property owner will be responsible for the cost to repair any damages to the City's utilities caused by any excavation or other construction activities conducted by the property owner or his agents.
3. The property owner will be responsible for the cost the City incurs to remove any structure if needed to facilitate maintenance or repair of the City's utilities.
4. The property owner will be responsible for the cost to repair or replace any structure after such repairs.
5. The property owner will waive and release any claims against the City for any damages to the residence and related improvements caused by the City for purposes of maintaining or replacing the City's utilities within the easement area.

The Utilities Department can approve the encroachment application if the above requirements are filed of record on the consent document. Please advise if you have any questions.

Cc: Jeff Bryant
Ken Danner
Ken Komiske
Mark Daniels
David Hager

office memorandum

Date: June 14, 2012

To: Leah Messner, Assistant City Attorney

From: Ken Danner, Development Coordinator KD

Subject: Consent to Encroach
Lot 20, Block 1, Castlerock Addition, Section 3
4132 Nicole Place

Public Works staff does not oppose the storage building/garage and previous encroachments within the 40-foot and 50-foot utility easements. The easements were intended for a petroleum pipeline and Oklahoma Natural Gas Co. However with the filing of the final plat the wording referred to utility easements. At one location on the final plat refers to U/E for Continental Pipeline Co. Bk. 361, Pg. 552. The pipeline company has released their use of the easement. Staff did not anticipate anyone would be in the easements other than the pipeline company and ONG. The 17-foot platted utility easement parallel to the 50-foot and overlapping 40-foot pipeline/utility easements was intended for the City's sanitary sewer main and the main lines of the utility companies. Responses from the utility companies are included except for Cox Communications. Ample time has been given for their response. It should be noted the utility companies will be held harmless in the course of maintaining their facilities, if any.

If you have further questions, please feel free to contact me.

kid
Reviewed by: Scott Sturtz, City Engineer SS

Reviewed by: Shawn O'Leary, Director of Public Works

cc: Brenda Hall, City Clerk
Ken Komiske, Director of Utilities

PO Box 321
Oklahoma City, Oklahoma 73101-0321
405-553-3000
www.oge.com

OG&E

OG&E Electric Services
An OGE Energy Corp. Company

MAY 23, 2012

KEN DANNER, DEVELOPMENT COORDINATOR
NORMAN PLANNING COMMISSION
P. O. BOX 370
NORMAN, OK. 73070

RE: **Applicant: Craig Parrott**
Consent to encroach with a building in pipeline right of way
Lot 20, Block 1, Castle Rock Addition, Section 3
4132 Nicole Place
Encroachment No. 1112-10

Mr. Danner;

Available records show OG&E Electric Services has no facilities in the Conoco Pipeline right of way running through Lot 20, Block 1, of the Castle Rock Addition Section 3. OG&E does not object to the proposed location for the building, as indicated by the drawing provided.

If you should have any other questions, please contact me at 553-5174.

Sincerely,

Timothy J. Bailey

Timothy J. Bailey
Right-Of-Way Agent

Drew Norlin

From: Drew Norlin
Sent: Tuesday, May 22, 2012 11:08 AM
To: 'HAYES, TERRI L'
Cc: Ken Danner
Subject: RE: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

Thanks Terri for your quick response!

Thanks
Drew Norlin, Subdivision Development Coordinator
City of Norman Engineering /Public Works
(405) 366-5459 phone
(405) 366-5418 fax
drew.norlin@NormanOK.gov

From: HAYES, TERRI L [mailto:tn0418@att.com]
Sent: Tuesday, May 22, 2012 10:46 AM
To: Drew Norlin
Subject: RE: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

Hello Drew,
I review the attached request and I have no objections to Mr. Parrott's request to build a garage as found on the attached.
Terri Hayes
(405) 291-1073
AT&T Engineering

From: Drew Norlin [mailto:Drew.Norlin@normanok.gov]
Sent: Tuesday, May 22, 2012 9:17 AM
To: baileytj@oge.com; HAYES, TERRI L; Jim Speck; JODIE FINNEY (jodie.finney@cox.com); jsullivan@oneok.com; 'Randy F. Harrell'; Thad Peterson
Cc: Ken Danner
Subject: RE: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

To All

Please contact Ken Danner regarding this consent to encroach a 50' pipeline utility easement with a building per the attached drawing with your approval or disapproval as soon as possible. Conoco Pipe Line Company executed a release of right of way agreement; however, since the plat refers to this as a utility easement, the property owner was instructed to pursue this consent to encroach. The 17' utility easement east of this 50' pipeline utility easement was designed for franchised utilities. Ken needs to know your response by the end of business on May 25th. His email address is ken.danner@NormanOK.gov or call him at 366-5458.

Thanks
Drew Norlin, Assistant Development Coordinator
City of Norman Engineering /Public Works
(405) 366-5459 phone
(405) 366-5418 fax
Drew.norlin@ci.norman.ok.us

Drew Norlin

From: Ken Danner
Sent: Thursday, May 31, 2012 10:35 AM
To: Drew Norlin
Subject: FW: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

From: Thad Peterson [mailto:TPeterson@okcoop.org]
Sent: Thursday, May 31, 2012 10:32 AM
To: Ken Danner
Subject: FW: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

Ken,

OEC has no objection to the above listed encroachment.

Thanks,
Thad Peterson

From: Drew Norlin [mailto:Drew.Norlin@NormanOK.gov]
Sent: Thursday, May 31, 2012 9:06 AM
To: Jim Speck; jsullivan@oneok.com; 'Randy F. Harrell'; Thad Peterson; 'Finney, Jodie (CCI-Oklahoma City)'
Cc: Ken Danner
Subject: FW: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

To All

Please forward your responses to Ken ASAP for the referenced consent to encroach. The easement was platted as a pipeline easement, so in theory no utility should be in it anyway.

Thanks
Drew Norlin, Subdivision Development Coordinator
City of Norman Engineering /Public Works
(405) 366-5459 phone
(405) 366-5418 fax
drew.norlin@NormanOK.gov

From: Drew Norlin
Sent: Tuesday, May 22, 2012 9:17 AM
To: baileytj@oge.com; HAYES, TERRI L (tn0418@att.com); Jim Speck; JODIE FINNEY (jodie.finney@cox.com); jsullivan@oneok.com; 'Randy F. Harrell'; Thad Peterson
Cc: Ken Danner
Subject: RE: Lot 20, Block 1, Castlerock Addition Section 3 Addition--a/k/a 4132 Nicole Place--Consent to Encroach No. 1112-10

To All

Please contact Ken Danner regarding this consent to encroach a 50' pipeline utility easement with a

OKLAHOMA NATURAL GAS

A DIVISION OF ONEOK

June 4th, 2012

Mr. Craig Parrott
4132 Nicole Place
Norman, OK 73072

Dear Mr. Parrott:

LETTER OF NO OBJECTION FOR A REVOCABLE PERMIT

THIS REQUEST IS FOR A PROPOSED CONSTRUCTION OF A GARAGE TO BE PLACED ON THE NORTH SIDE OF THE PROPERTY WITHIN A 50 FOOT WIDE EASEMENT PROPOSED/ USED AND ABANDONED BY CONOCO PIPELINE AT 4132 NICOLE PLACE, NORMAN, OKLAHOMA 73072.

The legal description for 4132 Nicole Place is Lot Twenty (20), in Block One (1), of Castlerock Addition Section 3, Norman, Cleveland County, Oklahoma.

Oklahoma Natural Gas Company does not object to the City of Norman issuing a permit for the purpose described above.

We do have a natural gas distribution main running across the south and west easement of the property and we have natural gas service lines in the area. We also request that the OKIE ONE CALL SYSTEM (840-5032 OR 1-800-522-6543) be contacted a minimum of forty-eight (48) hours before any excavation.

Should our facilities be damaged as a result of your installation, you and/or your contractor will be liable for any costs for repairs. These costs could include a cost calculation for gas loss should any occur.

Sincerely,

Randy Harrell

Randy Harrell
Team Leader
cc: Ken Danner, Subdivison Manager and Brenda Hall, City Clerk

625 N. Berry Road • Norman, OK 73069-7541
(405) 366-2407 • Fax (405) 366-2440
www.ong.com

City of Norman, OK

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

Master

File Number: K-0910-53 Amend2

File ID:	K-0910-53 Amend2	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$72,700.00	**File Created:**	06/25/2012
File Name:	Amd 2 K-0910-53 Garver - SCADA			**Final Action:**	

Title: AMENDMENT NO. TWO TO CONTRACT NO. K-0910-53: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER, L.L.C., INCREASING THE CONTRACT AMOUNT BY $72,700 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE WATER RECLAMATION FACILITY ENERGY AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) IMPROVEMENTS PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Two to Contract No. K-0910-53 with Garver, L.L.C.; and, if accepted, authorize the execution thereof and appropriate $72,700 from the Wastewater Fund Balance, (032-0000-253.00-00) to Project No. WW0052, SCADA, Design (032-9911-432.62-01).

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 20

Attachments: Text File Garver Amendment, Amendment 2 to K-0910-53, PO 178731 CO2

Project Manager: Charlie Thomas, Utilities Engineer

Entered by: charlie.thomas@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-0910-53 Amend2

Body

BACKGROUND: On June 23, 2009, staff submitted an application for an Energy Efficiency and Conservation Block Grant (EECBG) administered by the U.S. Department of Energy (DOE) to fund variable frequency drive (VFD) motor controls and new sludge heater units at the Water Reclamation Facility (WRF), formerly the Wastewater Treatment Plant (WWTP). On August 6, 2009, staff was

notified of award of the DOE grant in the amount of $1,001,400.

Supervisory Control and Data Acquisition (SCADA) assists the operator by electronically monitoring various WRF and lift station activities and reporting status to a central location. Prior to this project, the existing WRF SCADA system was at capacity with no additional capacity for control of the new VFDs, the replacement sludge heater units or numerous lift stations throughout Norman.

On August 20, 2009, the NUA approved Contract K-0910-53 with Garver, LLC for design of the WRF Energy & SCADA Improvements Project. Garver's contract included SCADA integration in partnership with the successful contractor. On December 28, 2010, NUA approved Amendment 1 to Garver's contract and awarded Contract K-1011-42 to Oil Capital Electric, LLC (OCE). Notice to proceed was issued to OCE on January 18, 2011 with construction completion by July 16, 2011.

DESCRIPTION: Proposed Amendment No. 2 will increase Garver's contract by $72,700, and includes three (3) components: (1) $63,200 for an extension of construction administration and inspection services, (2) $5,100 for additional instrumentation, equipment troubleshooting and programming, and (3) $4,400 for supplemental integration of instrumentation for electronic security.

During construction, OCE has not provided adequate effort to comply with required project completion schedule. Numerous emails were sent to OCE from both NUA staff and Garver, cautioning them that time was of the essence, and contract time was rapidly expiring. Letters were sent on June 3, July 12, September 16, and November 2, 2011, and January 18, 2012 to notify and warn OCE of consequences of continued delay. OCE repeatedly and continually promised to improve and correct scheduling and management deficiencies. At staff's request, they replaced their project manager in February 2012, four (4) months after anticipated contract completion. Finally, on April 3, 2012, Garver sent a letter to OCE recommending termination of the contract for cause. Following a subsequent meeting, performance improved dramatically, and we are nearing project completion and final acceptance. Nevertheless, Garver's continued assistance is required to complete construction, clearly beyond current scope of their contract.

Secondly, as SCADA work has progressed, unforeseen conditions of existing instrumentation and equipment require excess troubleshooting, assessment and programming, beyond current scope of Garver's contract. Generally, such work is the result of diagnosis of operating parameters that were not apparent prior to implementation of SCADA upgrades.

Lastly, during the project, counsel by the Information Systems (IS) division keeps Utility staff well informed of growing and varied potential electronic security concerns. In order to repel possible electronic security attacks, some supplemental integration of existing and new instrumentation is necessary. Such additional effort is also beyond the current scope of Garver's contract.

Contract K-1011-42 with OCE provides for liquidated damages (LD) of $1,000 per day if the work is completed late. At contract completion, staff intends to propose a contract time extension for OCE of approximately 67 days to September 23, 2011. However, the current value of LD under the contract with OCE exceeds $270,000. Although the current request is for a supplementary appropriation to the project for Garver's amendment, Staff intends to enforce the liquidated damages clause of the contract with OCE, which would reimburse NUA for the added expenses resulting from OCE's failure to meet

the contract deadlines.

RECOMMENDATIONS:

1) Recommend the NUA authorize the appropriation of $72,700 from the Wastewater Fund balance (Account 032-0000-253.00-00) to SCADA Design (032-9911-432.62-01, WW0052).
2) Recommend the NUA authorize the Chairman to sign Amendment No. 2 to Contract K-0910-53 with Garver, LLC in the amount of $72,700.

AMENDMENT NO. 2
AGREEMENT
FOR
ENGINEERING SERVICES

This is an amendment, AMENDMENT NO. 2, attached to and made a part of the AGREEMENT, dated August 25, 2009, between the NORMAN UTILITIES AUTHORITY (Owner) and GARVER, LLC. (Engineer) for professional engineering services as necessary to complete the design services for the Norman Wastewater Treatment Plant Energy Improvements.

WHEREAS, the Owner has determined the need for additional engineering design during the design phase of the project;

WHEREAS, all provisions of Contract No. K-0910-53 not in conflict with this amendment shall hereinafter remain in full force and effect.

WHEREAS, Engineer is prepared to provide additional services in support of the project;

NOW THEREFORE, in consideration of the promises contained in said AGREEMENT and this AMENDMENT NO. 2, Owner and Engineer agree as follows:

ARTICLE I5 - COMMUNICATIONS

Any communication required by this AGREEMENT shall be made in writing to the address specified below:

ENGINEER:	Michael Graves Garver 1016 24th Ave NW Norman, OK 73069 405-329-2555 mjgraves@garverusa.com	OWNER:	Charlie Thomas Norman Utilities Authority 201-C West Gray Norman, OK 73070 405-366-5426 charlie.thomas@normanok.gov

SCOPE OF SERVICES

Engineer shall provide the following additional services:

1.1 Continuation of Construction Administration and Observation thru August 31, 2012.
1.2 Electrical controls troubleshooting and assessment necessary to diagnose unforeseen conditions of existing instrumentation and equipment
1.3 IP address programming between the WWTP SCADA server and the City of Norman IT Network.

COMPENSATION

For Engineer's additional services, Owner shall pay Engineer **Seventy-Two Thousand and Seven Hundred ($72,700) Dollars** for additional services. The Engineer may submit interim statements, not to exceed one per month, for partial payment for Services rendered.

IN WITNESS WHEREOF, Owner and Engineer have executed this Amendment No. 1.

DATED this _____ day of _____, 2012.

Garver (ENGINEER)

By: _____
Title: Michael Graves – Regional Office Manager

ATTEST:

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

This instrument was acknowledged before me on this 29th day of June, 2012, by Michael J. Graves as Regional Office Manager of Garver.

Notary Public

SAUDRA J. SMITH
STATE OF OKLAHOMA
NOTARY PUBLIC
11011478
EXP 12/23/15

My Commission Expires/Commission Number:

12/23/15

Norman Utilities Authority (OWNER)
APPROVED as to form and legality this 29 day of June, 2012.

City Attorney

APPROVED by the Trustees of the Norman Utilities Authority this _____ day of _____, 2012.

ATTEST

By: _____
Title: Chairman – N.U.A.

_____
Secretary – N.U.A.

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 178731
DATE: 10/02/09

VENDOR #
8540

GARVER ENGINEERS LLC
1016 24TH AVE NW
NORMAN, OK 73069

SHIP TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
09/30/09	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
SEE BELOW			

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	64500.00	DOL	BLOWER VFD DESIGN	1.0000	64500.00
2	35900.00	DOL	BOILERS DESIGN	1.0000	35900.00
3	263600.00	DOL	SCADA DESIGN	1.0000	263600.00
				SUB-TOTAL	364000.00
				TOTAL	364000.00

Change Order No. 1 to Contract K-0910-53 Contingent on NUA approval 12-14-10	+	49,700.00 413,700.00
Change Order No. 2 to Contract K-0910-53 Contingent on NUA approval 7-10-12	+	72,700.00 486,400.00

City of Norman, OK

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

Master

File Number: K-1011-2 CO3F

File ID:	K-1011-2 CO3F	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$44,784.50	**File Created:**	06/25/2012
File Name:	Final Change Order #3 K-1011-2 SMP			**Final Action:**	

Title: CHANGE ORDER NO. THREE TO CONTRACT NO. K-1011-2: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY $44,784.50 FOR THE FYE 2010 SEWER MAINTENANCE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Change Order No. Three with Urban Contractors, L.L.C., increasing the contract by $44,784.50; and, if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of $52,707.96 to Urban Contractors, L.L.C.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 21

Attachments: Text File Urban, Change 3 K-1011-2, PO 190050 CO3 & Final

Project Manager: Charlie Thomas, Capital Projects Engineer

Entered by: charlie.thomas@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1011-2 CO3F

Body

BACKGROUND: In 2001, the citizens of Norman approved a five dollar per month sewer maintenance fee to provide for the systematic replacement of aged and deteriorated sewer lines throughout our wastewater collection system. The annual project is rehabilitative in nature. This project was bid in two phases on May 27, 2010 and June 3, 2010. On July 13, 2010, the Norman Utilities Authority (NUA) approved Contract K-1011-2 with Urban Contractors, LLC (Urban) in the

amount of $1,570,100 and funding from Sewer Maintenance Project FYE 2010 (SMP10) (WW0055).

On June 14, 2011, the NUA approved Change Order No. 1 in the amount of $69,250 to fund approximately 1,100 LF of improvements along Red Oak Drive. On October 11, 2011, the NUA approved Change Order No. 2 in the amount of $63,150 to fund approximately 700 LF of sewer replacement along Berry Road.

DESCRIPTION: As with any project of this scope, field adjustments and modifications were necessary. However, the bid prices in this project created an excellent value for supplementary work as the need arose during the project. The overall cost of sewer line replacement under this bid was about $58/foot. Typical costs in the past have approached $100/foot. So, it is in the best interest of NUA to maximize quantity of newly installed lines at these bid prices within the approved budget for the work.

Construction began September 23, 2010 and was complete June 8, 2012. During construction, the Sewer Line Maintenance Division requested assistance for sewer system defects not in the project area, consisting of approximately: (1) 5,400 feet in multiple locations in Hall Park; (2) more than 250 feet north of Melrose Drive between Garrison and Mercedes; (3) about 400 feet along both 12th Avenue NE and Sequoyah Drive; (4) almost 700 feet along Tecumseh Road west of Flood Avenue; and (5) about 740 feet along Parkland Way south of Westwood Park. Utilities staff requested and Urban agreed to replace those lines and manholes at the contract unit prices.

Reconciliation of as bid to as built quantities and the additional work are included in attached Final Change Order No. 3 which will increase the contract price by $44,784.50. Therefore, as shown in Attachment 1 to the change order, the largest adjustment is in replacement of 8-inch pipe as previously described. The decrease for pipe-bursting 10-inch HDPE pipe is due to an oversight when splitting the project into two phases, essentially a typographical error, where the bid quantity should have been 370 rather than 3,700 feet. The Red Oaks change order was partially unused, since when exposed, below ground conditions were not as anticipated.

The cumulative increase in change orders for the project is $177,184.50 or about 11% over the original contract amount of $1,570,100. The higher than normal overall increase, is justified by the above discussed value in the bid prices on this project. Approximately $621,409 is available in FYE10 Sewer Maintenance Plan construction account 321-9338-432.61-01 (WW0055) to fund the increase of $44,784.50.

All project improvements are satisfactory and as built plans are in hand. Project No. WW0055 replaced approximately 30,325 feet of sewer line, twenty (20) manholes and over 510 service connections.

RECOMMENDATIONS: Staff recommends NUA approval of Final Change Order No 3 to Contract K-1011-2 in the amount of $44,784.50, acceptance of the FYE 2010 Sewer Maintenance Project, and authorization to make final payment of $52,707.96 to Urban Contractors, LLC.

NORMAN UTILITIES AUTHORITY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

DATE:	June 15, 2012
CHANGE ORDER NO.:	3 (Final)
CONTRACT NO.:	Contract K-1011-2
PROJECT:	Sewer Maintenance Project FYE 2009, Phase 1
CONTRACTOR:	Urban Contractors, LLC
	7113 No. Bryant
	Oklahoma City, OK 73121

	Contract Time	Contract Amount
ORIGINAL:	365 calendar days	$1,570,100.00
PREVIOUS CHANGE ORDERS:	15 calendar days	$132,400.00
THIS CHANGE ORDER:	275 calendar days	$44,784.50
REVISED AMOUNT:	655 calendar days	$1,747,284.50

ORIGINAL START DATE:	August 23, 2010
ORIGINAL COMPLETION DATE:	August 23, 2011
PREVIOUS COMPLETION DATE:	September 7, 2011
NEW COMPLETION DATE:	June 8, 2012

DESCRIPTION:	$ Increase	$ Decrease
Unit price quantity final reconciliation (See Attachment 1)	$44,784.50	

SUBMITTED BY CONTRACTOR: James Parrish — Urban Contractors, LLC — Date: 6/15/12

RECOMMENDED BY STAFF ENGINEER: Norman Utilities Authority — Date: 6/29/12

APPROVED AS TO FORM AND LEGALITY: City Attorney — Date: 6/29/12

ACCEPTED BY NORMAN UTILITIES AUTHORITY: Cindy Rosenthal, Chairman — Date: _____

Attachment 1, Change Order No. 3 & FINAL

FYE 2009 Sewer Maintenance Project - Final reconciliation

Item No.	Phase 2 Description	Unit	Quantity	Urban Unit Price	Urban Total	Final quantity Quantity	Final quantity Total	Difference
1	Mobilization and Insurance (Base Bid)	LS	1	$60,000.00	$60,000.00	100%	$60,000.00	$0.00
2	OSHA Trench Safety	LF	25,400	$0.50	$12,700.00	29153	$14,576.50	$1,876.50
3	Design, Provide, and Maintain Approved Traffic Control Plan	LS	1	$10,000.00	$10,000.00	100%	$10,000.00	$0.00
4	Open Trench Pipe Replacement - 8-inch PVC Pipe	LF	700	$80.00	$56,000.00	290	$23,200.00	($32,800.00)
5	Point Repairs - 8" PVC Pipe	EA	2	$300.00	$600.00	2	$600.00	$0.00
6	Pipe-bursting 12-inch Pipe to 12-inch HDPE Pipe	LF	1,100	$50.00	$55,000.00	1314	$65,700.00	$10,700.00
7	Pipe-bursting 10-inch Pipe to 10-inch HDPE Pipe	LF	3,700	$45.00	$166,500.00	682	$30,690.00	($135,810.00)
8	Pipe-bursting 8-inch Pipe to 10-inch HDPE Pipe	LF	0	$0.00	$0.00	0	$0.00	$0.00
9	Pipe-bursting 8-inch Pipe to 8-inch HDPE Pipe	LF	19,200	$41.00	$787,200.00	26867	$1,101,547.00	$314,347.00
10	Pipe-bursting 6-inch Pipe to 8-inch HDPE Pipe	LF	700	$41.00	$28,700.00	0	$0.00	($28,700.00)
11	Seal & Coat Sewer Manhole w/new Ring & Cover	EA	50	$800.00	$40,000.00	107	$85,600.00	$45,600.00
12	Abandon (Remove) Existing Manhole in place	EA	10	$100.00	$1,000.00	8	$800.00	($200.00)
13	Remove & Replace (Construct) Sewer Manhole	EA	60	$1,400.00	$84,000.00	17	$23,800.00	($60,200.00)
14	Flowable Fill	CY	4	$100.00	$400.00	0	$0.00	($400.00)
15	Re-Connect Existing Service Line to New Sewer Line	EA	600	$250.00	$150,000.00	510	$127,500.00	($22,500.00)
16	Pipe-burst ~40 LF 4" Service Pipe W/ 4" HDPE Service Pipe	EA	0	$0.00	$0.00	0	$0.00	$0.00
17	Pavement Removal and Replacement (Base Bid)	LS	1	$32,000.00	$32,000.00	100%	$32,000.00	$0.00
18	Site Restoration (Base Bid)	LS	1	$60,000.00	$60,000.00	100%	$60,000.00	$0.00
19	Post Construction Clean & TV inspection	LF	26,000	$1.00	$26,000.00	29153	$29,153.00	$3,153.00
	Total Base Bid, Phase 2				**$1,570,100.00**		**$1,665,166.50**	**$95,066.50**
	Change Order # 1 Red Oaks							
2	OSHA Trench Safety	LF	1,120	$0.50	$560.00	500	$250.00	($310.00)
9	Add Pipe-burst 8" HDPE	LF	1,120	$41.00	$45,920.00	500	$20,500.00	($25,420.00)
13	Add Replace/Construct Manhole	EA	11	$1,400.00	$15,400.00	0	$0.00	($15,400.00)
15	Add Re-connect Services	EA	25	$250.00	$6,250.00	0	$0.00	($6,250.00)
19	Add Post Construction Clean & TV	LF	1,120	$1.00	$1,120.00	500	$500.00	($620.00)
	Subtotal				**$69,250.00**		**$21,250.00**	**($48,000.00)**
	Change Order # 2 Berry Road							
2	OSHA Trench Safety	LF	700	$0.50	$350.00	672	$336.00	($14.00)
9	Add 8" PVC Open Trench	LF	700	$80.00	$56,000.00	672	$53,760.00	($2,240.00)
13	Add Replace/Construct Manhole	EA	3	$1,400.00	$4,200.00	3	$4,200.00	$0.00
14	Add Flowable Fill	CY	4	$100.00	$400.00	4	$400.00	$0.00
15	Add Re-connect Services	EA	6	$250.00	$1,500.00	6	$1,500.00	$0.00
19	Add Post Construction Clean & TV	LF	700	$1.00	$700.00	672	$672.00	($28.00)
	Subtotal				**$63,150.00**		**$60,868.00**	**($2,282.00)**
	Totals				**$1,702,500.00**		**$1,747,284.50**	**$44,784.50**

Attachment 1

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 190050
DATE: 08/05/10

VENDOR #
1674

URBAN CONTRACTORS INCORPORATED
P O BOX 12883
OKLAHOMA CITY, OK 73157

SHIP TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
08/31/10	BEST WAY	DESTINATION	NET/30

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
32193384326101	WEBB G	173641	07/14/10

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1570100.00	DOL	SEWER MAINTENANCE SMP10 - PHASE 2	1.0000	1570100.00
				SUB-TOTAL	1570100.00
				TOTAL	1570100.00

Change Order No. 1 - NUA approved 6-14-11	+	69,250.00
Change Order No. 2 - NUA approved 10-11-11	+	63,150.00
Change Order No. 3 - Contingent on NUA approval 7-12-11	+	44,784.50
Revised Total		1,747,284.50

Payments 1 through 9 (Vendors and Contractor)	1,694,576.54
Final Vendor Payment	5,012.16
Final Contractor Payment	47,695.80

City of Norman, OK

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

Master

File Number: K-1213-4

File ID:	K-1213-4	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$12,500.00	**File Created:**	05/25/2012
File Name:	K-1213-4 Contract With Wildlife Services			**Final Action:**	

Title: CONTRACT NO. K-1213-4: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICES, AND WILDLIFE SERVICES IN THE AMOUNT OF $12,500 FOR THE CONTROL OF AQUATIC RODENTS.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-4 with the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services in the amount of $12,500; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 22

Attachments: K-1213-4, Aquatic Rodents PR

Project Manager: Greg Hall, Streets 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:

Text of Legislative File K-1213-4

Body

BACKGROUND: In order to provide for the free flow of streams in the urban area of Norman, it is necessary from time to time to remove aquatic rodents from the environment of these streams. The U.S. Department of Agriculture (USDA) has a program to provide for the control of these rodents. In addition, the USDA is the organization that establishes the regulations for proper treatment of these animals. As a result, we can be assured that they will proceed with the proper degree of care and respect for the animals that are removed from the stream.

DISCUSSION: This agreement has been renewed annually for a number of years at the beginning of the fiscal year. If approved, the U.S. Department of Agriculture personnel will respond to requests from the staff of the Public Works Department to remove rodents in areas where problems with flooding of adjacent improvements will occur without this intervention. The budgeted amount for this service for fiscal year 2012-2013 is $12,500. In FYE 2012, there were 12 calls as well as staff generated requests for service on this Contract and $12,500 funds were expended. Those calls for service came from all parts of Norman including Brookhaven Creek, Imhoff Creek, Merkle Creek, Bishop Creek, and various culverts other cross drains. The operating budget of the Storm Water Division contains the funding for this agreement in Other Professional Services (account 010-5022-431.40-99).

RECOMMENDATION: Staff recommends approval of Contract K-1213-4 and authorization of the Mayor to execute that agreement on behalf of the City.

FINANCIAL/WORK PLAN

COOPERATOR: THE CITY OF NORMAN, OKLAHOMA

COOPERATIVE AGREEMENT No.: 12-7340-5624 RA

WBS: AP.RA.RX40.73.0014

LOCATION: CLEVELAND COUNTY, OKLAHOMA

WORK PLAN PERIOD: July 1, 2012 - June 30, 2013

A. Objective: To provide for the protection of public property caused by beaver gnawing and damning activities in the storm water drainage system within the city limits of Norman in Cleveland County Oklahoma.

B. Anticipated Project Results and Benefits: Through application of a variety of Wildlife Damage Management methods and techniques, a reduction in the loss of public property and reduction in expenditure of NORMAN resources for drainage maintenance are anticipated.

C. Plan of Action:
   1. Number and type of personnel: One Wildlife Specialist provided for WDM on an intermittent basis.
   2. Use of special equipment: All legal and authorized equipment and methods.

D. Monitoring of Accomplishments: The WS employee will complete all required reports of the WS program documenting activities and accomplishments. Periodic reports of activities and accomplishments will be provided upon request of NORMAN.

BUDGET: NORMAN will reimburse the WS Program for services provided. Funds provided by NORMAN will be applied toward salary and operating expenses incurred by the WS Program. Total funds provided by NORMAN not to exceed $12,500 over the 1 (one) - year period of the agreement unless agreed to and amended in writing by both parties.

Salary/Benefits	8,000
Vehicle Use	1,000
Training	762
Equipment	1,000
Subtotal	10,762
APHIS Overhead 16.15%	1,738
TOTAL	**$12,500**

SIGNATURES:

Approved by the City of Norman, Oklahoma this ___ day of,_____ 2012.

ATTEST:

By _____
The Honorable Cindy Rosenthal, Mayor

City Clerk

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 10/29/12

Approved by the United States Department of Agriculture - APHIS - Wildlife Services this ___day of _____, 2012.

By_____
Director, WS Western Region

Approved by the United States Department of Agriculture - APHIS - Wildlife Services this 23 day of May, 2012.

By_____
Director, WS Oklahoma

PURCHASE REQUISITION NBR: 0000203804

STATUS: DEPARTMENT APPROVAL

REQUISITION BY: JKEELER

REASON: K-1213-4 SERVICES FOR CONTROL OF AQUATIC RODENTS

DATE: 7/02/12

SHIP TO LOCATION: LINDSEY STREET YARD

SUGGESTED VENDOR: 6692 OKLA ANIMAL DAMAGE CONTROL

DELIVER BY DATE: 7/02/12

---

1 BEAVER CONTROL SERVICES 12500.00 EA 1.0000 12500.00

K 1213-4 COUNCIL AGENDA JULY 10, 2012

ENCUMBERING PURCHASE ORDER

DO NOT MAIL
COMMODITY: MISCELLANEOUS SERVICES, N
SUBCOMMOD: ANIMAL TRAPPING SERVICES

REQUISITION TOTAL: 12500.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	01050224314099	Professional Services Other Professional	SD0991 Yard	100.00	12500.00
					12500.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

DO NOT MAIL

City of Norman, OK

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

Master

File Number: K-1213-5

File ID:	K-1213-5	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$39,934.00	**File Created:**	06/05/2012
File Name:	Engr Services, I M S K-1213-5			**Final Action:**	

Title: CONTRACT NO. K-1213-5: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INFRASTRUCTURE MANAGEMENT SERVICES, INC., (IMS) IN AN AMOUNT NOT-TO-EXCEED $39,934 TO DEVELOP A PAVEMENT MANAGEMENT PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2013.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-5 with IMS in an amount not-to-exceed $39,934; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 23

Attachments: Text File Pavement, Engineering Services, I M S K-1213-5, Pavement PR

Project Manager: Greg Hall

Entered by: patsy.sayers@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-1213-5

Body

BACKGROUND: On February 27, 2001, the City Council approved Contract No. K-0001-113 with Infrastructure Management Services, Inc. (IMS) of Tempe, Arizona to develop a Pavement Management Program for the City of Norman. The City has used this program since that time to plan its street maintenance activities, including the Pavement Rehabilitation Programs funded by the 2005 and 2010 General Obligation Bonds.

This pavement management system allows staff to objectively perform pavement maintenance of the City's extensive network of 750 miles of public streets. The condition of each street is re-evaluated every five (5) years in order to keep the system current and valid. The 2010 Pavement Management Report was previously distributed in Council's agenda packet for review.

DISCUSSION: Contract No. K-1213-5 by and between the City of Norman and IMS, Infrastructure Management Services, Inc., provides pavement management system services. These services provide engineering field test data of the City's streets, which is software loaded and computer analyzed for the development of the most cost effective and timely maintenance strategy. One fifth (1/5) of the City's street network, or 150 miles, is re-evaluated by IMS each year. Funding is budgeted in FYE 2013 as follows:

050-9511-431.62-01 - Asphalt Pavement Maintenance - SC 0542 - $ 10,000
050-9692-431.62-01 - Asphalt Paver Patching - SC 0546 - $ 10,000
050-9718-431.62-01 - Concrete Pavement Maintenance - SC 0549 - $ 10,000
050-9696-431.62-01 - Rural Roads System Improvements - SC 0555 - $9,934.00

Infrastructure Management Services, Inc. is the only source of support for the IMS software system. Section 8-204(b)(2) of the Code of the City of Norman authorizes the City Council to waive competitive bidding for the purchase of supplies, materials, equipment, or contractual services which can only be furnished by a single dealer or have a uniform price wherever bought. IMS has submitted a fee schedule to perform updated tests and provide maintenance strategy software to the City in an amount not to exceed $39,934.00. The proposed fee is consistent with the fee paid by the City to IMS in 2012 and 2011.

The terms of the contract area as follows:
TERM/RENEWAL
This CONTRACT shall be effective from July 01, 2012 through June 30, 2013 when it shall terminate automatically, unless terminated by either party as set forth in section (1) (B) of this Agreement. This CONTRACT may be renewable for two additional one-year periods at the option of the CITY. Should the CITY desire to renew the CONTRACT, a written preliminary notice will be furnished to the CONTRACTOR prior to the expiration date of the CONTRACT. Such preliminary notice shall not be considered to be a commitment to contract with the CONTRACTOR as all contracts must be approved by the Norman City Council and sufficient appropriations shall have been made for the particular fiscal year for which the renewal is sought. Should the CITY exercise this option for renewal, the CONTRACT as renewed shall be deemed to include this option provision except that the total duration of this CONTRACT, including any renewals, shall not exceed three years. Either party may terminate this Agreement with (30) days advanced written notice to the other party, with or without cause.

RECOMMENDATION: Staff recommends approval of Contract K-1213-5 with IMS, Infrastructure Management Services, Inc. be approved and staff authorized to issue a Notice to Proceed.

AGREEMENT FOR ENGINEERING SERVICES

FOR A

FYE 2013 PAVEMENT MANAGEMENT SYSTEM UPDATE

FOR THE

CITY OF NORMAN, OKLAHOMA

AGREEMENT FOR ENGINEERING SERVICES

This AGREEMENT, made and entered into this _____ day of _____, 2012, by and between IMS Infrastructure Management Services, LLC whose address is 1820 W. Drake Drive, Suite 108, Tempe, AZ, 85283, hereinafter called the "Engineer" and the Public Agency of the City of Norman, State of Oklahoma, hereinafter called the "Public Agency", covers certain professional engineering services in connection with the City of Norman Pavement Management Program which is an engineering service financed entirely by the Public Agency.

WITNESSETH THAT, in consideration of these premises and of the mutual covenants herein set forth:

THE ENGINEER AGREES:

1. **To perform a Pavement Management Program Update for approximately 1540 test sections on roads designated by the Public Agency in accordance with the procedures set forth in Appendix "A".**

2. **To conduct the following operations necessary to develop a current computerized Pavement Management Program:**
   - **A. Pavement Inventory**
   - **B. Environmental Survey**
   - **C. RST Surface Condition Survey**
   - **D. Dynamic Deflection Testing**
   - **E. Computerized Pavement Management Software Program upgrade**

3. **To update the Pavement Management Software Program to be installed on Public Agency Workstation.**

4. **To complete the field investigation and update the operational computerized Pavement Management Program and provide all deliverables in workable form within 150 calendar days after the Notice to Proceed. Bad weather days will not be counted.**

5. **To meet with the Public Agency or representatives of the department for initiation of the project, coordination of field activities, and installation of the updated computerized Pavement Management Program.**

6. **Default values that could misrepresent the true condition will not be utilized in program calculations. In the event data or test results are found in error during review of the report, the Engineer agrees to perform such corrections without additional expense to the Public Agency. The Engineer shall give immediate attention to these changes so there will be a minimum delay to the Public Agency.**

7. **No Subcontractor shall be used without reasonable advanced written notice. If such Subcontractor is approved by the Public Agency, such Subcontractor shall comply with provisions of this agreement. Nothing contained in a Subcontract by the Engineer shall create any obligation on the part of the Public Agency.**

THE ENGINEER AGREES: "Continued"

8. **To indemnify and save Public Agency from any loss, cost, or expense including attorney fees, claimed by third parties for property damage or bodily injury, including death, caused by the negligence of the Engineer or its employees during services.**

9. **Maps and street name list to be provided by IMS**

THE PUBLIC AGENCY AGREES:

1. **To pay the Engineer compensation for all services performed as stipulated in paragraphs 1,2,3 and 4 of the ENGINEER AGREES and further defined in Appendix "A".**

2. **Should the project be abandoned at anytime after the Engineer has performed any part of the services provided for in Paragraphs 1, 2, and 3 of ENGINEER AGREES, and prior to the completion of such services, the Public Agency shall reimburse the Engineer for the percentage of the work completed up to the time he is notified in writing of such abandonment.**

3. **That, should the Public Agency require changes on any of the detailed specifications, except for those pursuant to paragraph 6 of ENGINEER AGREES, after they have been approved by the Public Agency, the Public Agency will pay the Engineer for such changes on the basis of the Engineer's established unit prices. It is understood that "Changes" as used in this paragraph shall in no way relieve the Engineer of his responsibility to prepare a complete Pavement Management Program for the evaluation of pavement conditions.**

4. **To provide the following:**
   - **A. Present and projected future traffic volumes (delineating automobiles, single-axle trucks, multi-axle trucks and buses if available).**
   - **B. Maintenance strategies and corresponding implementation costs for use in the program.**
   - **D. A safety vehicle, when requested, to provide protection for the deflection testing operation on heavily traveled roads or those in hilly terrains.**
   - **D. Cost: To be paid from allocated budgeted funds.**

5. **To indemnify and save Engineer from any loss, cost, or expense including attorney fees, claimed by third parties for property damage or bodily injury, including death, caused by the negligence of the Public Agency or its employees during services.**

IT IS MUTUALLY AGREED:

1. **That any difference between the Engineer and the Public Agency concerning the interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the Engineer, one member appointed by the Public Agency and a third member appointed by the two other members for disposition and the committee's decision shall be final.**

2. **This Agreement may be terminated by the Public Agency upon giving notice in writing to the Engineer at his last known post office address. Upon such termination, the Engineer shall cause to be delivered to the Public Agency all data, if any, from pavement studies with the understanding that all such material becomes the property of the Public Agency. The Engineer shall be paid for any services completed and any services partially completed in accordance with Section 3 of THE PUBLIC AGENCY AGREES.**

3. **That the Engineer warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for the Engineer, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the Engineer, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of his contract. For breach or violation of this warranty with Public Agency shall have the right to annul this contract without liability.**

4. **Term/Renewal**

   A. **This CONTRACT shall be effective from July 01, 2012 through June 30, 2013 when it shall terminate automatically, unless terminated by either party as set forth in section (4) (D) of the IT IS MUTUALLY AGREED section in this Agreement.**

   B. **This CONTRACT may be renewable for two additional one-year periods at the option of the CITY. Should the CITY desire to renew the CONTRACT, a written preliminary notice will be furnished to the CONTRACTOR prior to the expiration date of the CONTRACT. Such preliminary notice shall not be considered to be a commitment to contract with the CONTRACTOR as all contracts must be approved by the Norman City Council and sufficient appropriations shall have been made for the particular fiscal year for which the renewal is sought.**

   C. **Should the CITY exercise this option for renewal, the CONTRACT as renewed shall be deemed to include this option provision except that the total duration of this CONTRACT, including any renewals, shall not exceed three years.**

   D. **Either party may terminate this Agreement with (30) days advanced written notice to the other party, with or without cause.**

IN WITNESS WHEROF, the parties hereto have executed this Agreement the day and year first above written.

IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC
Name of Company

By_____
Alan Sadowsky
Member Manager

ATTEST:

_____

THE CITY OF NORMAN, OKLAHOMA
A Municipal Corporation

_____
MAYOR, First Party

ATTEST:

_____
City Clerk

APPROVED as to form and legality this _____day of_____, 2011

_____
City Attorney

APPENDIX "A"

(FYE 2013 Update)

PROJECT OUTLINE

1. **Project initiation**
   A conference with City and IMS personnel will be held to discuss and finalize the work plan prior to each phase of the program. Items to be dealt with include:

   A. Maps and lists of streets to be evaluated to be provided by IMS.

   B. Stationing frequency and maximum section length.

   C. Time schedule for the various components of the program.

   D. Traffic counts provided by the City.

   E. Rehabilitation strategies to be included in the software, including in-place costs and anticipated inflation factors.

   F. Historical data, where applicable, relating to pavement type, pavement section, and subgrade properties.

   G. Specific conditions existing in the City of Norman for inclusion in software development.

   H. Safety vehicle for deflection testing if requested on high volume streets.

2. **Stationing**
   During the Project Initiation Conference, IMS and City staff will discuss the various alternatives in stationing frequency, and the resultant levels of confidence and costs. This meeting will confirm a plan to maximize data collection efficiency and minimize costs to the City; yet ensure that the resulting database is consistent with an effective comprehensive network level program. Stationing is proposed as follows:

   Rural Section line roads shall be tested at 880 feet intervals, resulting in six (6) tests per mile and allow the City to categorize tests by block number.

   Urban streets shall be tested at one (1) test per block unless otherwise Request by City Staff. However the test interval shall not exceed 660 feet.

3. **Estimated Cost**

Utilizing the Laser Road Surface Tester (RST) and Dynaflect Machine on approximately 1540 test sections of concrete and flexible pavement streets, IMS will evaluate sections using a single-and multi-direction testing methodology. The fee schedule to perform the RST surface condition survey, environmental survey deflection testing and inventory software development is set out below:

Project Set-up and Sectioning	**$2,500.00**
Laser RST Surface Condition Survey	**$13.00/test section**
Deflection Testing	**$9.36/test section**
Pave Pro Manager Software Update	**No Charge**
Annual Software Maintenance	**$3,000.00/year**

IMS will continue to offer update testing using the above referenced fee schedule as a base with no increase of more than 2% per year for a period of three years through FYE 2014. The City has the option to acquire future update testing using addendums to the agreement.

Cost Summary

IMS has developed the following cost summary based on testing 1540 sections. To offer the lowest unit prices and eliminate mobilization charges for projects of this size, IMS will perform this work in conjunction with projects in the Oklahoma area.

Project Set-up	**$2,500.00**
RST Testing – 1540 test sections @ $13.00/test section	**$20,020.00**
Deflection Testing - 1540 test sections @ $9.36/test section	**$14,414.00**
Annual Software Maintenance	**$3,000.00**
FYE 2013 Pavement Management Update	**$39,934.00**

Based on an estimated 1540 test sections developed through a single and multi-direction testing methodology, IMS will deliver an update to the pavement management program including an RST surface condition survey, deflection testing, environmental survey, inventory and software, for a total cost not-to-exceed $39,934.00. The cost is calculated on a unit price basis and the City will be charged only for the number of sections tested and included in the database.

Invoices will be submitted on a monthly basis for the actual work completed. Payments are due within thirty (30) days of receipt of invoice. The Public Agency shall notify Engineer of any objection within seven (7) days after receipt of invoice. Invoices will be considered acceptable to the Public Agency if no such objections are made.

4. **Project Timing**

IMS estimate that the field data collection will require 2 to 4 weeks. IMS will deliver the Pavement Management Software Program to the City within 60 days of completion of field data collection.

5. **Technical Support**

Following completion of the contractual obligations, IMS will assist the City at any time additional technical support is needed to ensure the efficient use of the Pavement Management Programs. IMS offers consultation services on an hourly or per diem basis. The rate will vary with the level of individual required to provide this service.
Our current hourly rates are as follows:

Senior Engineer	**$125.00/hour**
Senior Data Analyst	**$ 85.00/hour**
Data Entry Clerk	**$ 65.00/hour**

The differences in rates are tied only to the individuals involved. IMS will respond to the client's needs as early as possible with the correct person to meet their particular requirements.

6. **GENERAL PROVISIONS**

A. **Insurance**

IMS shall, during the term of the Agreement and until completion thereof, provide and maintain the following insurance coverage:

Type of Insurance	Minimum Limits of Liability
Standard Workmen's Compensation and Employer's Liability Including Occupational Disease Coverage	Statutory in conformance with the current compensation laws of the State of Oklahoma
Comprehensive General Liability Insurance	Statutory in conformance with the current compensation laws of the State of Oklahoma
Comprehensive Automobile Liability Insurance	Statutory in conformance with the current compensation laws of the State of Oklahoma
Umbrella Coverage	Statutory in conformance with the current compensation laws of the State of Oklahoma

Prior to the commencement of work, IMS will provide the City Certificates of Insurance evidencing the insurance is in full force and provided that said insurance will not be changed or cancelled without at least ten (10) days notice by certified mail, return receipt requested, to the City of Norman.

B. **Equal Employment Opportunity**

IMS is an Equal Opportunity employer and agrees not to discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer: recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation: and selection for training including apprenticeship. Further, IMS does comply in all respects with the Americans with Disabilities Act.

PURCHASE REQUISITION NBR: 0000203806

STATUS: DEPARTMENT APPROVAL

REQUISITION BY: JKEELER

REASON: PAVEMENT MANAGEMENT PROGRAM - K 1213-5

DATE: 7/02/12

SHIP TO LOCATION: LINDSEY STREET YARD

SUGGESTED VENDOR: 10112 IMS - INFRASTRUCTURE MANAGEMEN

DELIVER BY DATE: 7/02/12

1	PAVEMENT MANAGEMENT SERVICES COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	10000.00	EA	1.0000	10000.00
2	PAVEMENT MANAGEMENT SERVICES COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	10000.00	EA	1.0000	10000.00
3	PAVEMENT MANAGEMENT SERVICES COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	10000.00	EA	1.0000	10000.00
4	PAVEMENT MANAGEMENT SERVICES - K-1213-5 AGENDA ITEM FOR JULY 10, 2012 - ENCUMBERING PURCHASE ORDER - DO NOT MAIL - COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	9934.00	EA	1.0000	9934.00

REQUISITION TOTAL: 39934.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05095114316201	Capital Projects Design	SC0542 IMS:Asphalt Pvmt Maint 13	100.00	10000.00
2	05096924316201	Capital Projects Design	SC0546 IMS:Asphalt Pavr Patch 13	100.00	10000.00
3	05097184316201	Capital Projects Design	SC0549 IMS:Concrete Pvmt Maint13	100.00	10000.00
4	05096964316201	Capital Projects Design	SC0555 IMS:Rural Road Syst Impr	100.00	9934.00
					39934.00

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: K-1213-6

File ID:	K-1213-6	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$10,000.00	**File Created:**	06/26/2012
File Name:	K-1213-6 ACOG Collection of Traffic Data			**Final Action:**	

Title: CONTRACT NO. K-1213-6: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO PROVIDE FUNDING IN THE AMOUNT OF $10,000 AS A PART OF THE UNIFIED PLANNING WORKS PROGRAM (UPWP) FOR THE COLLECTION OF TRAFFIC DATA AND THE PREPARATION OF TRAVEL TIME/DELAY STUDIES AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-6 with ACOG to provide funding in the amount of $10,000 as part of the UPWP Program; and, if approved, authorize the execution thereof and upon reimbursement of the funds increase the Special Revenue Fund Balance (022-0000-253.20-00) by $10,000 and appropriate $10,000 to Maintenance Supplies/Traffic Signal Parts (022-5023-429.32-12).

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 24

Attachments: Text File ACOG, K-1213-6 ACOG

Project Manager: Angelo Lombardo

Entered by: julie.shelton@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-1213-6

Body

BACKGROUND: The Association of Central Oklahoma Governments (ACOG) is responsible for

the administration of the Unified Planning Works Program (UPWP) in the Oklahoma City Metropolitan Area. The program's purpose is to maintain a comprehensive, continuing, and cooperative planning process for the region. The Oklahoma Department of Transportation provides Federal Highway Administration funds for this planning process and the many tasks associated with it, which include activities such as travel time/delay studies, monitoring of intersection related accidents, traffic data collection, traffic signal monitoring, and congestion management.

DISCUSSION: During the last eighteen years, our City has been able to participate in the program by collecting traffic data at a number of locations throughout the City. For Fiscal Year 2013, ACOG has offered us $10,000 in federal funds to cover the cost associated with this activity. These funds will be reimbursed to the City upon completion of the work.

The Traffic Control Division collects traffic data on a routine basis. The additional funds made available through ACOG have allowed us to expand our program and offset some of the local expenses associated with this work activity. In order to receive these funds, the City must enter into a contractual agreement with ACOG. Staff and ACOG officials developed contract No. K-1213-6 for this specific purpose. The City Attorney has reviewed this document and found its content to be acceptable.

RECOMMENDATION: Staff recommends the execution of Contract No. K-1213-6 between the Association of Central Oklahoma Governments and the City of Norman for the collection of traffic counts during Federal Fiscal Year 2013. To offset the costs associated with the maintenance and replacement of the equipment used for this activity, it is also recommended that a $10,000 appropriation be made from Account No. 022-0000-253.20-00 (Fund Balance) to Account No. 022-5023-429.32-12 (Traffic Signal Parts) at this time.

CONTRACT

Between

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS

and the

CITY OF NORMAN

I. PARTIES AND PURPOSE

This CONTRACT made and entered into this _____day of _____, 2012, by and between the Association of Central Oklahoma Governments (ACOG) and the City of Norman (NORMAN) reaffirms the Metropolitan Transportation Planning process of the Oklahoma City Area Regional Transportation Study (OCARTS). The above cited parties to this CONTRACT will hereinafter be referred to individually as ACOG and NORMAN respectively or, individually or collectively as the PARTICIPANT and PARTICIPANTS. Frequent reference will be made in this CONTRACT to the Federal Highway Administration, United States Department of Transportation, hereinafter referred to as FHWA.

The intent of this CONTRACT is to provide NORMAN funding of the Metropolitan Transportation Planning activities within the OCARTS transportation management area (TMA) as identified in the FY 2013 Unified Planning Work Program (UPWP). The purpose of this CONTRACT is to maintain the comprehensive, continuing and cooperative transportation planning process in order to provide the most desirable multi-modal transportation system that is compatible with community goals and at minimum expense.

II. EFFECTIVE DATE

The provisions of this CONTRACT shall become effective on the first day of July 2012, or on the day this Federal-aid project is authorized by FHWA, whichever comes later. This CONTRACT shall be effective until all funding provided under Section V have been expended but in no event shall the term of this CONTRACT be extended beyond June 30, 2013 for expenditure of FHWA Planning (PL) Funds without supplementation as provided by Section XV of this CONTRACT. This

CONTRACT may be terminated earlier upon thirty (30) days written notice by either party as provided for in Section XVI of this CONTRACT.

III. ORGANIZATION

Policy direction, plan selection, and development of programs for plan implementation of the OCARTS Planning Process shall be vested in an Intermodal Transportation Policy Committee (ITPC) whose membership and responsibilities are detailed in the Memorandum of Understanding signed December 18, 2008. The ITPC will send ACOG, the Metropolitan Planning Organization (MPO), transportation plans, policies and implementation programs for review and endorsement.

IV. UNIFIED PLANNING WORK PROGRAM

The specific activities to be conducted and financed during the CONTRACT period are prescribed in the FY 2013 UPWP. The UPWP details the tasks, work responsibilities, costs and funding sources of each activity to be undertaken within the TMA. The product of the UPWP will be a twenty-year comprehensive and multi-modal transportation plan for the OCARTS TMA. Approval of the UPWP by the PARTICIPANTS, the ITPC, and FHWA will constitute acceptance of the UPWP as a part of this CONTRACT, subject to the financing provisions of Section V herein.

V. FINANCING

ACOG presently has funds available, allocated through the FHWA and administered by ODOT, which may be used to facilitate Metropolitan Transportation Planning. Contingent upon the continued availability of such funds, ACOG agrees to participate in the planning effort to be conducted within the TMA boundary as detailed in the UPWP. The PARTICIPANTS agree that the financing of the OCARTS as set forth in this CONTRACT shall not exceed **$12,500** of which **$10,000** are FHWA's PL Funds and shall be on the basis of direct and indirect actual auditable costs incurred as a part of this study and the provisions of the Office of Management and Budget Circular A-133. The actual costs shall be limited to the equipment rental, office supplies, printing costs, personnel salaries, legal fees, personnel selection and placement, personnel relocation expenses, office rent and other necessary expenses directly associated with actual work performed under this CONTRACT. Allowable costs will be determined in accordance with the Office of Management and Budget Circular A-87.

The financing provided by this CONTRACT is for eighty percent (80%) of total actual auditable costs. The remaining twenty percent (20%) of the costs are to be funded by NORMAN.

VI. DISPUTES RELATED TO FINANCES

In the event of disagreement between the PARTICIPANTS relative to the eligibility of or NORMAN's financial participation in any work item or items contained in the UPWP, the details of such disagreement shall be forwarded to both the Executive Director of ACOG and the City Manager of NORMAN who jointly shall make the final determination.

VII. PAYMENT

Payments for services described in the UPWP and this CONTRACT for cooperative funding shall be disbursed by ACOG on the basis of documented monthly billings from NORMAN showing the total actual costs incurred in conformance with the UPWP. Such billings shall be submitted to ACOG along with a narrative progress report. The billings shall be submitted by the tenth (10th) day after the end of any month in which data for 10 or more traffic count locations (including midblock and intersection turning movement counts) have been collected, except for work completed during the month of June as noted below. The billings shall include a list of the traffic count locations, billable at the agreed upon rate of $100/count. If fewer than 10 traffic counts are collected in any given month, the data shall accumulate to a total of 10 or more, and a billing shall be submitted in a later month, accordingly. The final billing, for work completed before or during June 2013, shall be submitted on or before July 11, 2013.

VIII. PROGRESS REPORTS

NORMAN shall provide ACOG progress reports regarding the date, time, and location of the traffic counts. Such reports shall provide hourly and 24-hour counts at midblock locations, and 15-minute interval counts for turning movements at the intersections specified on the forms furnished by ACOG. The reports shall be submitted along with a billing by the tenth (10th) day after the end of a month for which the billing and report are prepared. The final progress report shall be submitted on or before July 11, 2013.

IX. INSPECTION OF WORK

ACOG shall be accorded proper facilities for review and inspection of the work hereunder and shall at all reasonable times have access to the premises, to all reports, books, records, correspondence, instructions, receipts, vouchers, memoranda and any other materials of every description which ACOG considers pertinent to the work hereunder. The PARTICIPANTS will fully inform each other in the event of any review and inspection of work specified hereunder by other than PARTICIPANTS. ACOG shall maintain the responsibility of review and concurrence in all techniques and methodology utilized in this study.

X. RECORDS

NORMAN shall maintain accounting records and other evidence pertaining to the costs incurred under this CONTRACT. This data will be made available for inspection by ACOG, at all reasonable times at the respective offices during the contract period and for three years after the date of the final payment of Federal funds to ACOG with respect to the study. Copies of such records shall be furnished at cost to ACOG.

XI. OWNERSHIP OF DATA

The ownership of the data collected under this CONTRACT, together with reports, brochures, summaries, and all other materials of every description derived therefrom, shall be vested in the PARTICIPANT having the major funding responsibility for its development, subject to the applicable Federal and State laws and regulations.

XII. INFORMATION AND REPORTS

All information, reports, proposals, brochures, summaries, written conclusions, graphic presentations and similar materials developed by NORMAN and/or its consultants and financed in whole or in part by ACOG, shall be submitted to ACOG for review and concurrence and shall have the approval of the appropriate study committee prior to its public release, presentation, dissemination, publication, or other distribution. The distribution of such information and reports, whether draft or final and including the UPWP, to any unit of the FHWA shall be made through ACOG only. NORMAN is a public entity subject to the Oklahoma Open Records Act. To the extent that anything in this paragraph conflicts with the Open Records Act, it shall be void.

XIII. PUBLICATION PROVISIONS

NORMAN shall be free to copyright material developed under this CONTRACT with the provision that ACOG and FHWA reserve a royalty-free, nonexclusive, and irrevocable License to reproduce, publish or otherwise use, and to authorize others to use, the work for Government purposes. All reports published under this CONTRACT shall contain a credit reference to the FHWA; such as "prepared in cooperation with the U.S. Department of Transportation, Federal Highway Administration."

XIV. TRAVEL

There are no travel or training expenses eligible for reimbursement under this CONTRACT.

XV. AMENDMENTS OR MODIFICATION OF CONTRACT

No changes, revisions, amendments or alterations in the manner, scope or type of work or compensation to be paid by ACOG shall be effective unless reduced to writing and executed by the PARTICIPANTS with the same formalities as are observed in the execution of this CONTRACT.

XVI. TERMINATION OF CONTRACT

This CONTRACT was entered into by the PARTICIPANTS because of their mutual accord that the comprehensive, continuing, and cooperative transportation planning process provided herein was necessary. Either PARTICIPANT may terminate its interest and its obligation under this CONTRACT by giving thirty (30) days notice in writing to the other PARTICIPANT, it being understood that such termination may be adverse to the interests of the other PARTICIPANT. In the event of such termination, NORMAN shall deliver at cost to ACOG all items mentioned in Sections X and XI of this CONTRACT within thirty (30) calendar days following the effective termination date.

XVII. GOVERNMENTWIDE NONPROCUREMENT SUSPENSION AND DEBARMENT

In order to protect the public interest the "Federal-aid Eligibility Certification" (Exhibit A) shall be signed by the City Clerk of NORMAN as to current history regarding suspension, debarment, ineligibility, voluntary exclusion, criminal convictions, or civil judgements involving fraud or official misconduct of himself/herself and any person associated in the administration and management of this federally funded project.

XVIII. USE OF CONSULTANTS

Under the terms of this CONTRACT, NORMAN may engage qualified consultants to perform certain duties on their behalf. All contracts with other parties for services within the scope of the Transportation Planning Process shall be justified, in writing, by NORMAN and are subject to prior written approval by ACOG. Contracts for work to be done, must, as a minimum, meet the requirements of law relative to non-collusion and the provisions of 49 CFR Part 18. U.S. Department of Transportation regulations (49 CFR Part 29) require that ACOG shall insure that NORMAN insert in each subcontract the provisions required by "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion" (Exhibit B) and further shall require its inclusion in any covered transaction NORMAN may make. All contracts and discussions between ACOG and consultants retained by NORMAN must be initiated through NORMAN.

XIX. RESPONSIBILITY FOR CLAIMS AND LIABILITY

NORMAN and/or its consultants shall hold harmless ACOG, ODOT, and FHWA from all suits, actions, or claims brought on account of any injuries or damages sustained by any person or property in consequence of any negligent acts or misconduct by NORMAN and/or its consultants or the negligent acts or misconduct of their subcontractors, agents, or employees arising from this CONTRACT or on account of any claims or amount recovered for an infringement of patent, trademark, or copyright, or from any claim or amounts arising or recovered under the Workers' Compensation Laws or any other laws. NORMAN and/or its consultants shall not be released from such responsibility until all claims have been settled and suitable evidence to the effect furnished ACOG.

XX. COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

NORMAN and ACOG agree that all operations under the terms of this CONTRACT will be in compliance with the applicable requirements of Title 49, Code of Federal Regulations, Part 21, which was promulgated to effectuate Title VI of the Civil Rights Act of 1964. In furtherance of requirements of Title 49, the following clauses and the "Nondiscrimination of Employees" (Exhibit C) are made a part of this contract.

The term contractor or consultant shall mean NORMAN and/or its consultants.

(1) Compliance with Regulations: The contractor will comply with the Regulations of the US Department of Transportation relative to nondiscrimination in Federally-assisted programs of the US Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Exhibit C of the Regulations.

(3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this

contract and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.

(4) Information and Reports: The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by ACOG or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to ACOG or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the non-discrimination provisions of this contract, ACOG shall impose such contract sanctions as it or the FHWA may determine to be appropriate including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraph (1) through (6) in every subcontract, including procurement of the Regulations, order, or instructions issued pursuant thereto. The contractor will take such action with respect to any subcontract or procurement as ACOG or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States Attorney to enter into such litigation to protect the interests of the United States.

XXI. COMPLIANCE WITH MINORITY BUSINESS ENTERPRISE ACT

NORMAN and ACOG agree to adhere to the requirements that are specified in Sec. 23. 43, (General Requirements for Recipients) of 49 CFR 23 "Participation by Minority Business Enterprise in Department of Transportation Programs." A copy of the "Disadvantaged Business/Women's Business Enterprises" (Exhibit D) is attached hereto and becomes part of this CONTRACT.

XXII. COMPLIANCE WITH CERTIFICATION REGARDING LOBBYING

NORMAN agrees to adhere to Section 1352, Title 31, U.S. Code which in part prohibits the use of Federal appropriated funds by the PARTICIPANT(S) for influencing the making or modification of any Federal contract, grant, loan or cooperative agreement. A signed copy of the "Certification for Federal-Aid Contracts" (Exhibit E) regarding lobbying is attached hereto and becomes part of this CONTRACT.

XXIII. COVENANTS AGAINST CONTINGENT FEES

NORMAN warrants that it has not employed or retained any company or person specifically to solicit or secure this CONTRACT, and that it has not paid or agreed to pay any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this CONTRACT. For breach or violation of this warranty ACOG shall have the right to annul this CONTRACT without liability, or at its discretion, to deduct from the CONTRACT price or consideration, or otherwise recover, the full amount of such fee, commission, percentage brokerage fee, gift, or contingent fee.

XXIV. PRIOR UNDERSTANDING

This CONTRACT incorporates and reduces to writing all prior understanding, promises, agreements, commitments, covenants or conditions, and constitutes the full and complete understanding and contractual relationship of the PARTICIPANTS.

XXV. GOVERNING RULES AND REGULATIONS

NORMAN and its subcontractors shall comply with all Federal, State and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any court or administrative bodies or tribunals in any nature affecting the performance of this CONTRACT including workman's compensation laws, minimum and maximum salary and wage statutes and regulations. When required, NORMAN shall furnish ACOG with satisfactory proof of its compliance therewith.

XXVI. GOVERNING LAW AND REGULATIONS

This CONTRACT shall be governed and construed in accordance with the laws of the State of Oklahoma and the applicable rules, regulation, policies and procedures of the Oklahoma Transportation Commission.

XXVII. HEADINGS

Article headings used in this CONTRACT are inserted for convenience of reference only and shall not be deemed a part of this CONTRACT for any purpose.

XXVIII. BINDING EFFECT

This CONTRACT shall be binding upon and inure to the benefit of ACOG and NORMAN and shall be binding upon their successors and subject to the limitation of Oklahoma Law.

XXIX. NOTICES

All demands, requests, or other communications which may be or are required to be given, served or sent by either party to the other pursuant to the CONTRACT shall be in writing and shall be deemed to have been properly given or sent:

(1) if intended for ACOG, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid, addressed to ACOG at:

Association of Central Oklahoma Governments
21 E. Main Street, Suite 100
Oklahoma City, OK 73104-2405

(2) if intended for NORMAN, by mailing by first class mail or, if sender prefers, by registered or certified mail, return receipt requested, with postage prepaid, addressed to NORMAN at:

The City of Norman
Attention: City Traffic Engineer
201 A. West Gray
PO Box 370
Norman, OK 73070

XXX. SEVERABILITY

If any provision, clause or paragraph of this contract or any document incorporated by reference shall be determined invalid by a court of competent jurisdiction, such determination shall not affect the other provisions, clauses or paragraphs of this contract which is not affected by the determination. The provisions, clauses or paragraphs and any documents incorporated by reference are declared severable and the invalidation of any such provision, clause, paragraph or document incorporated by reference shall not affect the remaining provisions, clauses, paragraphs and documents incorporated by reference which shall continue to be binding and of full legal efficacy.

EXECUTION OF CONTRACT

IN WITNESS WHEREOF, ACOG AND THE CITY OF NORMAN HAVE EXECUTED THIS CONTRACT AS OF THE DATE FIRST ABOVE WRITTEN.

ATTEST:

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS

Secretary

Chairman, Board of Directors

John G. Johnson, General Counsel

ATTEST:

THE CITY OF NORMAN

City Clerk

Mayor

Approved as to form and legality this 27th day of June, 2012.

Legal Counsel, City of Norman

EXHIBIT A

FEDERAL-AID ELIGIBILITY CERTIFICATION

The undersigned hereby certifies to the best of his or her knowledge and belief:

(1) That he or she is the fully authorized agent of the Prospective Participant in this project which involves, Federal funding and has full knowledge and authority to make this certification.

(2) That, neither the Prospective Participant nor any person associated therewith in the capacity of director, officer, manager, auditor or accountant, nor any person in a position involving the administration of federal funds:

a. Is currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; and

b. Has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three (3) years; and

c. Has a proposed debarment pending; and

d. Has been indicted, convicted, or had a civil judgment rendered against any of the aforementioned by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years, except:

None
(If none so state by entering the word none.)

_____ _____

Date City Clerk, City of Norman

EXHIBIT B (page 1 of 2)

ADDENDUM TO FORM FHWA-1273, REQUIRED CONTRACT PROVISIONS

This certification applies to subcontractors, material suppliers, vendors and other lower tier participants.

- Appendix B of 49 CFR Part 29 -

Appendix B -- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospect lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

EXHIBIT B (page 2 of 2)

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

EXHIBIT C (page 1 of 3)

NONDISCRIMINATION OF EMPLOYEES

During the performance of this contract, NORMAN, for itself, its assignees, and successors in interest hereby covenants and agrees as follows:

(1) NORMAN and its subcontractors shall provide equal employment opportunities for all qualified persons within the limitations hereinafter set forth, and shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, or handicap.

(2) That any subcontract entered into by NORMAN for performance of any portion of the work covered under this Contract shall incorporate all of the provisions of this Special Provision, "Nondiscrimination of Employees," and the same shall be appended to said subcontract and incorporated therein by reference.

(3) NORMAN shall refrain from "discriminatory practices," as hereinafter defined. It is a discriminatory practice for NORMAN to:

(a) Fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions, privileges or responsibilities or employment, because of race, color, religion, sex, national origin, age or handicap; or

(b) To limit, segregate or classify an employee in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee, because of race, color, religion, sex, national origin, age or handicap; or

(c) Discriminate against an individual because of race, color, religion, sex, national origin, age or handicap, in admission to, or employment in, any program established to provide apprenticeship, on-the-job training or retraining; or

(d) Publish or cause to be printed or published any notice or advertisement relating to employment by NORMAN indicating a preference, limitation, specification, or discrimination, based on race, color, religion, sex, national origin, age or handicap, except where such preference, limitation, specification or discrimination based on religion, sex or national origin is a bona fide occupational qualification for employment; or

EXHIBIT C (page 2 of 3)

(e) Retaliate or discriminate against a person because said person has opposed a discriminatory practice, or because said person has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding or hearing under Chapter 21, Title 25, Oklahoma Statutes, 1991; or

(f) Aid, abet, incite or coerce a person to engage in a discriminatory practice; or

(g) Willfully interfere with the performance of a duty or the exercise of a power by the Oklahoma Human Rights Commission or one of its members or representatives; or

(h) Willfully obstruct or prevent a person from complying with the provisions of Chapter 21, Title 25, Oklahoma Statutes, 1991; or

(i) Attempt to commit, directly or indirectly, a discriminatory practice, as defined herein and as defined in Chapter 21, Title 25, Oklahoma Statutes, 1991.

(4) NORMAN further agrees to refrain from discrimination by reason of race, color, religion, sex, national origin, age or handicap, against any persons, firm or corporation furnishing independent contract labor or materials to NORMAN in the performance of this Contract.

(5) Sanctions for Noncompliance - In the event NORMAN violates or refuses to abide by any of the provisions herein set forth, ACOG reserves the right and option to:

(a) Withhold payments to NORMAN until NORMAN furnishes satisfactory evidence of compliance and correction of all violations; or

(b) Cancel, terminate or suspend the Contract, in whole or in part, without further liability to ACOG other than payment for work performed up to the effective date of cancellation or termination of the contract.

(c) All violations which are not corrected by NORMAN within such time as is specified by ACOG in its notice of violation, shall be reported to the Oklahoma Human Rights Commission for such further proceedings as said Commission deems reasonable and necessary.

(6) Immediately upon notification of Contract award, NORMAN shall submit to ACOG's Internal Equal Employment Officer a list by number, percentage, and position, including the identifying minority group employees who will be actively engaged in the Contract performance.

EXHIBIT C (page 3 of 3)

(7) NORMAN hereby agrees to be bound by and subject itself to the provisions of Title 29, Code of Federal Regulations, Parts 1601-1605, inclusive, insofar as the same have been adopted by the Oklahoma Human Rights Commission for governing procedural matters concerning the administrative operations, functions, duties and responsibilities of said Commission.

(8) NORMAN further agrees to be bound by and be subject to any and all laws, statutes, or regulations of administrative agencies of the State of Oklahoma, pertaining to employment practices in contracts being funded either in whole or in part with funds of the State of Oklahoma, and to the requirements of any and all laws, statutes or regulations of administrative agencies of the State of Oklahoma, and to the requirements of any and all laws, statutes or regulations of administrative agencies of the State of Oklahoma pertaining to equal employment opportunity and nondiscrimination requirements in such contracts and public projects being so funded.

EXHIBIT D (page 1 of 2)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

DISADVANTAGED BUSINESS/WOMEN'S BUSINESS ENTERPRISES

POLICY STATEMENT

It is the policy of the Oklahoma Department of Transportation to ensure that Disadvantaged Business/Women's Enterprises (DBE/WBE) as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds under this CONTRACT. Consequently, the DBE/WBE (formerly MBE) requirements of 49 CFR Part 23 apply to this CONTRACT.

The Oklahoma Department of Transportation or its Consultants which are recipients of Federal-aid funds agree to ensure that disadvantaged business/women's enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this CONTRACT. In this regard, the Oklahoma Department of Transportation, ACOG, NORMAN, and Consultants shall take all necessary and reasonable steps in accordance with 40 CFR Part 23 to ensure that disadvantaged business/women's business enterprises have the maximum opportunity to compete for and perform contracts. The Oklahoma Department of Transportation, ACOG, NORMAN, and Consultants shall not discriminate on the basis of race, color, national origin, religion, or sex in the award and performance of Oklahoma Department of Transportation assisted contracts.

Failure to carry out the requirements set forth above shall constitute a breach of contract and, after the notification of the Oklahoma Department of Transportation, may result in termination of the contract by the recipient or other such remedy as the recipient deems appropriate.

EXHIBIT D (page 2 of 2)

OKLAHOMA DEPARTMENT OF TRANSPORTATION

CONTRACTING WITH SMALL AND MINORITY FIRMS, WOMEN'S

BUSINESS ENTERPRISE AND LABOR SURPLUS AREA FIRMS

(1) It is national policy to award a fair share of contracts to small and minority business firms. Accordingly, affirmative steps must be taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, and services. Affirmative steps shall include the following:

(a) Including qualified small and minority business on solicitation lists.

(b) Assuring that small and minority businesses are solicited whenever they are potential sources.

(c) When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation.

(d) Where the requirement permits, establishing delivery schedules which will encourage participation by small and minority business.

(e) Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce and the Community Services Administration as required.

(f) If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps in (a) through (e) above.

(2) Grantees shall take similar appropriate affirmative action in support of women's business enterprises.

(3) Grantees are encouraged to procure goods and services from labor surplus areas.

(4) Grantor agencies may impose additional regulations and requirements in the foregoing areas only to the extent specifically mandated by statute or presidential direction.

EXHIBIT E

CERTIFICATION FOR FEDERAL-AID CONTRACTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard Form-LLL, "Disclosure Forms to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards in excess of $100,000, at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____	_____
Date	City Clerk, City of Norman

City of Norman, OK

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

Master

File Number: K-1213-28

File ID:	K-1213-28	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$90,000.00	**File Created:**	06/12/2012
File Name:	CCFI Contract			**Final Action:**	

Title:

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE CENTER FOR CHILDREN AND FAMILIES, INC., AND APPROVAL OF CONTRACT NO. K-1213-28 IN THE AMOUNT OF $90,000.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-28 with the Center for Children and Families, Inc., in the amount of $90,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 25

Attachments: Text File CCFI, Letter from CCFI, K-1213-28, March 14 Finance Comm Minutes, PR CCFI

Project Manager: Leah Messner, Assistant City Attorney

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-28

Body

BACKGROUND: During the budgeting process a number of requests were specifically reviewed, discussed and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is Center for Children & Families, Inc. Their funding agreement for $90,000 is now returned to Council for its approval.

DESCRIPTION: The agreement follows the same pattern for all agencies recommended for funding through the Social and Voluntary Services Commission. The agreement is specific in that it lists the services which the agency is to perform. Highlights of the funding agreement include a reporting

procedure by the agency to the Council of expenditures of the funds. There is a requirement in each agreement that a representative of the City be allowed to serve as an *ex officio* member of the board of the organization if the City so desires. The agreement also provides for cancellation by either party and specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended or should the agency be dissolved or cease to exist any time during the contract period.

The contract is for $90,000 and is for a one-year period only. The contract does not automatically roll over and the funding request will be subject to Council's review as a part of next year's budget should the agency submit another request for funding.

RECOMMENDATION: Based upon the above and foregoing background and discussion, it is staff's recommendation that the funding agreement submitted herewith be approved. Should you have any questions or comments, please do not hesitate to contact me.

Center for Children & Families, Inc.
www.cfinorman.org

OFFICERS
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Emily Clinton
Vice President
Kevin Kloesel
Treasurer
Mary Hatley
Secretary
Francine Gissy
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EXECUTIVE DIRECTOR
Katie Fitzgerald, MSW

June 7, 2012

Brenda Hall, City Clerk
City of Norman
201 West Gray
Norman, OK 73069

Dear Ms. Hall:

I am writing to request City Council consideration of a contract with Center for Children and Families, Inc., in the amount of $90,000, following approval of the FY 2013 budget. I would appreciate notification of the scheduled City Council agenda item so that I may be present to respond to questions. If approved, please mail the check to the address below.

We are thankful for the City of Norman's ongoing support of Neighborhood Centers and look forward to our continued partnership. If you have any questions, please contact Liz Biolley, Director of Administrative Support at (405) 364-1420.

Sincerely,

Katie Fitzgerald, MSW
Executive Director

Contract #K-1213-28

FUND DISBURSEMENT AGREEMENT

This agreement is made and entered into on the _____ day of July, 2012, 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.
(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

A. That in consideration for the performance by the organization of the covenants and agreements as specified herein, the City, covenants and agrees:

   1. To disperse to the Organization the sum of $90,000.00 to be used in the Neighborhood Centers Program. Said funds shall be used for this purpose and for no other purpose.

   2. It is the intent of the City that the amount of funds dispersed be used as provided in the request attached hereto marked Exhibit "A" and made a part hereof.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

   1. To expend funds granted by the City for the purpose as listed above.

   2. Allow a representative of the City to hold an ex-officio position on the Organization's Board of Directors if requested by the City.

   3. To provide a written annual report on the activities of the Organization to the City, said report to be sent to the attention of the Norman City Clerk.

C. It is further understood and agreed by both parties:

   1. In the event the Organization is dissolved all such funds not yet expended for the purposes provided herein shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

   2. In the event the Organization should mishandle the expenditure of funds as provided herein, such action will be considered a breech of this agreement, and any unexpended funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

3. This agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any unexpended funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City, and the Organization shall immediately deliver such unexpended funds to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. In witness hereof, the parties hereto have executed this agreement on the day first above written.

CENTER FOR CHILDREN & FAMILIES, INC.

Executive Director

ATTEST:

SECRETARY

Approved as to form and legality by the office of the City Attorney this 26th day of ~~July~~ June, 2012.

Office of the City Attorney

Approved by the Norman City Council this _____ day of July, 2012.

MAYOR

ATTEST:

CITY CLERK

PURCHASE REQUISITION NBR: 0000203809

STATUS: ALL ITEMS ON ORDER

REQUISITION BY: KJCHAPMAN

REASON: K-1213-28 CENTER FOR CHILDREN AND FAMILIES

DATE: 7/02/12

SHIP TO LOCATION: CITY CLERK OFFICE

SUGGESTED VENDOR: 1335 CENTER FOR CHILDREN & FAMILIES

DELIVER BY DATE: 7/16/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CONTINGENT UPON CITY COUNCIL APPROVAL 7/10/12 COMMODITY: GRANTS SUBCOMMOD: YOUTH & FAMILY	1.00	EA	90000.0000	90000.00	

REQUISITION TOTAL: 90000.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	01010014114741	Miscellaneous Services Contributions-Organizatin		100.00	90000.00
					90000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

FINANCE COMMITTEE MINUTES
March 14, 2012

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Municipal Building Study Session Room on the 14th day of March, 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Members Dillingham, Gallagher, Griffith, and Chair Quinn
ABSENT:	Member Ezzell
OTHERS PRESENT:	Cindy Rosenthal, Mayor Linda Lockett, Council Member Anthony Francisco, Finance Director Suzanne Krohmer, Budget Manager Jeff Bryant, City Attorney Susan Connors, Planning & Development Director Jud Foster, Parks & Rec Director Gala Hicks, Human Resources Director Keith Humphrey, Police Chief Jim Bailey, Deputy Fire Chief James Briggs, Park Planner Linda Price, Revitalization Manager Carol Coles, Administrative Assistant Teresa Capps, Chair, Social & Voluntary Services Kathy Holder, United Way Mary Sue Schrem, Cleveland County Historical House Mark Williams, Cleveland County Historical House Katie Fitzgerald, CCFI Executive Director Steven Tyler Holman, Citizen

CONTINUED DISCUSSION REGARDING OUTSIDE AGENCY FUNDING REQUESTS FOR THE FYE 2013 BUDGET

Cleveland County Historical Museum – Mark Williams, President of the Cleveland County Historical Society, made presentation.

- They are asking for an increase of $10,000 over FYE 12 funding of $31,500.
- Very appreciative of renovations that have been done and understands there is more work to be done.
- Organization does not have enough ways to raise funds like some organizations do.

- Rosenthal - asked if Society had contacted Cleveland County for funds?
- Society will contact County this year and other cities in county to contribute to funding a county museum.
- Will look for other sources of funding.
- Historical House belongs to City of Norman instead of Cleveland County.
- House has exhibits from time to time that are out of different time periods.
- Lockett – disappointed there are no artifacts on display. Feels house not well managed and needs to look for other sources of funding.
- Dillingham – suggested Board development, working with Sarkey's "Board Boot Camp"
- Williams – trying to get grants and work with University.
- Quinn – City wants to see changes and is willing to work with the organization.
- Dillingham – Ask County Commissioners to pay share of Curator salary, not utilities.
- Rosenthal – continue support to Historical House, but not an increase. Asked what capital projects were done this year.
- Briggs – two projects this year, spent $69,000 of the $75,000 budgeted for projects this year.
- Williams – we have 40 paying members and are mailing 400 letters asking for donations and support by joining and becoming a member.
- Lockett – need to show community how the House is doing.
- Williams – House closed for several weeks for renovation projects, some this fiscal year.
- Quinn – consensus of the Committee to deny requested increase at this time; for Society to have better oversight of Curators. Committee wants update in 3 to 6 months. Will reconsider request for increase then.

Center for Children and Families, Inc. – Katie Fitzgerald, Executive Director, made presentation.

- They are requesting $90,000 for FYE 13 which is an increase of $10,000 over FYE 12 contribution.
- Neighborhood centers are increasing service to 5 nights a week from 3 nights a week.
- Expanding specific gender groups for older youth.
- 100% donor support of Board members.
- By action of the Council, CCFI's full funding of $90,000 was restored for the FYE 12 budget.

Social and Voluntary Services Commission – Teresa Capps, Chairman of the Board, made presentation.

- They are returning at the request of the Finance Committee from the previous meeting to request an increase back to $150,000 contribution for FYE 13.
- SVSC audits agencies that receive funding from them.
- They had many proposals for funding from agencies, totaling over $200,000, making it very difficult to choose which receive funding.
- "Warming shelter" program at Food & Shelter begun this past winter was a big success - facility was open from 7:00 pm to 7:00 am.
- After the first few nights, there were as many as 30 people each night.
- "In process of establishing "centralized intake system" for assistance to homeless people.

- Price – HUD requires "centralized intake system"
- Gallagher – is there contact with all churches for help? – centralized system should help with this.
- Consensus of Committee to recommend increase.

United Way – Jeff Bryant, City Attorney, and Kathy Holder, United Way representative, made presentation.

- Ezzell submitted the idea at the January Finance Committee and Committee also discussed in February Finance Committee meeting of the possibility to have the City of Norman match employee's contributions to the United Way.
- City of Norman currently uses payroll deduction for employee's pledge to United Way. Should there be a payroll deduction match?
- Funds given by the City must go for services to local citizens.
- City will continue as Pacesetter for United Way.
- Encourage City Manager to inform employees of payroll deduction contributions.
- Recognize level of employee with match not to exceed $40,000.
- August kickoff, September payroll cards are due, value of cards would set match, not to exceed $40,000
- Budget $40,000 – matching funds will be directed to SVSC to distribute
- Lockett and Spaulding – against proposal
- Lockett – want guidelines for giving to non-profits in future – to help say "no".
- Dillingham and Griffith – for proposal
- Rosenthal – end goal is to see if this gives employees incentive to give more – try for 1 year – then review.

Items submitted for the record

1. Cleveland County Historical Society Annual Report dated February 16, 2012
2. Center for Children & Families, Inc. narrative report and financial report
3. Memo from Social and Voluntary Services Commission Funding for FYE 13
4. Memo from Jeff Bryant, City Attorney, dated March 14, 2012

DISCUSSION REGARDING A REQUEST FROM CLEVELAND AREA RAPID TRANSIT (CART) FOR AN INCREASE IN FUNDING FOR THE FYE 2013 BUDGET

No presentation – representative not in attendance. Member Dillingham will add this item requesting an increase in funds to the Community Planning and Transportation Committee Agenda on March 29th for discussion.

Items submitted for the record

1. Letter from Cleveland Area Rapid Transit dated February 21, 2012

DISCUSSION REGARDING PRIORITIZATION OF PUBLIC SAFETY PROJECTS

Deputy Fire Chief Jim Bailey prioritized the needs of the Fire Department:

1. CAD/RMS system – top priority for Fire and Police Departments
2. 2 fire engines – replace older units
3. Elevated platform – 100 ft. ladder with bucket to use on buildings 10 stories or more
4. Central storage apparatus staging facility
5. 2 fire engines with ladders
6. 5 brush pumpers
7. Command unit
8. Unfunded maintenance on existing facilities
9. Self-contained breathing apparatus
10. Transport van
11. Personal protective equipment for firefighters

Police Chief Keith Humphrey prioritized the needs of the Police Department:

1. CAD/RMS – top priority – in danger of losing grant money by postponing purchase
2. Renovate Smalley Center for use as property/evidence storage and crime lab
   a. renovate current building
   b. more room for patrol
   c. wants community room for meetings
   d. need lockers and weight room
3. Need 2 command vehicles to work an incident
4. Training center/firing range needs wireless technology
5. In-car video camera for all cars – especially helpful if person is charged with a violation and there is a dispute or claim of police mismanagement.

- Additional IT staff would be needed to handle technology, as many as 3 people
- Current budget reflects $7.5 million dollars in PSST funds
- Consensus is to fund CAD/RMS, fleet replacements, Smalley renovation, and police command vehicles in this year's budget for approximately $4.5 million dollars.
- Renovation of Building B and other items could be handled in FYE 14 PSST budget.

Items submitted for the record

1. PowerPoint presentation prepared by Fire and Police Departments
2. PowerPoint presentation, Capital Needs Priorities, prepared by Fire Department
3. PowerPoint presentation, Capital Needs Priorities Needs 2011, prepared by Police Department

DISCUSSION REGARDING PROMOTING EXISTING EMPLOYEES INTO PUBLIC SAFETY SALES TAX (PSST) POSITIONS

Jeff Bryant, City Attorney, made presentation.

- Issue is attrition savings created by "lag time" when current employee being paid with General Fund is promoted to a position being paid with Public Safety Sales Tax Fund (PSST).
- PSST Oversight Committee member asked that State Auditor check into the City's policy of handling this situation.
- No problems found by the State Auditor with situation.
- PSST Oversight Committee member suggested that the PSST Fund should benefit from this "lag time" rather than the General Fund.
- "Credit issue" – who pays for lag time?
- This change would be a huge policy shift - policy is same with all city governments.
- Consensus of Committee to remain with current policy.

Items submitted for the record

1. Memo from Jeff Bryant, City Attorney. Dated March 14, 2012, Promoting Existing Employees into Public Safety Sales Tax (PSST) Positions

DISCUSSION REGARDING REVENUE/EXPENDITURE REPORT

No discussion.

Items submitted for the record

1. Summary of Major Funds-General; Capital; Westwood; Water; Wastewater; Sewer Maintenance; New Development Excise; Sewer Sales Tax; and Sanitation Fund Revenue Sources vs. Budget, Financial Report dated January 31, 2012.

DISCUSSION REGARDING REPORT ON OPEN POSITIONS

No discussion. Development Coordinator position has been filled.

Items submitted for the record

1. City of Norman/Human Resources Department Recruitment and Selection Report dated February 8, 2012

MISCELLANEOUS DISCUSSION

No discussion.

The meeting adjourned at 7:30 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

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

Master

File Number: K-1213-30

File ID:	K-1213-30	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item 26	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	06/26/2012
File Name:	K-1213-30 ODOT I-35 Lighting Maintenance Agreement			**Final Action:**	

Title: CONTRACT NO. K-1213-30: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. SEC1702Y-114A(191)HP, JOB NO. 09034(05) FOR THE INSTALLATION OF HIGHWAY LIGHTING ALONG I-35 FROM INDIAN HILLS ROAD SOUTH TO MAIN STREET AND ADOPTION OF RESOLUTION NO. R-1213-13.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-30 with ODOT; and if approved, adopt Resolution No. R-1213-13 and authorize the execution of the contract and resolution.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 26

Attachments: Text File K-1213-30, K-1213-30 & R-1213-13, I35LightingPhasesMap

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: julie.shelton@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-1213-30

Body

BACKGROUND: On December 13, 1994, City Council approved Resolution No. R-9495-45 requesting federal funds for the installation of roadway lighting along Interstate 35 from S.H. 9 to the Norman/Moore city limit, including the interchanges of S.H. 9, Lindsey Street, Main Street, Tecumseh Road, U.S. 77 and Indian Hills Road. With this action, Council set in motion a process that ensures there is lighting included in every Interstate 35 reconstruction project within the Norman

city limits.

Construction of the lighting improvements called for in the resolution has been and continues to be phased over time. The work has also been coordinated within each of the Interstate 35 reconstruction projects constructed and planned by the Oklahoma Department of Transportation (ODOT). The first phase was addressed when the Tecumseh Road interchange was illuminated in 1998. The second phase, which included the installation of roadway lighting along the median of Interstate 35, from Indian Hills Road to the Norman/Moore City limit, was completed in 2001. The third phase, which included the installation of roadway lighting along the median of Interstate 35 from north of Main Street to the US Highway 77 interchange, was completed in 2010. It is this latest phase that is addressed in the subject maintenance agreement. A map showing the three completed phases is attached for additional information.

City Council approval of a project maintenance agreement and payment of the local share of the project, if applicable, are typically the last pre-construction activities of a federally funded project.

DISCUSSION: ODOT requires the City to execute a project agreement and to adopt it by resolution before letting a project to contract. In the case of this Interstate 35 project, Oklahoma Department of Transportation staff failed to request the City's approval of the agreement before bidding the project. In fact, the project was completed in the summer of 2010, all the improvements accepted by both ODOT and the City, and the City has assumed all maintenance responsibility for the new lighting system.

In order to formalize the City's maintenance responsibility, in accordance with the original resolution adopted by City Council on December 13, 1994, ODOT is requesting that the agreement be retroactively approved.

The agreement addresses the responsibilities of the City and the Department during and after the construction of the project. The execution of three original documents is required. Both the resolution and agreement have been reviewed by staff and approved by the City Attorney.

The City's responsibilities involve only the operation and maintenance of the lighting system. As we have done in the past with other similar projects, the City will defer this responsibility to OG& E under the conditions of our franchise agreement. The annual operating cost for the system is approximately $30,000 per year, which has been budgeted in Account No. 010-5023-429.43-11 (Electricity - Street Lights) since September of 2010.

RECOMMENDATION: Staff recommends approval of Contract No. K-1213-30 and Resolution R-1213-13 with ODOT for the operation and maintenance of the continuous roadway lighting system on Interstate 35, between Main Street and US Highway 77.

PROJECT

MAINTENANCE AGREEMENT

FOR

FEDERAL-AID PROGRAM PROJECT

PROJECT NUMBER SEC1702Y-114A(191)HP
JOB PIECE NO. 09034(05)

FOR THE

INSTALLATION OF HIGHWAY LIGHTING ALONG I-35
FROM INDIAN HILLS ROAD SOUTH TO MAIN STREET

IN THE CITY OF NORMAN

CLEVELAND COUNTY

BY AND BETWEEN

THE CITY OF NORMAN

AND

THE OKLAHOMA DEPARTMENT OF TRANSPORTATION

AGREEMENT

This AGREEMENT, made the day and year last written below, by and between the City of Norman, hereinafter referred to as the CITY, and the Department of Transportation of the State of Oklahoma, herein after referred to as the DEPARTMENT, for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

THAT the DEPARTMENT proposes to make certain traffic improvements as directed by the Oklahoma Transportation Commission at their meeting of June 1987, authorizing State apportioned Federal-aid Project funds for participation in the project for traffic improvements in the City of Norman designated as Federal-aid Project, SEC1702Y-114A(191)HP, JP# 09034(05) consisting of the actual traffic improvements as follows:

1. INSTALLATION OF HIGHWAY LIGHTING ALONG I-35 FROM INDIAN HILLS ROAD SOUTH TO MAIN STREET IN THE CITY OF NORMAN, CLEVELAND COUNTY

All construction is to be in accordance with the plans and by reference made a part of this AGREEMENT. Such plans are to be in accordance with the Oklahoma Standard Specifications for Highway Construction, Edition of 1999 and current updates.

It is the policy of the Oklahoma Department of Transportation to assure compliance with Title VI of the Civil Rights Act of 1964, and the CITY hereby agrees that as a condition to receiving any Federal financial assistance, it will comply with Title VI of the Civil Rights Act of 1964 which requires that no person in the United States shall, on the grounds of race, color, religion, sex, handicap, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Federal Financial Assistance is received.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The DEPARTMENT agrees to provide the plans, specifications, and construction cost estimates for this project.

2. The DEPARTMENT and the CITY agree to become jointly responsible with the contractor as co-applicants for meeting all Environmental Protection Agency (EPA) requirements for storm water runoff on this project. It is agreed that the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work, the storm water pollution prevention plan sheet and appropriate USGS topographic map contained in the plans constitute the storm water management plan for the project described previously in this document. Further, if required, the DEPARTMENT and the CITY agree to file jointly with the contractor the Notice of Intent (NOI) for Storm Water Discharges Associated with CONSTRUCTION ACTIVITY under the OPDES General Permit with the Oklahoma Department of Environmental Quality which authorizes the storm water discharges associated with industrial activity from the construction site identified in this document.

3. The DEPARTMENT shall appoint competent supervision of the construction work to the end of obtaining work strictly in accordance with the approved plans and specifications.

4. The CITY shall, by resolution, duly authorize the execution of this AGREEMENT by proper officials, and attach copies of such resolution to this AGREEMENT.

5. It is understood and agreed that the roadway improvements and all devices specified herein shall not be altered, removed, or cease to be operative without mutual written consent of the DEPARTMENT and the CITY.

6. The CITY agrees that upon completion of construction of said project, final inspection, and acceptance of the project by the DEPARTMENT, the CITY will be responsible for the maintenance and cost of operation of all traffic lighting equipment erected and installed pursuant to this agreement and all devices appurtenant thereto, and maintain all traffic regulatory and warning signs.

7. The CITY hereby agrees to periodically review the adequacy of the aforesaid project to insure the safety of the traveling public and should the CITY determine that further

modification or improvement be required, the CITY shall take such actions as are necessary to make such modification or improvement. When maintenance and/or operational modifications are required which, in the opinion of the DEPARTMENT, exceed the capabilities of the CITY's staff, the CITY agrees to retain, at the sole expense of the CITY, competent personnel for the purpose of bringing the improvement up to the proper standard of operation.

8. In the event that any hardware installed hereunder is no longer needed for the purposes designated herein, then the hardware installed hereunder shall not be removed by the CITY to any point other than that which is approved by the DEPARTMENT prior to such removal.

9. Upon completion of the aforesaid project, the CITY hereby specifically agrees that the CITY assumes any and all financial obligation for the operation of the aforesaid project.

10. If the CITY should fail to fulfill its responsibilities under this AGREEMENT, such a failure will disqualify the CITY from future Federal-aid participation on any Federal-aid project. Federal funds are to be withheld until such time as a traffic engineering staff, satisfactory to the DEPARTMENT, has been properly established and functioning, deficiencies in regulations have been corrected, or the traffic operations improvements to be installed under this Agreement are brought to a satisfactory condition of maintenance.

IN WITNESS WHEREOF, the Deputy Director of the Department of Transportation, pursuant to authority vested in him by the Transportation Commission, has hereunto subscribed his name as Deputy Director of the Department of Transportation, and the CITY has executed same pursuant to authority prescribed by law.

The CITY on the _____ day of _____, 2012, and the STATE on the _____ day of _____, 2012.

CITY OF NORMAN, OKLAHOMA

BY:_____
MAYOR

ATTEST:

_____

_____
Title

APPROVED AS TO FORM AND LEGALITY

BY: _____
CITY Attorney

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

By: _____
Deputy Director

APPROVED AS TO FORM AND LEGALITY

BY: _____
General Counsel

BY: _____
Division Engineer

Form UR-F-RES-300

RESOLUTION NO. 1213-13

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF NORMAN, OKLAHOMA:

THAT, WHEREAS it is in the best interest of the City of Norman, Oklahoma, to execute that certain Project Agreement for Federal-aid Project No. SEC1702Y-114A(191)HP, J/P # 09034(05) by and between the City of Norman and the Oklahoma Department of Transportation;

NOW, THEREFORE, it is hereby resolved that the Mayor is hereby authorized and directed to execute the above described agreement on behalf of the City of Norman, and duly signed by the Mayor on this _____ day of _____, _____.

City of Norman

By

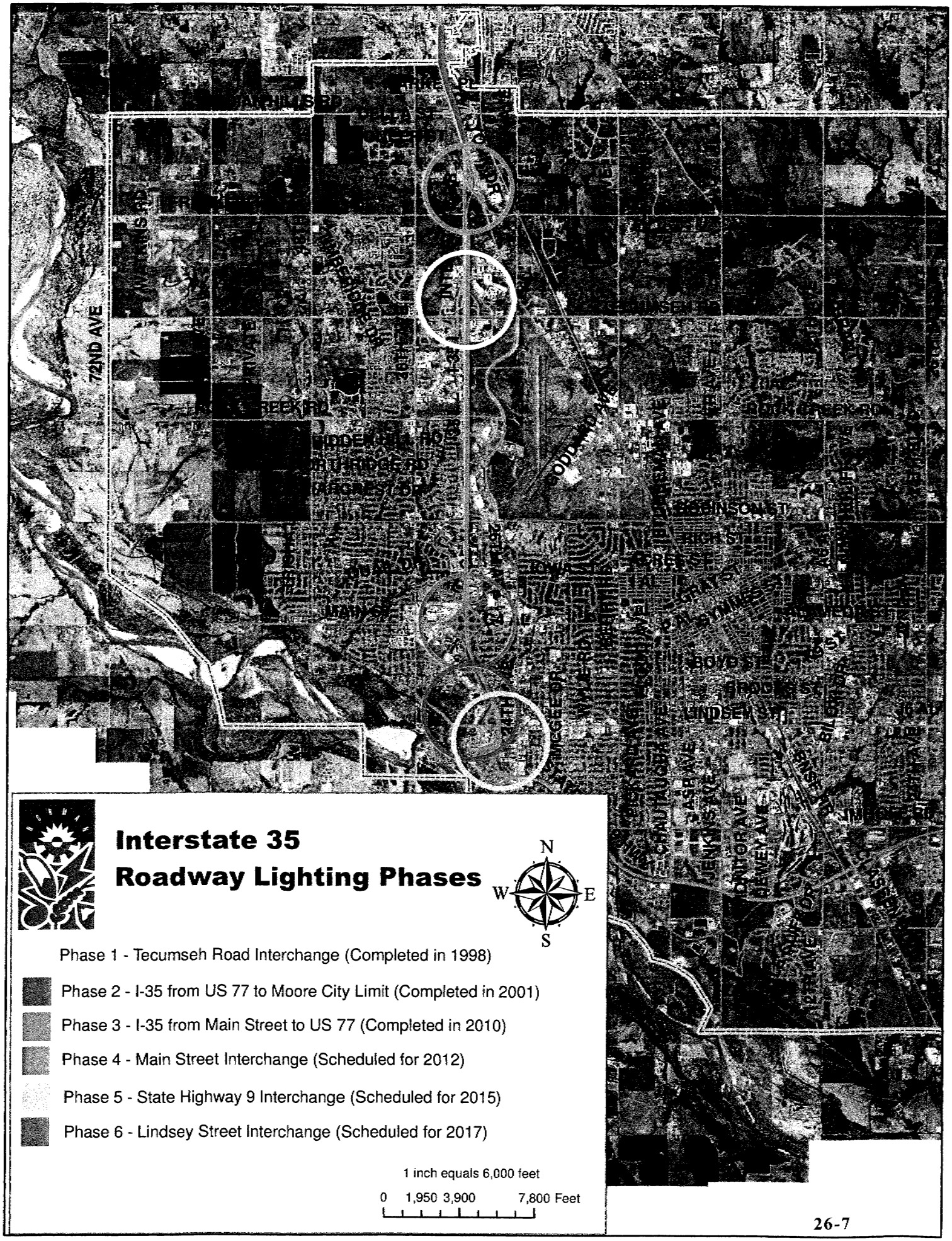
_____
Mayor

ATTEST:

_____
City Clerk

Approved as to form and legality this 27th day of June, 2012.

_____
City Attorney


Interstate 35
Roadway Lighting Phases
N
W
E
S
Phase 1 - Tecumseh Road Interchange (Completed in 1998)
Phase 2 - I-35 from US 77 to Moore City Limit (Completed in 2001)
Phase 3 - I-35 from Main Street to US 77 (Completed in 2010)
Phase 4 - Main Street Interchange (Scheduled for 2012)
Phase 5 - State Highway 9 Interchange (Scheduled for 2015)
Phase 6 - Lindsey Street Interchange (Scheduled for 2017)
1 inch equals 6,000 feet
0 1,950 3,900 7,800 Feet
72ND AVE
ROBINSON ST
BOYD ST
LINDSEY ST

City of Norman, OK

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

Master

File Number: K-1213-33

File ID:	K-1213-33	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$460,500.00	**File Created:**	06/25/2012
File Name:	K-1213-33 OU/CART Transportation Services			**Final Action:**	

Title: CONTRACT NO. K-1213-33: A CONTRACT BY AND BETWEEN THE UNIVERSITY OF OKLAHOMA (OU)/CART IN THE AMOUNT OF $460,500 FOR TRANSPORTATION SERVICES THROUGH JUNE 30, 2013.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-33 with OU/CART; and, if approved, authorize execution of the contract and direct payment in the amount of $460,500 to OU/CART.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 27

Attachments: Text File OU CART, K-1213-33 with List of Cart Bus Stops

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-33

Body

BACKGROUND: Beginning in 1980 as a campus shuttle service for the University of Oklahoma, Cleveland Area Rapid Transit (CART) has become the third largest transit system in the State of Oklahoma. The University expanded the service into a public transportation bus system in 1986, and since 1993 the City of Norman has partnered in funding this essential public service.

Transporting more than one million passengers annually, CART features six Norman city routes, three University of Oklahoma campus routes, a route that serves to transport people to the Social Security Office in Moore as well as a six times daily commuter route to Oklahoma City, the "Sooner Express." CART offers users mobility throughout the city, including access to many medical facilities, residential areas, retail businesses and restaurants. Additionally, CARTaccess, an origin-to-destination service for those who are unable to ride the fixed route bus system, travels all 191 square miles of Norman.

CART ridership increased by 8% this past year after showing a decrease last fiscal year. CARTaccess, CART's origin-to-destination service for those who cannot ride the regular bus routes because of disabilities and/or age, ensures mobility for approximately 30,000 riders per year, the majority of whom are Norman citizens. This is an increase of 15% from the previous year.

DISCUSSION: Funding for CART is provided by the Federal Transit Administration, the University of Oklahoma, the City of Norman, and the Oklahoma Department of Transportation. The proposed contract for services for FYE 13 represents the nineteenth year of City subsidy for transit services.

For a number of years the City share in the funding of CART remained relatively level in spite of increasing costs of providing the service. In 2007 the Transportation Committee of the City Council recommended that the City try to achieve a budget share of at least 11% of the costs, a percentage last met in 2005. City Council did approve an increase of $50,000 to $230,000 in FYE 08 that equaled 8.2% of CART's budget. The FYE 09 budget of $290,500 approved on June 10, 2008, represented an additional increase of $50,000 plus $10,500 specified for bus passes as needed. The $280,000 budget for FYE 09 (not including the funding for bus passes) equaled 9.2% of the total CART budget for the fiscal year.

The FYE 10 budget of $400,500 included an increase of $20,000 to continue current services plus $90,000 for partial year funding of the new northwest circulator route, and $10,500 specified for bus passes. The $390,000 budget for FYE 10 (not including the funding for bus passes) equaled 8.8% of the total CART budget for the fiscal year.

The FYE 11 budget of $310,500 included a decrease of $90,000, but retained $10,500 for bus passes. The $300,000 budget for FYE 11 (not including the funding for bus passes) equaled 9.7% of the total CART budget for the fiscal year.

The FYE 12 budget of $310,500 is the same as the FYE 11 budget. The $300,000 budget for FYE 12 (not including the funding for bus passes) equals 12.88% of the total CART budget for the fiscal year.

The FYE 13 budget of $460,500 is a $150,000 increase over the FYE 12 budget. The $450,000 budget for FYE 13 (not including the funding for bus passes) equals 10.87% of the total CART budget for the fiscal year.

Contract No. K-1213-33 is for the general mass transportation services provided by CART. The set aside for bus passes is also included in this contract. Bus shelter and bench locations are discussed in the attached addendum.

The request from CART to consider the use of digital signs on bus shelters has been tabled by CART until more information can be reviewed regarding specifications related to the signs. Once CART has determined which signs they want to use, and Staff has had an opportunity to review the request, an item will be developed for a future Council meeting.

RECOMMENDATION: The City Council approved the funding for the FYE 13 budget on June 12th. Staff has reviewed the proposed contract and recommends approval. Funds in the amount of $460,500 are available in Miscellaneous Services/CART (010-1001-411.47-66).

Contract No. K-1213-33

This Agreement, made and entered into this **10th day of July, 2012**, by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **CART**, hereinafter referred to as "Agency."

WHEREAS, there exists a need for public mass transportation services between the City of Norman and the City of Oklahoma City; and,

WHEREAS, there exists a need for public mass transportation services within the City of Norman; and,

WHEREAS, Agency has been designated the public mass transportation provider for Norman Area; and,

WHEREAS, City and Agency are desirous of entering into an Agreement for the Provision of Funding of said service; and,

Agency further agrees that the above-mentioned activities will be completed and that all necessary information and activities will be completed by Agency and reported to City no later than June 30, 2013.

Budget

Local Route and Paratransit Service	$ 450,000
Bus Passes	$10,500
Total Budget	$ 460,500

Local Route and Paratransit Service

1. Description of Service – Agency shall provide the following:
    a. Transit commuter service between Oklahoma City and Norman and local transit service within the City of Norman;
    b. Regular paratransit service in accordance with provisions of the Agency 504/ADA Implementation Plan approved by the Agency Board of Trustees;
    c. Telephone information service about transit services in a. and b. above;
    d. Service shall not be provided on national holidays which fall on days of service;
    e. Bus stop signs and poles at all designated stops which comply with City ordinances;
    f. Bus benches and shelters, in the number and locations approved by existing Agency budgets, which comply with City ordinances and the Administrative Guide for Bus Stop Locations and Bench and Shelter Advertising;
    g. Written notice, 30 days in advance, of all changes in service to a. through f. above.

2. Method of Payment – Agency shall invoice City on a monthly basis for 1/12th of $450,000. Agency shall invoice City for bus passes as needed. Upon receipt and acceptance of invoices, City shall process said claims in the usual and customary manner and shall forward to Agency a check in amount stated on the invoice submitted.

3. Term of Agreement – This Agreement shall be considered to cover the period from July 1, 2012, through June 30, 2013.

4. Expiration or Termination – Either City or Agency may terminate this agreement by providing written notice at least 30 calendar days in advance of the proposed termination date.

5. Excusable Default – Agency shall not be held in default of this agreement if it is prevented from performing hereunder by conditions entirely beyond its control, such as, but not limited to, acts of God, strikes, war, insufficient allocation of fuel, or other emergencies including existing road conditions making performance impossible or illegal.

6. Integration – It is understood and agreed that this contract contains all the covenants, stipulations, and provisions agreed upon by the parties hereto and neither party is, or shall be, bound by any statement or representation not in conformity herewith. This agreement may not be modified except in writing signed by both parties.

7. Law Controlling – It is the understanding of the parties that this contract shall be governed by the laws of the State of Oklahoma and by the laws of the United States applicable in whole or in part to mass transportation systems. It is further understood and agreed that any such applicable law shall be deemed to be part of this contract, binding on parties hereto as if such law were set out fully herein.

8. Insurance – Agency shall provide City with a certificate of insurance indicating that Agency has in force, a policy of liability insurance for the operation of said buses. Said policy shall be of a face value of at least $1,000,000 aggregate for all claims for a single occurrence, $100,000 bodily injury for a single claimant and $25,000 property damage per claim. It is further understood and agreed by the parties hereto that failure to obtain and maintain such policy of insurance shall be considered a material breach of this contract.

9. Required Assurances

   a. Compliance with Regulations – Agency shall comply with the regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (DOT) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, which are herein incorporated by reference and made part of this agreement.

   b. Audit and Inspection of Records – Agency shall permit the authorized representatives of City and/or HUD or DOT to inspect and audit all data and records of Agency relating to performance under the agreement until expiration of 3 years after final payment under this agreement. Agency

further agrees to include in all subcontracts hereunder, a provision to the effect that the subcontractor agrees to the same inspection and record keeping requirements. Agency and its subcontractors also agree to make available for access and examination any records relevant to any litigation or dispute which may arise out of this agreement during the 3 year period and shall continue to maintain and make available any relevant records until such litigation is concluded.

c. Interests of Members – No member of, or delegate to, the Congress of the United States shall be permitted to any share or part of this agreement or to any benefit arising therefrom.

d. Prohibited Interest – No member, officer or employee of Agency or of a local public body during their tenure or one year thereafter shall have any direct or indirect interest in the agreement or the proceeds thereof.

e. Equal Employment Opportunity – In connection with the execution of this agreement, Agency shall not discriminate against any employees or applicants for employment because of race, religion, color, sex, age, disability, or national origin.

f. Solicitation for Subcontract Including Procurement of Materials & Equipment – In all solicitations either by competitive bidding or negotiation made by Agency for work to be performed under a subcontract, all requirements for nondiscrimination identified in e. shall be fully disclosed and adhered to by subcontractors.

g. Sanctions for Noncompliance – In the event of Agency's noncompliance with the nondiscrimination provisions of this agreement, City shall impose such sanctions as determined appropriate, including, but not limited to withholding of payments and cancellation, termination or suspension of the agreement in whole or in part.

h. Disadvantaged Business Enterprise – Disadvantaged businesses as defined in 49 CFR, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed with federal funds under this agreement. Agency shall advice contractors and bidders of this information and that failure to carry out these requirements shall constitute a breach of contract and may result in termination of the agreement or such remedy as deemed appropriate.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

OU/CART

Douglas W. Myers

Douglas W. Myers, Director

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
BETTY LOVE
Commission #10005322
Expires July 1, 2014

Subscribed and sworn to before me this 27 day of June, 2012.

Betty Love
Notary Public

My Commission expires: July 1, 2014
Commission Number:

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 29th day of June, 2012.

JBMessner
Jeff Bryant, City Attorney

ADDENDUM A

Bus Stops, Benches & Shelters by Route

CART Bus Stops
in the City of Norman

Main St/N10	Physical Address		Notes
South Oval #	720 S. Oval	G	
Jenkins/Felgar (Sarkeys Energy Center)	835 Jenkins Ave.		
Jenkins/Boyd	747 Jenkins Ave.		
Jenkins/Duffy	701 Jenkins Ave.		
Webster/Apache	413 S. Webster Ave.		
Webster/Main	117 S. Webster Ave.		
Norman Public Library	235 N. Webster Ave.		
Main/Lahoma **	699 W. Main St.	N	Relocation pending permit. Moving west of current location approximately 162'. New bus shelter design to be installed.
Norman High School **	911 W. Main St.	N	
Berry/Denison	827 N. Berry Rd.	N	Effective 4-14-11: Norman Housing Authority stop (625 N. Berry Rd.) moved to N. of Denison. Re: ADA/cross walk issues
Berry/Dorchester	1111 N. Berry Rd.		
Robinson/Woods **	1699 W. Robinson St.	N	
Robinson/24th Ave NW **	2601 W. Robinson St.	N	
Rambling Oaks/Northwest Blvd. #	1196 Rambling Oaks	N	
Northwest Blvd./Interstate Dr. (At Stop Sign)	3002 Northwest Blvd.	N	
Interstate Drive #1	760 N. Interstate Dr.		Stop abandoned, post & sign removed 12/4/09.
Interstate Drive/Copperfield **	598 N. Interstate Dr.	N	
River Oaks/Interstate Drive	3009 River Oaks Dr.	G	
River Oaks/Cotswold #	3473 Riveroaks Dr.	G	Privately Owned Bench
Sooner Station Post Office **	290 36th Ave. NW	N	
Main/36th Ave NW **	3398 W. Main St.	N	
Norman Center Ct./Ed Noble **	299 Norman Ctr. Ct.	N	
Ed Noble #1 **	698 Ed Noble Parkway	N	
Ed Noble #2 #	998 Ed Noble Parkway	N	
24th Ave SW/Lindsey **	1199 24th Ave. SW	N	
24th Ave SW/Boyd **	599 24th Ave. SW		
Main/24th Ave. NW **	2198 W. Main St.	N	
Main/Sherry #	1720 W. Main St.		
Norman High School #	998 W. Main St.	N	
Main/Park #	424 W. Main St.		Privately Owned Bench
Webster/Main	116 S. Webster Ave.		
Webster/Eufaula	220 S. Webster Ave.	G	
Webster/Apache	420 S. Webster Ave.		
Duffy/Asp	398 W. Duffy	N	New stop. Site approval 7-1-11. Pending ADA improvements.
Asp/White (Campus Corner)	730 Asp Ave.		Stop abandoned, this route only. Effective 8-2011
Asp/Felgar (Student Union)	890 Asp Ave.		Stop abandoned, this route only. Effective 8-2011
South Oval #	720 S. Oval	G	

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated: 07/07/11

CART Bus Stops
in the City of Norman

Lindsey East/N11	Physical Address		Notes
South Oval **	352 W. Brooks St.	G	
Duck Pond # (on Lindsey)	608 E. Lindsey St.	G	
Springfield Apts. **	1104 E. Lindsey St.		Privately Owned Shelter
Riverbend Apts. **	1596 E. Lindsey St.	N	
Twin Creek Apts. **	1196 Creekside Dr.	G	Privately Owned Shelter
Colonial Estates Park	1005 Biloxi Dr.		
Kennedy School (Stop Sign)	701 Biloxi Dr.		
Campus Lodge **	1800 Beaumont Dr.		Privately Owned Shelter
Vicksburg/Vicksburg Cir.	301 S. Vicksburg Ave.		
Irving Middle School	115 S. Vicksburg Ave.		
Alameda/Vicksburg **	1899 Alameda	N	
Alameda/Crestland **	1799 Alameda	N	
Alameda/Shiloh #	1599 Alameda St.	N	
Alameda/Triad Village**	1211 Alameda St.	N	
12th Ave. SE/Alameda #	196 12th Ave. SE	N	
12th Ave. SE/Triad Village **	396 12th Ave. SE	N	
Summer Pointe Apartments **	870 12th Ave. SE	G	Privately Owned Shelter
Brooks/Barkley (Stop Sign)	901 E. Brooks St.		
Brooks/Oklahoma (Stop Sign)	601 E. Brooks St.		
Brooks/Jenkins (Stop Sign)	101 E. Brooks St.		
South Oval #	724 S. Oval	G	

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CART Bus Stops
in the City of Norman

Lindsey West/N12	Physical Address		Notes
South Oval #	724 S. Oval	G	
Lindsey/Flood	999 W. Lindsey St.	N	
Lindsey/Berry **	1199 W. Lindsey St.	N	
Lindsey/Wylie #	1499 W. Lindsey St.	N	
Mr. Shortstop #	1999 W. Lindsey St.	N	
24th SW/Lindsey **	1199 24th Ave. S.W.	N	
Brooks/24th SW	2300 W. Brooks St.		
Whittier/Brooks	2000 W. Brooks St.		
Brooks/McGee (Stop Sign)	1800 W. Brooks St.		
McGee/Lindsey	1140 McGee Dr.		
Lindsey/Wylie **	1510 W. Lindsey St.	N	
Lindsey/Berry **	1198 W. Lindsey St.	N	
Lindsey/Lahoma	898 W. Lindsey St.	N	
South Oval **	352 W. Brooks St.	G	

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CART Bus Stops
in the City of Norman

Alameda/N21	Physical Address		Notes
South Oval **	714 S. Oval	G	
Jenkins/Brooks (Stop Sign)	1101 S. Jenkins Ave.		
Jenkins/Felgar (Sarkeys Energy Center)	835 S. Jenkins Ave.		
Boyd/Barkley	900 E. Boyd St.		
12th Ave. SE/Boyd **	499 12th Ave. SE	N	
Triad Village Drive #	397 Triad Village Dr.	N	
Alameda/Triad Village **	1211 Alameda St.	N	
12 Ave NE/Alameda **	199 12th Ave. NE	N	
Community Services Bldg. **	700 Veterans Dr.	N	
Griffin Memorial Hospital **	901 E. Main St.	N	
Findlay/Gray	125 N. Findlay St.		
Findlay/Oliver-NRH **	799 N. Findlay St.	N	
Robinson/Porter **	499 E. Robinson St.	N	
Berry/Westheimer (Stop Sign)	1600 N. Berry Rd.		
Westheimer/Halley (YMCA)	1329 Westheimer Dr.	G	
Westheimer Terminal (Stop Sign) **	1798 Westheimer Dr.	N	
Goddard/Flood	2320 Goddard Ave.	G	
Norman North High School #	1898 Stubbeman Ave.	N	
Peters/Johnson	1004 N. Peters Ave.		
Peters/Hughbert	624 N. Peters Ave.		
Peters/Tonhawa	302 N. Peters Ave.		
Peters/Comanche	116 S. Peters Ave.		
Peters/Symmes (Senior Center)	316 S. Peters Ave.		
Jenkins/Felgar	840 S. Jenkins Ave.		
Jenkins/Brooks (Stop Sign)	1090 S. Jenkins Ave.		
South Oval **	714 S. Oval	G	

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CART Bus Stops
in the City of Norman

Sooner Express/N24	Physical Address		Notes
OU Campus/South Oval #	730 S. Oval	G	
Lindsey/Wylie #	1499 W. Lindsey St.	N	
24th Ave. SW/Boyd **	599 24th Ave. SW	N	
Westport Dr./24th Ave. NW (S. of Homeland)	2791 Westport Dr.	G	
Robinson and Main			OKC Metro Transit
Main and E K Gaylord			OKC Metro Transit
E K Gaylord and NW 3rd			OKC Metro Transit
NW 4th St and Broadway			OKC Metro Transit
NE 13th and Lincoln			OKC Metro Transit
NE 13th and Phillips			OKC Metro Transit
NE 13th at Children's Hospital			OKC Metro Transit
Bird Library			OKC Metro Transit
Oklahoma Health Department			OKC Metro Transit
Physcian's Buidling			OKC Metro Transit
NE 13th and Philips			OKC Metro Transit
Lincoln and NE 19th			OKC Metro Transit
State Capitol at Seqyoyah Building/State Offices**			OKC Metro Transit
OK Dept. of Trans. **			OKC Metro Transit
Robinson and NW 7th			OKC Metro Transit
Federal Courthouse			OKC Metro Transit
Downtown Transit Center**			OKC Metro Transit
Robinson and Park Ave.			OKC Metro Transit
Westport Dr./24th Ave. NW (S. of Homeland)	2791 Westport Dr.		
24th Ave. SW/Boyd	540 24th Ave. SW		
Lindsey/Wylie **	1510 W. Lindsey St.	N	
OU Campus/South Oval #	730 S. Oval	G	

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CART Bus Stops
in the City of Norman

Apartment Loop/N32	Physical Address		Notes
South Oval **	374 W. Brooks		
George/Lindsey	1304 George Ave.		
George/Stinson (Stop Sign)	1420 George Ave.		
Stinson/Jenkins (Stop Sign)	101 Stinson St.	G	
Timberdell/Asp (Stop Sign)			
Law Center	481 W. Timberdell Rd.	G	
Timberdell/Chautauqua (Stop Sign), History Museum	689 W. Timberdell Rd.	G	
Traditions West Apts.**	2752 Chautaugua Ave.	G	
Chautauqua/Imhoff	2902 Chautauqua Ave.	N	New Stop. Effective 8-2011 . Site approval 7-1-11. ADA complient.
Post Oak Apts.**	742 Ridgecrest Ct.	G	Privately Owned Shelter
Asp/Imhoff	2751 Asp Ave.		
Kraettli South/Traditions Apts.	2525 Asp Ave.		
Kraettli North/Traditions Apts. **	2401 Asp Ave.		
OCCE	1701 Asp Ave.		
Asp/3rd (Walker Tower) **	1501 Asp Ave.		
South Oval **	374 W. Brooks (S.Oval)		

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** = Sheltered Stop Updated: 07/07/11

Audit of ADA Accessibility For CART Routes in the City of Norman

Lloyd Noble Shuttle/N40

LNC	n/a
South Oval	n/a

CART Bus Stops
in the City of Norman

Research Shuttle/N42	Physical Address	
South Oval #	350 W. Brooks	
NWC/SRC **	228 David L. Boren Blvd.	G
Two Partners Place (stop sign)	496 David L. Boren Blvd.	G
Transportation Center **	2809 Monitor Dr.	
South Oval #	350 S. Oval	

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** = Sheltered Stop Updated:

CART Bus Stops
in the City of Norman

Campus Loop/N52	Physical Address		Notes
South Oval #	746 S. Oval		
Asp/Third (Stop Sign) #	1486 Asp Ave.	G	OU Bench
Asp/Fourth (Stop Sign)	1590 Asp Ave.	G	
OCCE	1700 Asp Ave.		
Law Center	481 W. Timberdell	G	
Timberdell/Chautauqua (Stop Sign)	689 W. Timberdell	G	
Delta/Chautauqua	1400 College Dr.		
1501 Elm Avenue	1501 Elm Ave.		
1405 Elm Avenue	1405 Elm Ave.		
Elm/Elmwood (Stop Sign)	1201 Elm Ave.		
Elm/Lindsey	921 Elm Ave.	G	
Brooks/Elm	701 Elm Ave.		
Physical Sciences Center/Fine Arts	611 Elm Ave.		
Whitehand Hall	581 S. University Blvd.		
University/Symmes	401 S. Universiy Blve.		
Webster/Apache	420 S. Webster Ave.		
Asp/White (Campus Corner)	730 Asp Ave.		
Asp/Felgar (Student Union)	890 Asp Ave.	G	
Felgar/Jenkins (Sarkeys Energy Center)	106 Felgar St.	G	
Jenkins/Brooks	1090 Jenkins Ave.		
Duck Pond (Parking Lot)	336 E. Brooks St.	G	
South Oval #	746 S. Oval		

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CART Bus Stops
in the City of Norman

Little Axe Link/N41	Physical Address		Notes
South Oval #	730 S. Oval		
Loyd Noble Center **	LNC Park & Ride		
Technology Place	2778 Technology Pl.	G	
Hwy. 9 E./108th Ave. SE	10730 Hwy 9 E.	G	
Absentee Shawnee Medical Center	10500 Hwy 9 E.		
Little Axe Community Center	1000 168th Ave. NE		
Lake Thunderbird Nature Center	1301 Clear Bay Ave.		
Technology Place	2778 Technology Pl.	G	
Loyd Noble Center **	LNC Park & Ride		
South Oval #	730 S. Oval		

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CART Bus Stops
in the City of Norman

New Route

West Norman Link/N20	Physical Address		Notes
River Oaks Dr./Cotswold Dr. #	3473 River Oaks Dr.	G	Privately Owned Bench (Also Main St. stop)
36th Ave. NW/Quail Dr. **	499 36th Ave. NW	N	
36th Ave. NW/Robinson **	1399 36th Ave. NW	N	
36th Ave. NW/Bob Busch Dr. **	2499 36th Ave. NW	N	
36th Ave. NW/Crail Dr. **	3097 36th Ave. NW	N	
Norman Regional HealthPlex #	3388 Healthplex Parkway	N	
24th Ave. NW/Conference DR.	2190 24th Ave. NW	N	
24th Ave. NW/Mt. Williams DR.	1490 24th Ave. NW	N	
Robinson/24th Ave NW **	2601 W. Robinson St.	N	Also Main St. stop
Rambling Oaks/Northwest Blvd. #	1196 Rambling Oaks	N	Also Main St. stop
Northwest Blvd./Interstate Dr. (At Stop Sign)	3002 Northwest Blvd.	N	Also Main St. stop
Interstate Drive #1	760 N. Interstate Dr.		Stop abandoned, sign removed 12-4-09
Interstate Drive/Copperfield **	598 N. Interstate Dr.		Also Main St. stop
River Oaks/Interstate Drive	3009 River Oaks Dr.	G	Also Main St. stop
River Oaks Dr./Cotswold Dr. #	3473 River Oaks Dr.	G	Privately Owned Bench (Also Main St. stop)

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** = Sheltered Stop Updated: 07/07/11

City of Norman, OK

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

Master

File Number: K-1213-35

File ID:	K-1213-35	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	06/26/2012
File Name:	K-1213-35 Subordiinate Lien at 1213 Erie			**Final Action:**	

Title: CONTRACT NO. K-1213-35: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MCCLAIN BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR PROPERTY LOCATED AT 1213 ERIE AVENUE.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-35 with State Farm Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 28

Attachments: Text File K-1213-35, K-1213-35

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-35

Body

BACKGROUND: In September 2009 the City of Norman Community Development Block Grant Program provided a loan to Florence M. Mailu for an emergency repair to her home at 1213 Erie Avenue. As a condition of funding, a lien was placed on the property and was filed as a subordinate mortgage to the primary mortgage on the property. Any modification of the primary mortgage requires resubordination of the lien. The program does not require repayment of the loan as long as the

applicant maintains their home as their primary residence for four years; and at the end of four years the subordinate mortgage is released.

DISCUSSION: Approval of the request for subordination of the lien on 1213 Erie Avenue would allow the owner to secure a loan to refinance the primary mortgage that will provide a significantly lower interest rate to reduce the house payment by $198.46 per month. Documentation from McClain Bank including a Certification of Mortgage Loan Refinancing, Good Faith Estimate, and a Truth in Lending Disclosure Statement were provided. The Subordination Agreement that will be filed with the new primary loan is attached. In accord with the adopted City of Norman Housing Handbook, these documents prove that all funds will be used for the refinancing of the home, with no funds going toward payment of debt.

Subordination of the lien would assist in making more money available for the upkeep of the property. The City would maintain a second position on the property. Additionally, the request meets the requirements of our policy to subordinate only for the purposes of lowering payments or improving the home, and the terms and conditions of program participation as described in the subordinate mortgage executed in September 2009 will not be modified.

RECOMMENDATION: Approval of Contract No. K-1213-35 for subordination of the lien on 1213 Erie Avenue is recommended. Subordination of liens in the Community Development Block Grant Program is allowed by the Department of Housing & Urban Development and is consistent with program goals.

K-1213-35

SUBORDINATION AGREEMENT

Know All Men By These Presents:

That, for and in consideration of the sum of one dollar ($1.00) and other good and valuable considerations, in hand paid, receipt of which are hereby acknowledged, THE CITY OF NORMAN, an Oklahoma Municipal Corporation, the undersigned, has agreed, and by these present, does agree with McClain Bank, that the lien of a certain mortgage from Florence M. Mailu, to said McClain Bank, Dated the _____ day of _____, _____, and recorded in Book _____ at Pages _____ of the records of Cleveland County, Oklahoma, upon the following described real property, to-wit: 1213 Erie Ave., Norman, OK 73071, legally described as:

Lot Four (4), in Block Four (4), of LAKECREST ESTATES ADDITION to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof;

Shall be prior and superior lien upon said property to the lien of that certain Mortgage on said real property, from said Florence M. Mailu to THE CITY OF NORMAN, dated September 9, 2009, and recorded in Book 4674 at Pages 826-827 of the records of Cleveland County, Oklahoma, and such priority shall be accorded said first above described mortgage, notwithstanding that said mortgage was dated and recorded subsequent to the date and recordation of the said second above described mortgage. If superior mortgage is renewed, extended or assigned, it is still the intent that this Subordination Agreement be enforced.

SIGNED AND AGREED TO THIS 26th DAY OF June, 2012

By: FMailu

State of Oklahoma
County of Cleveland

This instrument was acknowledged before me on the 26th day of June, 2012
My commission expires: July 22, 2015

OFFICIAL SEAL
JAN E. JANSING
Commission #99012122
Expires July 22, 2015

Jan E. Jansing
Notary Public

K-1213-35

SIGNED AND AGREED TO THIS _____ DAY OF _____, _____.

THE CITY OF NORMAN, OKLAHOMA

BY: _____
Cindy S. Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

Approved as to form and legality this
____ day of _____, _____.

_____
City Attorney

State of Oklahoma
County of Cleveland

On this _____ day of _____, _____, before me, the undersigned, a Notary Public, personally appeared Cindy S. Rosenthal, Mayor for THE CITY OF NORMAN, OKLAHOMA, who executed the foregoing document as her voluntary act and deed of such corporation for the uses and purposes therein set forth.

My commission expires: _____

_____
Notary Public

City of Norman, OK

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

Master

File Number: K-1213-36

File ID:	K-1213-36	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$5,600.00	**File Created:**	06/27/2012
File Name:	K-1213-36 USGS & Water Resources Board			**Final Action:**	

Title: CONTRACT NO. K-1213-36: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE OKLAHOMA WATER RESOURCES BOARD AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $5,600 FOR THE MUSTANG ROAD AND INTERSTATE 35 (I-35) GAUGING STATIONS ALONG THE SOUTH CANADIAN RIVER THROUGH JUNE 30, 2013.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1213-36 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of $5,600 through June 30, 2013; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 29

Attachments: Text File K-1213-36, K-1213-36

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@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-1213-36

Body

BACKGROUND: In July 2003, the Water Resources Division of the U.S. Geological Survey (USGS) requested the City of Norman (City) provide partial funding for certain river gauging stations that would otherwise eliminated because of funding shortfalls within State and Federal agencies. The gauging stations provide water flow, depth, velocity, and water quality data for use by the Wastewater Treatment Plant (WWTP). The Norman WWTP, and other similar facilities, utilizes the data to help determine the maximum allowable levels for discharge of pollutants under our Oklahoma Pollution

Discharge Elimination System (OPDES) permit.

On September 14, 2004, the City executed Contract K-0405-64 with the Oklahoma Water Resources Board (OWRB) agreeing to provide $6,450 toward funding of the Bridgeport gauging station. The City continued this agreement by executing Contract K-0506-50 and providing $7,050 to fund the Bridgeport gauging station.

On November 14, 2006, the City executed Contract K-0607-93 with OWRB and the USGS with the City providing one third of the cost to construct and maintain two additional gauging stations along the Canadian River at Mustang Road and the bridge at I-35. These stations are more useful than the Bridgeport station due to their close proximity. The City share was $14,000. Since 2006, annual contracts have been approved for operating costs of the Mustang Road and I-35 Bridge gauging stations. The cost was significantly lower than in 2006 since there was no new construction.

- Contract K-0708-34 - $4,800;
- Contract K-0809-38 - $5,100;
- Contract K-0910-01 - $5,300;
- Contract K-1011-43 - $5,600;
- Contract K-1112-03 - $5,600.

DISCUSSION: Proposed Contract K-1213-36 for the Fiscal Year Ending June 30, 2013 (FYE13) requires the City to contribute $5,600 for continued operational costs of the Mustang Road and the I-35 Bridge gauging stations. Similar agreements with Oklahoma City and Moore are pending. $15,000 is available in the Wastewater Treatment Administration Operation and Maintenance budget (account number 032-5541-432.41-23; Services & Maintenance/Hydrological Monitoring) for the Canadian River gauging stations.

RECOMMENDATION: Staff recommends approval of Contract K-1213-36, a cooperative agreement between the OWRB, the USGS, and the City for maintaining the Canadian River gauging stations at Mustang Road and the I-35 Bridge during FYE13.

MEMORANDUM AGREEMENT

THIS AGREEMENT, dated as of the date of the last signature herein but to be effective as provided below, by and between the Oklahoma Water Resources Board, hereinafter referred to as "Board", and the City of Norman, hereinafter referred to as "Cooperator",

WITNESSETH:

WHEREAS, Title 27A O.S. Section 1-3-101 and other state statutes provide to the effect that the Board is the State agency possessing primary jurisdiction, authority and control of water resources management and development, and the coordination of activities in connection therewith, within the state of Oklahoma, and the Board is authorized to coordinate with other public entities of water resource investigations conducted by the federal United States Geological Survey ("USGS") for water quality and quantity monitoring in the state; and,

WHEREAS, in order to carry out its functions, the Board cooperates with the USGS in a program of collection of data concerning the water resources of the state of Oklahoma; and

WHEREAS, the Cooperator has an important interest in said cooperative program, particularly regarding the determination of available water supplies in its general vicinity.

NOW, THEREFORE, in consideration of the above, it is agreed:

1. The water data collection activities required by the Cooperator shall be included in the cooperative program being maintained by the Board and the USGS.

2. Within thirty (30) days after receipt of an invoice from the Board, the Cooperator shall contribute and pay to the Board in one lump sum the amount of Five Thousand Six Hundred Dollars ($5,600.00) to cover costs of necessary field and office work directly related to the collection and computation of continuous record of inflow, storage and outflow from the Canadian River near Mustang and Norman, or other water data collection sites or activities as may be agreed by the respective representatives of the Cooperator and the Board, for the fiscal year beginning July 1, 2012.

3. Funds advanced by the Cooperator for the above purposes will be supplemented by matching funds appropriated by Congress of the United States for cooperation with the States on water resources investigations, insofar as available funds will permit, and will be covered by the cooperative agreement between the Board and the USGS; and the same being contemplated within the "Proposed Cooperative Program between the Oklahoma Water Resources Board and the U.S. Geological Survey for the Cities of Moore and Norman for the Fiscal Year Ending June 30, 2013", which attached proposal is incorporated by reference herein and made a part hereof for all purposes.

4. This Agreement, or any portion thereof, may be terminated by either party upon thirty (30) days' prior written notice to the other party.

5. This Agreement shall be governed by and subject to the laws of the State of Oklahoma.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates shown below.

OKLAHOMA WATER RESOURCES BOARD

_____

Linda P. Lambert, Chairman Date

ATTEST:

_____

Tom Buchanan, Secretary Date

(SEAL)

CITY OF NORMAN

_____

Cindy Rosenthal, Mayor Date

ATTEST:

_____

Secretary Date

(SEAL)

U.S. GEOLOGICAL SURVEY

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY_____DATE_____

_____

Kim Winton, Director
USGS, Oklahoma Water Science Center

Proposed
Cooperative Program
between the **Oklahoma Water Resources Board**
and the **U.S. Geological Survey**
for the **Cities of Moore and Norman**
for the Fiscal Year Ending June 30, 2013

Program Description:

The existing program, initiated June 2006, is for two surface-water discharge stations on the Canadian River. This information supplied by this station will benefit the Cities of Moore, Norman, and Oklahoma City* by providing river discharge statistics to compute current seven-day, two year low flows required for permitted discharges of the Cities of Moore, Norman and Oklahoma City. Critical information provided by this station is for flood predictions and warnings, furnished by the National Weather Service to all downstream communities.

This station provides real-time and historic information that is served on the U.S. Geological Survey Web pages for the water user community and the general public.

We propose the continuation of the above data collection program for the period July 1, 2012 through June 30, 2013 as summarized in below:

Station No.	Station Name	O&M
07228940	Canadian River near Mustang	$15,600
07229050	Canadian River near Norman	$15,600
	Total Program	$31,200*

City of Moore's share through the OWRB	$5,600
U.S. Geological Survey Federal Matching Funds	$4,800
City of Norman's share through the OWRB	$5,600
U.S. Geological Survey Federal Matching Funds	$4,800
City of Moore, Norman and USGS Total	$20,800

*Includes City of Oklahoma City's share of $10,400 under separate agreement.

City of Norman, OK

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

Master

File Number: K-1213-7

File ID:	K-1213-7	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$20,000.00	**File Created:**	06/25/2012
File Name:	K-1213-7 Metro Fair Housing/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-7: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE METROPOLITAN FAIR HOUSING COUNCIL, INC., IN THE AMOUNT OF $20,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND THE HOME PARTNERSHIP PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-7 with the Metropolitan Fair Housing Council, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $20,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 30

Attachments: Text File Metro Fair Housing, K-1213-7 Metro Fair Housing, 1213 CDBG funding with descriptions, Meto Fair Housing PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-7

Body

PROPOSED USE OF FUNDS: The Metropolitan Fair Housing Council provides federally mandated fair housing programs for the City of Norman with funding from both the Community Development Block Grant and HOME Partnership programs.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 7

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Metropolitan Fair Housing Council, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $20,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Fair Housing Services		$20,000
	Total Budget	$20,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Metropolitan Fair Housing Council, Inc.

President

Attest:

Secretary

Subscribed and sworn to before me this 20th day of June, 2012.

Notary Public

My Commission expires: 09/16 2012

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203885

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 1250 METROPOLITAN FAIR HOUSING COUN

DELIVER BY DATE: 7/03/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	10000.00	DOL	1.0000	10000.00	
2	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	10000.00	DOL	1.0000	10000.00	

REQUISITION TOTAL: 20000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140764634009	Professional Services Consultant-Other		100.00	10000.00
2	02140744634009	Professional Services Consultant-Other		100.00	10000.00
					20000.00

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: K-1213-8

File ID:	K-1213-8	**Type:**	Contract	**Status:**	ATS Paused
Version:	1	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$8,000.00	**File Created:**	06/25/2012
File Name:	K-1213-8 Community After School/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-8: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY AFTER SCHOOL PROGRAM, INC., IN THE AMOUNT OF $8,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-8 with Community After School Program, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $8,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 31

Attachments: Text File Comm After School, K-1213-8 Community After School, 1213 CDBG funding with descriptions, Comm After School PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-8

Body

PROPOSED USE OF FUNDS: The Community After School Program will use the requested funding for scholarships for lower income families so that their children can participate in the After School Program.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit

agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 8

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Community After School Program, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 30 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $8,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Scholarships		$8,000
	Total Budget	$8,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Community After School Program, Inc.

Amber Bri
President

Attest:

Sandra Sedder
Secretary

Subscribed and sworn to before me this 14 day of June, 2012.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Brenda Birdsong
Commission # 08007890
Expires August 1, 2012

Brenda Birdsong
Notary Public

My Commission expires: 8-1-12

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

JB Messner
City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203859

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 471 COMMUNITY AFTER SCHOOL PROGRAM

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	8000.00	DOL	1.0000	8000.00

REQUISITION TOTAL: 8000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634770	Miscellaneous Services After School Programs		100.00	8000.00
					8000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-9

File ID:	K-1213-9	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$400.00	**File Created:**	06/25/2012
File Name:	K-1213-9 COCCA RSVP/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-9: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) IN THE AMOUNT OF $400 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-9 with Central Oklahoma Community Action Agency, Inc. for the RSVP Program; and, if approved, authorize execution of the contract and direct payment in the amount of $400.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 32

Attachments: Text File RSVP COCCA, K-1213-9 COCCA RSVP, 1213 CDBG funding with descriptions, COCCA PR 3 contracts

Project Manager: Linda Price, Revitilization Manager

Entered by: linda.price@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-1213-9

Body

PROPOSED USE OF FUNDS: The Central Oklahoma Community Action Agency will use the requested funding the Retired Senior Volunteer Program for reimbursement of volunteer mileage.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 9

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Central Oklahoma Community Action Agency, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 30 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $400. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

RSVP		$400
	Total Budget	$400

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Central Oklahoma Community Action Agency, Inc.

President

Attest:

Secretary

Subscribed and sworn to before me this 14 day of JUNE, 2012.

TWILA ALLEN NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA 08009114 • September 3, 2012

Notary Public

My Commission expires: Sept 3, 2012

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 17th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203860

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 360 CENTRAL OKLAHOMA COMMUNITY

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	31020.00	DOL	1.0000	31020.00

REQUISITION TOTAL: 31020.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634771	Miscellaneous Services COCAA		100.00	31020.00
					31020.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-10

File ID:	K-1213-10	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$20,000.00	**File Created:**	06/25/2012
File Name:	K-1213-10 COCCA Transitional Housing/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-10: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE NORMAN TRANSITIONAL HOUSING PROGRAM IN THE AMOUNT OF $20,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-10 with Central Oklahoma Community Action Agency, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $20,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 33

Attachments: Text File COCCA Transitional Housing, K-1213-10 COCCA Trans Housing, 1213 CDBG funding with descriptions, COCCA PR 3 contracts

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-10

Body

PROPOSED USE OF FUNDS: This project with Central Oklahoma Community Action Agency will reroof six units, repair exterior damage from recent spring storms, paint the exterior of units on Hayes and Northcliff, and replace one HVAC unit on Glen Oaks for their scattered site housing for homeless families.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-10

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Central Oklahoma Community Action Agency, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 16 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $20,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Norman Transitional Housing		$20,000
	Total Budget	$20,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Central Oklahoma Community Action Agency, Inc.

Acum Cole
President

Attest:
Gloria Wallace
Secretary

Subscribed and sworn to before me this 14 day of JUNE, 2012.

TWILA ALLEN NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA #06009114 • September 3, 2012

Twila Allen
Notary Public

My Commission expires: Sept. 3, 2012

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

[signature]
City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203860

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 360 CENTRAL OKLAHOMA COMMUNITY

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	31020.00	DOL	1.0000	31020.00

REQUISITION TOTAL: 31020.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634771	Miscellaneous Services COCAA		100.00	31020.00
					31020.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-11

File ID:	K-1213-11	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$10,620.00	**File Created:**	06/25/2012
File Name:	K-1213-11 COCCA Food Closet/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-11 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., FOR THE FOOD CLOSET IN THE AMOUNT OF $10,620 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-10.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-11 with Central Oklahoma Community Action Agency, Inc., for the Food Closet in the amount of $10,620; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-10, and direct payment in the amount of $10,620.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 34

Attachments: Text File COCCA Food Closet, K-1213-11 COCCA Food Closet, R-1213-10 COCCA, 1213 CDBG funding with descriptions, COCCA PR 3 contracts

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-11

Body

PROPOSED USE OF FUNDS: Central Oklahoma Community Action Agency will use this funding to purchase food and basic needs, such as toiletries, for their food closet. Accompanying Resolution R-1213-10 will allow for the purchase of supplies without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 11

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Central Oklahoma Community Action Agency, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 750 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $10620. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Purchase of supplies for Food Closet		$10,620
	Total Budget	$10,620

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Central Oklahoma Community Action Agency, Inc.

Aaron Cole
President

Attest:

Gloria Wallace
Secretary

Subscribed and sworn to before me this 14 day of JUNE, 2012.

TWILA ALLEN NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA #08009114 • September 3, 2012

Twila Allen
Notary Public

My Commission expires: Sept. 3, 2012

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

[signature]
City Attorney's Office

Resolution

R-1213-10

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING CENTRAL OKLAHOMA COMMUNITY ACTION AGENCY, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $10,620 with Central Oklahoma Community Action Agency, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Central Oklahoma Community Action Agency, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Central Oklahoma Community Action Agency, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Central Oklahoma Community Action Agency, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Central Oklahoma Community Action Agency, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203860

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 360 CENTRAL OKLAHOMA COMMUNITY

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	31020.00	DOL	1.0000	31020.00

REQUISITION TOTAL: 31020.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634771	Miscellaneous Services COCAA		100.00	31020.00
					31020.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-12

File ID:	K-1213-12	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$14,500.00	**File Created:**	06/25/2012
File Name:	K-1213-12 HFF/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-12 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HEALTH FOR FRIENDS, INC., IN THE AMOUNT OF $14,500 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-11.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-12 with Health for Friends, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-11, and direct payment in the amount of $14,500.

ACTION NEEDED: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 35

Attachments: Text File HFF, K-1213-12 HFF, R-1213-11 HFF, 1213 CDBG funding with descriptions, HFF PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-12

Body

PROPOSED USE OF FUNDS: Health for Friends intends to use the requested funding to replace flooring in their building with more appropriate flooring for a medical facility. Accompanying Resolution R-1213-11 will allow for the purchase of the flooring without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 12

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Health for Friends, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 9000 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $14,500. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Partial rehabilitation costs		$14,500
	Total Budget	$14,500

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Health for Friends, Inc.

President

Attest:

~~Secretary~~ Treasurer

Subscribed and sworn to before me this 15th day of JUNE, 2012.

Notary Public

My Commission Expires:

OFFICIAL SEAL
B. THOR HENSON
Commission # 10008473
Expires October 8, 2014

NOTARY PUBLIC SEAL STATE OF OKLAHOMA

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-11

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING HEALTH FOR FRIENDS, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $14,500 with Health for Friends, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Health for Friends, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Health for Friends, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Health for Friends, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Health for Friends, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203861

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 896 HEALTH FOR FRIENDS INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	14500.00	DOL	1.0000	14500.00

REQUISITION TOTAL: 14500.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634772	Miscellaneous Services Health for Friends		100.00	14500.00
					14500.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-13

File ID:	K-1213-13	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$4,100.00	**File Created:**	06/25/2012
File Name:	K-1213-13 Progressive Independence/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-13: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PROGRESSIVE INDEPENDENCE, INC., IN THE AMOUNT OF $4,100 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-12.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-13 with Progressive Independence, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-12, and direct payment in the amount of $4,100.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 36

Attachments: K-1213-13 Progressive Independence, R-1213-12 Progressive Independence, 1213 CDBG funding with descriptions, Prog Indep PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-13

Body

PROPOSED USE OF FUNDS: The funding requested by Progressive Independence will help purchase durable medical equipment for a loan closet and to assist with costs associated with the Opening Doors Fund that assists persons with disabilities to move out of nursing homes into private housing. Accompanying Resolution R-1213-12 will allow for the purchase of equipment and

materials without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 13

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Progressive Independence, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 150 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $4,100. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Durable Medical Equipment Loan Library and/or Opening Doors Fund		$4,100
	Total Budget	$4,100

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Progressive Independence, Inc.

Jeff Hughes, Executive Director

Subscribed and sworn to before me this 19 day of June, 2012.

OFFICIAL SEAL
CHARLA FILLMORE
Commission # 11008602
Expires Sept. 19, 2015
NOTARY PUBLIC SEAL STATE OF OKLAHOMA

Charla Fillmore
Notary Public

My Commission expires: Sept. 19, 2015

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-12

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING PROGRESSIVE INDEPENDENCE, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $4,100 with Progressive Independence, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Progressive Independence, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Progressive Independence, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Progressive Independence, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Progressive Independence, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203862

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 1685 PROGRESSIVE INDEPENDENCE INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	4100.00	DOL	1.0000	4100.00

REQUISITION TOTAL: 4100.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634773	Miscellaneous Services Prog. Indep.		100.00	4100.00
					4100.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-14

File ID:	K-1213-14	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$10,000.00	**File Created:**	06/25/2012
File Name:	K-1213-14 FSFF/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-14 : A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER FOR FRIENDS, INC., IN THE AMOUNT OF $10,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-14 with Food and Shelter for Friends, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $10,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 37

Attachments: Text File FSFF, K-1213-14 FSFF, 1213 CDBG funding with descriptions, FSFF PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-14

Body

PROPOSED USE OF FUNDS: The funding requested by Food and Shelter will assist with utility and maintenance costs for their buildings that include the kitchen and dining room, offices and transitional housing for families.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-14

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Food and Shelter for Friends, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 20,000 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $10,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Utilities and maintenance	$10,000
Total Budget	$10,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Food and Shelter for Friends, Inc.

President

Attest:

Secretary

Subscribed and sworn to before me this 20 day of June, 2012.

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
JAMIE WRIGHT
Commission #04004703
Expires May 24, 2016

Notary Public

My Commission expires: May 24, 2016

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental Illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203864

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 751 FOOD AND SHELTER FOR FRIENDS

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	10000.00	DOL	1.0000	10000.00

REQUISITION TOTAL: 10000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634777	Miscellaneous Services Food & Shelter		100.00	10000.00
					10000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-15

File ID:	K-1213-15	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$25,000.00	**File Created:**	06/25/2012
File Name:	K-1213-15 OU/CART/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-15: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNIVERSITY OF OKLAHOMA (OU)/CART IN THE AMOUNT OF $25,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-15 with OU/CART; and, if approved, authorize execution of the contract and direct payment in the amount of $25,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 38

Attachments: Text File CART, K-1213-15 CART, 1213 CDBG funding with descriptions, CART PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-15

Body

PROPOSED USE OF FUNDS: The $25,000 for OU/CART is for bus passes for low-income citizens.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-15

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **CART** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 1,000 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $25,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Transportation Services for low and moderate income citizens of Norman		$25,000
	Total Budget	$25,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

CART

Douglas W Myers

Douglas Myers, Administrator,
Transit Services

OFFICIAL SEAL
BETTY LOVE
Commission #10005322
Expires July 1, 2014
NOTARY PUBLIC SEAL STATE OF OKLAHOMA

Subscribed and sworn to before me this 27 day of June, 2012.

Betty Love
Notary Public

My Commission expires: July 1, 2014

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 29th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203865

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 4684 CART

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	25000.00	DOL	1.0000	25000.00

REQUISITION TOTAL: 25000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634779	Miscellaneous Services Transportation		100.00	25000.00
					25000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-16

File ID:	K-1213-16	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$4,800.00	**File Created:**	06/25/2012
File Name:	K-1213-16 Aging Services/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-16: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES OF CLEVELAND COUNTY, INC., IN THE AMOUNT OF $4,800 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-16 with Aging Services of Cleveland County, Inc.; and, if approved, authorize the execution of the contract and direct payment in the amount of $4,800.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 39

Attachments: Text File Aging Services, K-1213-16 Aging Services, 1213 CDBG funding with descriptions, Aging Services PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-16

Body

PROJECT DESCPRIPTION: Aging Services provides a congregate meal program at Rose Rock Villa and the Senior Center for low-income and senior members of the Norman community. This funding will provide scholarships to senior citizens at Rose Rock Villa Public Housing if they cannot afford to pay for the meals.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate-income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members appointed by the mayor as designated in the Citizen Participation Plan and ten elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contracts and resolutions and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-16

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Aging Services of Cleveland County, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 2,500 meals.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $4,800. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Congregate Meal Program	$4,800
Total Budget	$4,800

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Aging Services of Cleveland County, Inc.

President

Attest:

Secretary

Subscribed and sworn to before me this 12th day of June, 2012.

OFFICIAL SEAL
DORIS M. ANDERSON
Commission # 12001431
Expires Feb. 13, 2016
NOTARY PUBLIC SEAL STATE OF OKLAHOMA

Notary Public

My Commission expires: 2-13-2016

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

PURCHASE REQUISITION NBR: 0000203866

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 435 AGING SERVICES INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	4800.00	DOL	1.0000	4800.00

REQUISITION TOTAL: 4800.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634780	Miscellaneous Services Aging Services		100.00	4800.00
					4800.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-17

File ID:	K-1213-17	**Type:**	Contract	**Status:**	ATS Paused
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$1,850.00	**File Created:**	06/25/2012
File Name:	K-1213-17 Full Circle/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-17: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FULL CIRCLE SENIOR ADULT DAY CENTER, INC., IN THE AMOUNT OF $1,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-13.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-17 with Full Circle Adult Day Center, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-13, and direct payment in the amount of $1,850.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 40

Attachments: Text File Full Circle, K-1213-17 Full Circle, R-1213-13 Full Circle, 1213 CDBG funding with descriptions, Full Circle PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-17

Body

PROPOSED USE OF FUNDS: Full Circle Senior Adult Day Center proposes to purchase two lap top computers to be used by their Licensed Practical Nurse and Nurse aid to comply with federal regulations related to medical information. Accompanying Resolution R-1213-13 will allow for the

purchase of the computers without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 17

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Full Circle Senior Adult Day Center, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 25 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $1,850. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Equipment	$1,850
Total Budget	$1,850

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Full Circle Senior Adult Day Center, Inc.

Jerri A. Kench
President

Attest:

Mary S. Bruell
Secretary

TAMMY C. VAUGHN NOTARY 12004535 EXP. 5/9/16 PUBLIC STATE OF OKLAHOMA

Subscribed and sworn to before me this 12th day of June, 2012.

Tammy C. Vaugh
Notary Public

My Commission expires: 5/9/16

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

[signature]
City Attorney's Office

R-1213-13

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING FULL CIRCLE SENIOR ADULT DAY CENTER, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $1,850 with Full Circle Senior Adult Day Center, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Full Circle Senior Adult Day Center, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Full Circle Senior Adult Day Center, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Full Circle Senior Adult Day Center, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Full Circle Senior Adult Day Center, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203867

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 6324 FULL CIRCLE SENIOR ADULT DAY

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	1850.00	DOL	1.0000	1850.00

REQUISITION TOTAL: 1850.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634782	Miscellaneous Services Full Circle		100.00	1850.00
					1850.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-18

File ID:	K-1213-18	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 41	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$24,000.00	**File Created:**	06/25/2012
File Name:	K-1213-18 CSBI/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-18: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY SERVICES BUILDING, INC., IN THE AMOUNT OF $24,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-14.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-18 with Community Services Building, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-14, and direct payment in the amount of $24,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 41

Attachments: Text File CSBI, 1213 CDBG funding with descriptions, K-1213-18 CSBI, R-1213-14 CSBI, CSBI PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-18

Body

PROPOSED USE OF FUNDS: The Community Services Building plans to use the requested funding to replace an old boiler with a new one that heats a wing of their building. Community Services Building houses twenty non-profit agencies. Accompanying Resolution R-1213-14 will allow for the purchase of the boiler without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-18

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Community Services Building, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 20,000 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $24,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Mechanical Rehabilitation	$24,000
Total Budget	$24,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Community Services Building, Inc.

Gary Shockley
President

Attest:

Kathleen Wilson
Secretary

Subscribed and sworn to before me this 13th day of June, 2012.

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
DORIS M. ANDERSON
Com... 01431
Expir... 2016

Notary Public

My Commission expires: 2-13-2016

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-14

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMMUNITY SERVICES BUILDING, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38th YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $24,000 with Community Services Building, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Community Services Building, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Community Services Building, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Community Services Building, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Community Services Building, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203868

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 6323 COMMUNITY SERVICES BUILIDNG IN

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	24000.00	DOL	1.0000	24000.00

REQUISITION TOTAL: 24000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634783	Miscellaneous Services CSBI		100.00	24000.00
					24000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-19

File ID:	K-1213-19	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$1,900.00	**File Created:**	06/25/2012
File Name:	K-1213-19 Bethesda/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-19: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BETHESDA, INC., IN THE AMOUNT OF $1,900 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-15.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-19 with Bethesda, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-15, and direct payment in the amount of $1,900.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 42

Attachments: Text File Bethesda, K-1213-19 Bethesda, R-1213-15 Bethesda, 1213 CDBG funding with descriptions, Bethesda PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-19

Body

PROPOSED USE OF FUNDS: This project through Bethesda, Inc. will provide funding for a program that includes training on ways to help children interact safely with authority figures and understand appropriate boundaries and privacy to help prevent sexual abuse of children. Accompanying Resolution R-1213-15 will allow for the purchase of materials used in the program without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 19

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Bethesda, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 35 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $1,900. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Educational Programming		$1,900
	Total Budget	$1,900

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Bethesda, Inc.

Kay Christenson, Executive Director

Subscribed and sworn to before me this 20th day of June, 2012.

CATHERINE BLAKA NOTARY 12004843 EXP. 5/22/16 PUBLIC STATE OF OKLAHOMA

Notary Public

My Commission expires: 5/22/16

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING BETHESDA, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38th YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $1,900 with Bethesda, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Bethesda, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Bethesda, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Bethesda, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Bethesda, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203869

REQUISITION BY: JMCCART

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 4929 BETHESDA INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	1900.00	DOL	1.0000	1900.00

REQUISITION TOTAL: 1900.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634784	Miscellaneous Services Bethesda		100.00	1900.00
					1900.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-20

File ID:	K-1213-20	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 43	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$12,500.00	**File Created:**	06/25/2012
File Name:	K-1213-20 Meals on Wheels/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-20: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MEALS ON WHEELS OF NORMAN, INC., IN THE AMOUNT OF $12,500 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-20 with Meals on Wheels of Norman, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $12,500.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 43

Attachments: Text File MOW, K-1213-20 Meal on Wheels, 1213 CDBG funding with descriptions, MOW PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-20

Body

PROPOSED USE OF FUNDS: Meals on Wheels provides nutritious noon-time meals to extremely low-income ill, disabled, and senior members of the Norman community. This funding will provide scholarships for those who cannot afford to pay for the meals.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-20

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Meals on Wheels of Norman, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 200 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $12,500. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Scholarships		$12,500
	Total Budget	$12,500

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Meals on Wheels of Norman, Inc.

Jeanette Capohan
President

Attest:

Carol Colwell
Secretary

Subscribed and sworn to before me this 12 day of June, 2012.

CLAUDIA BURTON
Notary Public in and for the
State of Oklahoma
Commission #05009565
My Commission expires 10/13/2013

Claudia Burton
Notary Public

My Commission expires: 10-13-13

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203871

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 6445 MEALS ON WHEELS OF NORMAN INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	12500.00	DOL	1.0000	12500.00

REQUISITION TOTAL: 12500.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634785	Miscellaneous Services Meals on Wheels		100.00	12500.00
					12500.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-21

File ID:	K-1213-21	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 44	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$1,675.00	**File Created:**	06/25/2012
File Name:	K-1213-31 Thunderbird/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-21: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THUNDERBIRD CLUBHOUSE BOARD, INC., IN THE AMOUNT OF $1,675 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-21 with Thunderbird Clubhouse Board, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $1,675.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 44

Attachments: Text File T Bird, K-1213-21 Thunderbird, 1213 CDBG funding with descriptions, Thunderbird PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-21

Body

PROPOSED USE OF FUNDS: Thunderbird Clubhouse plans to use this funding for food purchase for a breakfast program that will provide a healthy breakfast for the members, but also provide additional food service training for their members who struggle with persistent mental illness.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-21

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Thunderbird Clubhouse Board, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 75 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $1,675. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Breakfast Program		$1,675
	Total Budget	$1,675

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Thunderbird Clubhouse Board, Inc.

_____
President

Attest:

_____
Secretary

Subscribed and sworn to before me this 20th day of June, 2012.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Lisa D. Krieg
Commission # 00010284
Expires July 3, 2012

_____
Notary Public

My Commission expires:_____

The City of Norman, Oklahoma

_____
Cindy Rosenthal, Mayor

Attest:

_____
Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

_____
City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203872

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 6825 THUNDERBIRD CLUBHOUSE BOARD IN

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	1675.00	DOL	1.0000	1675.00

REQUISITION TOTAL: 1675.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634788	Miscellaneous Services Thunderbird Clubhouse		100.00	1675.00
					1675.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-22

File ID:	K-1213-22	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 45	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$5,000.00	**File Created:**	06/25/2012
File Name:	K-1213-22 United Way/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-22: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNITED WAY OF NORMAN IN THE AMOUNT OF $5,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-16.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-22 with United Way of Norman; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-16, and direct payment in the amount of $5,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 45

Attachments: Text File United Way, K-1213-22 United Way, R-1213-16, 1213 CDBG funding with descriptions, United Way PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-22

Body

PROPOSED USE OF FUNDS: The project through United Way of Norman will provide funding for school supplies for low-income families in Norman through the ABC/123 Program. Accompanying Resolution R-1213-16 will allow for the purchase of school supplies without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit

agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-22

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **United Way of Norman, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 40 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $5,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

ABC 123 School Supply Program		$5,000
	Total Budget	$5,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

United Way of Norman, Inc.

Kristin Collins, President

Subscribed and sworn to before me this 19th day of June, 2012.

Notary Public

My Commission expires: 10/20/13

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-16

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING UNITED WAY OF NORMAN, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38th YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $5,000 with United Way of Norman, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on United Way of Norman, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, United Way of Norman, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding United Way of Norman, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize United Way of Norman, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203873

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 2132 UNITED WAY INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	5000.00	DOL	1.0000	5000.00

REQUISITION TOTAL: 5000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634789	Miscellaneous Services Helpline		100.00	5000.00
					5000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-23

File ID:	K-1213-23	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 46	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$2,600.00	**File Created:**	06/25/2012
File Name:	K-1213-23 Among Friends/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-23: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE AMONG FRIENDS ACTIVITY CENTER, INC., IN THE AMOUNT OF $2,600 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-23 with Among Friends Activity Center, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $2,600.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 46

Attachments: Text File Among Friends, K-1213-23 Among Friends, 1213 CDBG funding with descriptions, Among Friends PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-23

Body

PROPOSED USE OF FUNDS: This project provides funding for purchase of meals to provide a healthy meal for adults with special needs and disabilities who participate at Among Friends.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213- 23

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Among Friends Activity Center, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 500 meals.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $2,600. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Meal Program		$2,600
	Total Budget	$2,600

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Among Friends Activity Center, Inc.

Linda G. Ray
President

Attest:

Toni R. Williams, LPT
Secretary

Subscribed and sworn to before me this 20th day of June, 2012.

KATRINA R.D. HOLLINS NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA #10001578 February 26, 2014

Katrina R. Hollins
Notary Public

My Commission expires: 2/26/2014

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203875

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 8032 AMONG FRIENDS ACTIVITY CENTER

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	2600.00	DOL	1.0000	2600.00

REQUISITION TOTAL: 2600.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634790	Miscellaneous Services Among Friends		100.00	2600.00
					2600.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-24

File ID:	K-1213-24	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 47	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$3,850.00	**File Created:**	06/25/2012
File Name:	K-1213-24 CCFI/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF $3,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-24 with the Center for Children and Families, Inc.; and, if approved, authorize execution of the contract and direct payment in the amount of $3,850.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 47

Attachments: Text File CCFI, K-1213-24 CCFI, 1213 CDBG funding with descriptions, CCFI PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-24

Body

PROPOSED USE OF FUNDS: This project provides partial funding for the Kennedy Neighborhood Center program.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target

neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-24

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Center for Children and Families, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 25 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $3,850. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Neighborhood Centers Kennedy Summer Youth Enrichment Program		$3,850
	Total Budget	$3,850

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Center for Children and Families, Inc.

Jennifer Newell
Past President

Attest:

Francine M. Lissy
Secretary

Subscribed and sworn to before me this 18 day of June, 2012.

Katherine Keith # 02008170
Notary Public

My Commission expires: May 9, 2014

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203876

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 1335 CENTER FOR CHILDREN & FAMILIES

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	3850.00	DOL	1.0000	3850.00

REQUISITION TOTAL: 3850.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634793	Miscellaneous Services CCFI		100.00	3850.00
					3850.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-25

File ID:	K-1213-25	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 48	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$1,850.00	**File Created:**	06/25/2012
File Name:	K-1213-25 Bridges/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-25: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BRIDGES, INC., IN THE AMOUNT OF $1,850 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-17.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-25 with Bridges, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-17, and direct payment in the amount of $1,850.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 48

Attachments: Bridges Text File, 1213 CDBG funding with descriptions, K-1213-25 Bridges, R-1213-17 Bridges, Bridges PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-25

Body

PROPOSED USE OF FUNDS: This project provides funding for materials to construct built-in dressers for the apartment units occupied by high school students who would otherwise be homeless. Accompanying Resolution R-1213-17 will allow for the purchase of materials without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-25

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Bridges, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 25 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $1,850. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Supplies for Apartments - dressers		$1,850
	Total Budget	$1,850

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Bridges, Inc.

Diana Hartly
President

Attest:

Secretary

JENNIFER ANDERSON NOTARY PUBLIC 11005595 EXP. 6/21/15 STATE OF OKLAHOMA

Subscribed and sworn to before me this 18th day of June, 2012.

Jennifer Anderson
Notary Public

My Commission expires: 6/21/15

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-17

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING BRIDGES, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $1,850 with Bridges, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Bridges, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Bridges, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Bridges, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Bridges, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203877

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 602 BRIDGES INC

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	1850.00	DOL	1.0000	1850.00

REQUISITION TOTAL: 1850.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634795	Miscellaneous Services Bridges Inc.		100.00	1850.00
					1850.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-26

File ID:	K-1213-26	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 49	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$3,375.00	**File Created:**	06/25/2012
File Name:	K-1213-26 BBBS/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-26: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BIG BROTHERS AND BIG SISTERS OF OKLAHOMA, CLEVELAND COUNTY, IN THE AMOUNT OF $3,375 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-26 with Big Brothers and Big Sisters of Oklahoma, Cleveland County; and, if approved, authorize execution of the contract and direct payment in the amount of $3,375.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 49

Attachments: Text File BBBS, K-1213-26 BBBS, 1213 CDBG funding with descriptions, BBBS PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-26

Body

PROPOSED USE OF FUNDS: This project by Big Brothers and Big Sisters will provide funding to provide support and training to adult matches through regular contacts focusing on child safety, relationship development and positive youth development.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project

proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-26

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Big Brothers and Big Sisters of Oklahoma, Cleveland County Office** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 4 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $3,375. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Application Expenses		$3,375
	Total Budget	$3,375

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Big Brothers and Big Sisters of Oklahoma, Cleveland County Office

President

Attest:

Secretary

Subscribed and sworn to before me this 22 day of JUNE, 2012.

KASEY L. HAHN NOTARY 11010708 EXP. 11/28/15 PUBLIC STATE OF OKLAHOMA

Notary Public

My Commission expires: 11/28/15

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203878

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 2003 BIG BROTHERS/BIG SISTERS

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	3375.00	DOL	1.0000	3375.00

REQUISITION TOTAL: 3375.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634796	Miscellaneous Services Big Brothers/Big Sisters		100.00	3375.00
					3375.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-27

File ID:	K-1213-27	**Type:**	Contract	**Status:**	Agenda Ready
Version:	1	**Reference:**	Item No. 50	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$12,000.00	**File Created:**	06/25/2012
File Name:	K-1213-27 East Main Place/CDBG			**Final Action:**	

Title: CONTRACT NO. K-1213-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EAST MAIN PLACE, INC., IN THE AMOUNT OF $12,000 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-27 with East Main Place, Inc.,; and, if approved, authorize execution of the contract and direct payment in the amount of $12,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 50

Attachments: Text File East Main Place, K-1213-27 East Main Place, 1213 CDBG funding with descriptions, East Main Place PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-27

Body

PROPOSED USE OF FUNDS: This contract with East Main Place, Inc. is to provide funding for utilities and maintenance of this transitional housing for individuals and families.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit

agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-2113-27

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **East Main Place, Inc** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 45 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $12,000. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Utilities and maintenance		$12,000
	Total Budget	$12,000

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

East Main Place, Inc

Sandra D. Dunaway
President

Attest:

Secretary

Subscribed and sworn to before me this 18 day of June, 2012.

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA
OFFICIAL SEAL
Lisa D. Krieg
Commission # 00010284
Expires July 3, 2012

Notary Public

My Commission expires: 7-3-2012

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203863

STATUS: DIVISION APPROVAL
REASON: CDBG GRANT

REQUISITION BY: JMCCART

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: 3410 EAST MAIN PLACE

DELIVER BY DATE: 7/03/12

1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	12000.00	DOL	1.0000	12000.00

REQUISITION TOTAL: 12000.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634776	Miscellaneous Services East Main Place		100.00	12000.00
					12000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CDBG GRANT

City of Norman, OK

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

Master

File Number: K-1213-34

File ID:	K-1213-34	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 51	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$1,300.00	**File Created:**	06/25/2012
File Name:	K-1213-34 CDBG Middle Earth			**Final Action:**	

Title: CONTRACT NO. K-1213-34: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MIDDLE EARTH CHILD DEVELOPMENT CENTER, INC., IN THE AMOUNT OF $1,300 AS AGREED UPON IN THE 38TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1213-18.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-34 with Middle Earth Child Development Center, Inc.; and, if approved, authorize execution of the contract, adopt Resolution No. R-1213-18, and direct payment in the amount of $1,300.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 51

Attachments: Text File Middle Earth, K-1213-34 Middle Earth, R-1213 18 Middle Earth, 1213 CDBG funding with descriptions, Middle Earth PR

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@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-1213-34

Body

PROPOSED USE OF FUNDS: This contract with Middle Earth Child Development Center, Inc. in the amount of $1,300 is for purchase of new cribs that meet national guidelines. Accompanying Resolution R-1213-18 allows for the cribs to be purchased without paying sales tax.

BACKGROUND: Proposals for funding are presented to the Policy Committee by non-profit agencies to meet the needs of low-to-moderate income citizens of Norman in addition to project proposals generated at two neighborhood meetings held each year in each of the five target neighborhoods. The target neighborhoods are qualified for participation on the basis of the percentage of low and moderate-income residents.

The budget was developed over a series of meetings of the Community Development Block Grant Policy Committee. This committee consists of thirty-two members that are appointed by the mayor as designated in the Citizen Participation Plan and ten that are elected as representatives from the five target neighborhoods. The proposed budget was unanimously recommended by the Policy Committee on March 7th, 2012.

On April 24, 2012, Council approved the CDBG and HOME Program budgets in the amount of $1,107,303. The funding for the Programs is provided by the U.S. Department of Housing and Urban Development (HUD).

The proposed budget included funds for social service and rehabilitation activities for non-profit agencies as well as property acquisition for a designated Community Housing Development Organization (CHDO), and fair housing services.

DISCUSSION: The proposed contracts represent a total of $169,230 for rehabilitation and social services for non-profit agencies, $55,263 for CHDO activities, and $20,000 for fair housing activities that are a required part of the CDBG and HOME Programs.

The designation of a CHDO is a requirement of the HOME program to further develop affordable housing within Norman. The funds will be utilized to purchase one or more properties and utilized as rental housing that is affordable to low-to-moderate income households. The specific site for acquisition will be determined at a later date.

The Metropolitan Fair Housing Council, located in Oklahoma City, is proposed to be contracted to provide services related to fair housing including but not limited to: investigation of housing discrimination complaints, promotion and education of fair housing laws and requirements and testing to determine compliance. This agency has been contracted to provide these services since the inception of the CDBG Program in Norman.

The proposed resolutions provide for the conveyance of sales tax exemption for work and materials purchased in conjunction with the contracts for the CDBG projects. The contracts and resolutions have been developed in conjunction with all City of Norman and HUD requirements.

RECOMMENDATION: Staff has reviewed the proposed contract and resolution and recommends approval. Funds are available in the Community Development Fund in the accounts listed in the attachment.

Contract No. K-1213-.34

This Agreement, made and entered into this, **10th day of July 2012** by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **Middle Earth Child Development Center, Inc.** hereinafter referred to as "Agency."

WHEREAS, the City has received grant funds from the U.S. Department of Housing and Urban Development in conjunction with the Community Development Block Grant Program under Grant Number B-12-MC-40-0002, a portion of which are to be distributed to Agency for the uses provided herein;

Further, whereas Agency agrees, upon receipt of a portion of said funds, to provide for activities to serve no fewer than 20 clients.

For and in consideration of the activities agreed to be performed herein, by Agency, City agrees to distribute to Agency as its portion of the funds received, the total sum of $1,300. Said funds to be distributed by City to Agency pursuant to the terms and conditions of Grant Number B-12-MC-40-0002 by and between the U.S. Department of Housing and Urban Development and the City for the funding period of July 1, 2012, through June 30, 2013.

Agency further agrees that the above-mentioned activities will be completed by and that all necessary information and activities will be completed by Agency and reported to City no later than June 14, 2013.

As further consideration for the disbursement of said funds by City to Agency, Agency agrees to abide by all the terms and conditions of the Community Development Block Grant Program and the OMB Circular A-122 entitled Cost Principles for Non-Profit Organizations to use funds distributed pursuant to this contract to improve the quality of services to program participants. Particular attention should be paid to purchasing and record-keeping requirements.

It is further understood by and between the parties hereto that all the provisions of the Community Development Block Grant Program Contract described above are incorporated herein by reference and made a part of this contract and specifically that all provisions regarding modification, termination, and/or suspension of said Community Development Block Grant Program Contract are applicable hereto.

Budget

Equipment		$1,300
	Total Budget	$1,300

General Provisions -- Records & Reports:

Agency shall maintain financial records documenting actual expenditures related to CDBG activities performed under this contract. Records must also be maintained by Agency documenting all activities required under this contract. These records shall be kept for a period of five (5) years after completion of this Contract.

Agency will submit a monthly report to the Community Development Division detailing all activities performed with the use of City of Norman CDBG funds including the number of clients served, their income levels, and household/racial characteristics. These reports shall be submitted covering the period July 1, 2012, through June 30, 2013. Each monthly report shall be due on or before the 5th of each month covering the prior month. The City will provide to Agency reporting forms to be used with payment requests.

Agency will make all required records available for inspection by the City of Norman Community Development Division for monitoring purposes.

Agency shall ensure recognition of the role of the grantor Agency in providing services through this contract. All activities, facilities and items utilized pursuant to this contract shall be prominently labeled as to funding source. In addition, Agency will include a reference to the support provided herein in all publications made possible with funds made available under this contract.

Program Income:

Program income generated by Agency from the use of City of Norman CDBG funds shall be recorded. Agency may retain program income and expend it only on those activities noted in this contract. Any program income on hand when this contract expires, or received after the contract expiration, shall be paid to the City of Norman; or if a subsequent contract is executed, shall be applied to the terms of the subsequent contract. (In accordance with 24 CFR 570.504(c).)

Uniform Administrative Requirement:

Agency shall carry out all activities in compliance with all Federal laws and regulations described in Sub-part & of 24 CPR Part 560 except 570.604. Agency does not assume responsibility of 24 CFR Part 52.

Suspension and Termination:

In accordance with 24 CFR 85.43, suspension or termination may occur if Agency materially fails to comply with any term of the award, and the award may be terminated for convenience in accordance with 24 CFR 85.44.

Reversion of Assets:

Upon expiration of this contract Agency shall transfer to the City of Norman any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of City of Norman CDBG funds. Any real property under Agency control that was acquired or improved in whole or in part with City of Norman CDBG funds in excess of $25,000 must either:

> *"Be used to meet one of the national objectives in 570.208 until five years after expiration of this contract; or disposed of in a manner that results in the City of Norman being reimbursed in the amount of the current fair market value of the property less any portion of the value attributable to expenditures of non-City of Norman CDBG funds for acquisition of or improvements to, the property. (Reimbursement is not required five years front date of expiration of this contract.)"*

Payment:

Agency agrees to submit an invoice which reflects the direct costs under this Contract. The City will make payments from these invoices. Each invoice in excess of $12,500 must be accompanied by a notarized affidavit provided by the City. The City will provide to Agency invoices to be used with payment requests.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

Middle Earth Child Development Center, Inc.

President

Attest:

~~Secretary~~ Treasurer

Subscribed and sworn to before me this 14th day of JUNE, 2012.

NOTARY SEAL PUBLIC
AILEEN SOMERS
Notary Public in and for
State of Oklahoma
01016261
My Commission Expires Sept 26, 2013

Notary Public

My Commission expires: 9-26-13

The City of Norman, Oklahoma

Cindy Rosenthal, Mayor

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 27th day of June, 2012.

City Attorney's Office

Resolution

R-1213-18

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING MIDDLE EARTH CHILD DEVELOPMENT CENTER, INC., AS PROJECT AGENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AS PART OF THE CDBG 38TH YEAR PROGRAM.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract for $1,300 with Middle Earth Child Development Center, Inc., for the FY 12-13 CDBG 38th Year Program; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Middle Earth Child Development Center, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Middle Earth Child Development Center, Inc., to purchase materials which are, in fact, incorporated in, and used for the FY 12-13 CDBG 38th Year Program; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding Middle Earth Child Development Center, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 10th day of July, 2012, did authorize Middle Earth Child Development Center, Inc., who is involved with the FY 12-13 CDBG 38th Year Program, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the FY 12-13 CDBG 38th Year Program.

PASSED AND ADOPTED THIS 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Public Service Contracts for the 1213 CDBG Program Year

Contract Number	Resolution Number	Agency	Purpose	Target Population	Contract Amount
K-1213-7		Metropolitan Fair Housing Council, Inc.	Fair Housing Services including public information/discrimination complaint investigation	City of Norman residents at large	$20,000.00
K-1213-8		Community After School Program, Inc.	Funding will be utilized for the provision of scholarships for the Community After School Program	Elementary School age low and moderate income children	$8,000.00
K-1213-9		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized by the reimbursement of volunteer mileage for drivers in the Provide A Ride Program	Very low income individuals 55 and older or disabled requiring transportation to medical appointments	$400.00
K-1213-10		Central Oklahoma Community Action Agency, Inc.	Funding will be utilized for partial rehabilitation including roof replacement and mechanical unit replacement on the COCAA owned Transitional Housing Units for the Homeless.	Homeless families and individuals	$20,000.00
K-1213-11	R-1213-10	Central Oklahoma Community Action Agency, Inc.	Funding will be utilized to offset the purchase cost of supplies for the Food Closet	Low and moderate income households needing food	$10,620.00
K-1213-12	R-1213-11	Health for Friends, Inc.	Rehabilitation to include the replacement of flooring materials within the facility with commercial grade vinyl "wood" flooring	Medically underserved low and moderate income individuals	$14,500.00
K-1213-13	R-1213-12	Progressive Independence, Inc.	Funding will be utilized to offset the cost of operating the Durable Medical Equipment Loan Library including storage expenses and equipment purchase and costs associated with the Opening Doors Fund, including deposits, to assist disabled individuals to establish permanent housing.	Physically disabled families and individuals	$4,100.00
K-1213-14		Food and Shelter for Friends, Inc.	Funding to be utilized to offset the utility and maintenance costs of this homeless facility and community soup kitchen.	Homeless and precariously housed families and individuals.	$10,000.00
K-1213-15		CART	Funding will be utilized to provide bus passes for use on the CART Transportation System.	Low and moderate income individuals	$25,000.00
K-1213-16		Aging Services of Cleveland County, Inc.	Funding will be utilized to offset the cost of providing the Congregate Meal Program for Seniors at Rose Rock Public Housing facility	Senior Citizens residing at Rose Rock Public Housing facility	$4,800.00
K-1213-17	R-1213-13	Full Circle Senior Adult Day Center, Inc.	Funding will be utilized for the purchase of two laptop computers designated for the sole use by the two Licensed Practical Nurses in compliance with Oklahoma Department of Health guidelines for the monitoring of participant health records.	Senior adults	$1,850.00
K-1213-18	R-1213-14	Community Services Building, Inc.	Funding will provide partial rehabilitation of the Mechanical system for facility housing twenty non-profit agencies. Rehabilitation of the system has been phased over several years.	Low and Moderate income families and individuals	$24,000.00
K-1213-19	R-1213-15	Bethesda, Inc.	Funding will be utilized to offset costs associated with an educational program to protect children from sexual abuse. Program will include ways to help children interact safely with authority figures and understand appropriate boundaries and privacy.	Children	$1,900.00
K-1213-20		Meals on Wheels of Norman, Inc.	Funding will be utilized as scholarships to very low income persons whom are unable to afford the sliding scale portion of home delivered meals.	Very low income adults	$12,500.00
K-1213-21		Thunderbird Clubhouse Board, Inc.	Funding will be utilized to provide a Breakfast Program prepared by participants.	Adults with severe mental illness	$1,675.00
K-1213-22	R-1213-16	United Way of Norman, Inc.	Funding will be utilized for the purchase of school supplies for the ABC 123 School Supply Program	School age children from low and moderate income households	$5,000.00
K-1213-23		Among Friends Activity Center, Inc.	Funding will be utilized to help underwrite the cost of a noon meal program for program participants. Participants provide 2/3 of the cost of each meal.	Disabled adults	$2,600.00
K-1213-24		Center for Children and Families, Inc.	Funding will be utilized to partially underwrite the cost of operations of the Neighborhood Centers Summer Youth Enrichment Program	Low and moderate income at-risk youth in Wilson and Kennedy School Districts	$3,850.00
K-1213-25	R-1213-17	Bridges, Inc.	Funding will be utilized for the purchase of materials to allow for the construction of built-in clothes storage units in each apartment to eliminate the repetitive replacement of sub-standard units at the Sooner Pointe Apartments. Units will be constructed with in-kind labor from Moore-Norman Technology Center students.	Homeless youth attending one of the three Norman High Schools	$1,850.00
K-1213-26		Big Brothers and Big Sisters of Oklahoma, Cleveland County Office	Funding will be utilized to offset the cost associated with the processing, including background checks, for Big Brother/Big Sister matches with low and moderate income children.	Low and moderate income at-risk youth	$3,375.00
K-1213-27		East Main Place, Inc	Funding will be utilized to offset the utility and maintenance cost of this facility serving homeless families and individuals.	Homeless families and individuals	$12,000.00
K-1213-34	R-1213-18	Middle Earth Child Development Center, Inc.	Funding will be utilized to purchase infant cribs meeting applicable current safety standards	Participant households with infants	$1,300.00
					$189,320.00

PURCHASE REQUISITION NBR: 0000203879

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART

REASON: CDBG GRANT

DATE: 7/03/12

SHIP TO LOCATION: COMMUNITY DEVELOPMENT

SUGGESTED VENDOR: MIDDLE EARTH DEVELOPMENT CTR

DELIVER BY DATE: 7/03/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CDBG GRANT COMMODITY: GRANTS SUBCOMMOD: CDBG	1300.00	DOL	1.0000	1300.00	

REQUISITION TOTAL: 1300.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	02140744634798	Miscellaneous Services CHDO		100.00	1300.00
					1300.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

W-9 TO FOLLOW

City of Norman, OK

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

Master

File Number: R-1213-22

File ID:	R-1213-22	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 52	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	07/02/2012
File Name:	R-1213-22 911			**Final Action:**	

Title: RESOLUTION NO. R-1213-22: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2013.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-22.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 52

Attachments: Letter from ACOG, 911 Resolution

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1213-22

acog

9-1-1 association of central oklahoma governments

OFFICE OF MAYOR
JUN 22 2012

Chair Ken Bartlett
Del City Councilmember

Vice-Chair David Dirkschneider
Warr Acres Councilmember

Secretary/Treasurer Linda Molsbee
Newcastle Vice-Mayor

Executive Director
John G. Johnson

MEMORANDUM

DATE: June 21, 2012

TO: City Council/Board of Trustees/City Clerks and County Commissioners

FROM: John G. Johnson, Executive Director

SUBJECT: 9-1-1 Service Fee Resolution for Calendar Year 2013

Your City Council/Board of Trustees or County Commission will need to give immediate consideration to the attached resolution/ordinance relating to providing 9-1-1 service during calendar year 2013. The resolution pertains to establishment of the 9-1-1 service fee rate to be collected through the landline (traditional) telephone bills for the calendar year 2013.

Fees collected by wireless and VoIP phone companies are established under a separate statute and are not covered by this resolution/ordinance.

To enable collection of the locally authorized service fee on landline telephone bills to pay for E9-1-1 service, each local government must approve a resolution/ordinance, on an annual basis, to set the actual fee *and* through 9-1-1 ACOG, notify the appropriate ILEC or CLEC telephone companies by September 1, 2012.

Please mail a signed copy of your approved resolution before August 1 to:

Anita Kroth, 9-1-1 ACOG
9-1-1 Association of Central Oklahoma Governments
21 E. Main Street, Suite 100, Oklahoma City, Oklahoma, 73104

If you have any questions, please contact Anita Kroth, 234-2264.

Resolution

R-1213-22

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2013.

§ 1. WHEREAS, the voters and/or the governing body of the City of Norman have approved the acquisition and operation of an emergency telephone service, together with the levy or imposition of a user fee/tax for such service; and

§ 2. WHEREAS, said approving authority, service, and fee are authorized pursuant to the Nine-One-One Emergency Number Act, 63 O.S. Supp. 1987, §2811 et. seq., as amended; and

§ 3. WHEREAS, §2814 of said act authorizes the imposition of a telephone fee not-to-exceed five percent (5%) of the first twelve months of collections and three percent (3%) thereafter of the tariff rate for telephone service to support said emergency telephone service.

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

§ 4. That it does, by this action, hereby establish the rate for the Nine-One-One Emergency Telephone Service fee for the calendar year 2013 at three percent (3%) of the recurring charges as designated by the tariff for exchange telephone service or its equivalent within said City in accordance with said Act beginning January 1, 2013.

PASSED AND ADOPTED this 10th day of July, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: PP-1112-13

File ID:	PP-1112-13	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 53	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	04/17/2012
File Name:	Eagle Cliff South Prelim			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR EAGLE CLIFF SOUTH ADDITION. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE S.E. APPROXIMATELY ONE-HALF MILE SOUTH OF CEDAR LANE ROAD)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Eagle Cliff South Addition.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 53

Attachments: Text File Eagle Cliff South, Attachment A, Eagle Cliff South Location Map, Preliminary plat, Eagle Cliff South Staff Report, GBC 12-13 Eagle Cliff Addition - Comments to PC, GBC App Eagle Cliff, Eagle Cliff PD 12-11 pdf, 5-10-12 PC Minutes - Eagle Cliff South

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	05/10/2012					

Text of Legislative File PP-1112-13

body

BACKGROUND: This item is a preliminary plat for Eagle Cliff South Addition and is generally located one-half mile south of Cedar Lane Road and one-quarter of a mile west of 12th Avenue S.E.

The Norman Board of Parks Commissioners, at its meeting of August 7, 2003, recommended fee in

lieu of parkland dedication.

City Council, at its meeting of October 14, 2003, adopted Ordinance No. O-0304-16 placing the majority of this property in the R-1, Single Family Residential Dwelling District and removing it from A-2, Rural Agriculture District. City Council approved the preliminary plat for Eagle Cliff South Addition in October 2003. The developer allowed the preliminary plat to expire in October 2008. The current preliminary plat is identical to the one approved by Council in 2003. Planning Commission, at its meeting of May 10, 2012, recommended to City Council that the preliminary plat for Eagle Cliff South Addition be approved.

The property to be final platted consists of 35.80 acres and 128 single-family residential lots. The preliminary plat consists of a total 112.72 acres. However, 76.92 acres is either floodplain/floodway or not currently proposed for development at this time.

DISCUSSION: The 128 residential lots in this addition are expected to generate approximately 1,304 trips per day. The traffic capacities on the surrounding arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. See Attachment A.

Because of the size of the development, the applicant was not required to submit a revised traffic impact study as this addition was studied previously in 2003. The previous analysis looked not only at the full development scenario for the Eagle Cliff South Addition but also included other potential development in the area. The study concluded that two intersections will need to be improved once the area is fully developed (12th Avenue SE at Cedar Lane and 12th Avenue SE at State Highway 9).

The intersection of 12th Avenue SE and Cedar Lane will require additional lanes and a new traffic signal. The estimated cost of design and construction is $400,000 of which this applicant will be responsible for 1.60% of the cost (or $6,396.67) based on their share of the traffic impacting the intersection. The City of Norman and other development will fund the remaining cost.

The intersection of 12th Avenue SE and State Highway 9 will require an additional northbound left turn lane. The estimated cost of design and construction is $50,000 of which this applicant will be responsible for 3.08% of the cost (or $1,539.14) based on their share of the traffic impacting the intersection. The City of Norman and other development will fund the remaining cost.

PUBLIC IMPROVEMENTS: Public improvements for this property consist of the following:

Fire Hydrants. Fire hydrants will be installed at each intersection and spacing of 300-feet between intersections.

Sanitary Sewers. Eight inch (8") sanitary sewer mains (or larger) are proposed for this development. The area that is zoned to R-1 will utilize an existing lift station.

Sidewalks. Sidewalks will be constructed adjacent to Cedar lane Road. Sidewalks will be required for all of the interior streets.

Drainage: Based on the fact this property is located in the lower portion of the basin, Staff recommends that storm water detention should not be required. Instead, staff recommends a fee in lieu of detention to be used later by the City of Norman for storm water improvements in this watershed. Staff is not opposed to the use of an existing pond to convey storm water and to be utilized as a future amenity for the development, but not as a detention facility.

Intersections: A previous traffic study concluded that two intersections will need to be improved once the area is fully developed (12th Avenue SE and Cedar Lane and, 12th Avenue SE and State Highway 9). The estimated cost of design and construction for 12th Avenue SE and Cedar Lane is $400,000 of which this applicant will be responsible for 1.60% of the cost (or $6,396.67) based on their share of the PM peak hour traffic impacting the intersection. The estimated cost of design and construction for 12th Avenue SE and State Highway 9 is $50,000 of which this applicant will be responsible for 3.08% of the cost (or $1,539.14) based on their share of the PM peak hour traffic impacting the intersection.

Streets. Streets will be constructed in accordance with approved plans and City paving standards.

Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

STAFF RECOMMENDATIONS: Based on the above information, Staff recommends approval of the preliminary plat for Eagle Cliff South Addition.

ATTACHMENT A

Eagle Cliff South Addition

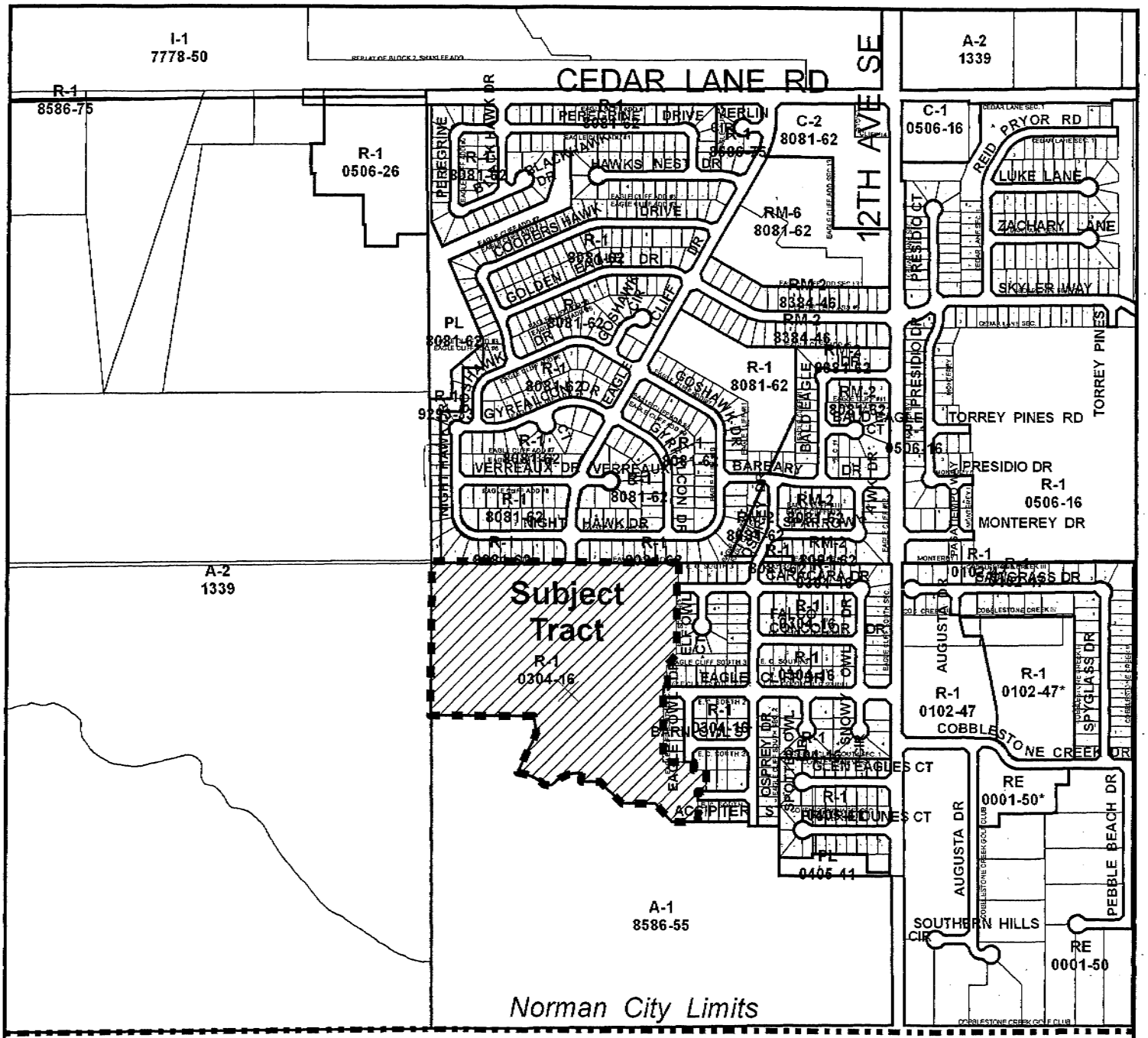
Traffic Data

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)[1]	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY LOS "E"	% LOS 'E' CAPACITY USED (EXISTING)	% LOS 'E' CAPACITY USED (PROJECTED)
12th Avenue S.E.	4[2]	15,793	1,304	17,097	34,200	46.18	49.99
Cedar Lane Road	4[2]	9,131	415	9,546	34,200	26.70	27.91
S.H. 9	6[3]	40,260	889	41,149	58,000	69.41	70.95

[1] Includes projected traffic from Cobblestone Creek Golf Course, Cobblestone West, Campus Crest, and Eagle Cliff Additions

[2] Improvements planned to widen 12th Avenue SE from S.H. 9 to Cedar Lane and Cedar Lane from 12th Avenue SE to just east of 24th Avenue SE

[3] Currently a four-lane facility but ODOT has plans to widen S.H. 9 to six lanes



Location Map

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

N
W E
S

April 11, 2012

0 400 800 Ft.

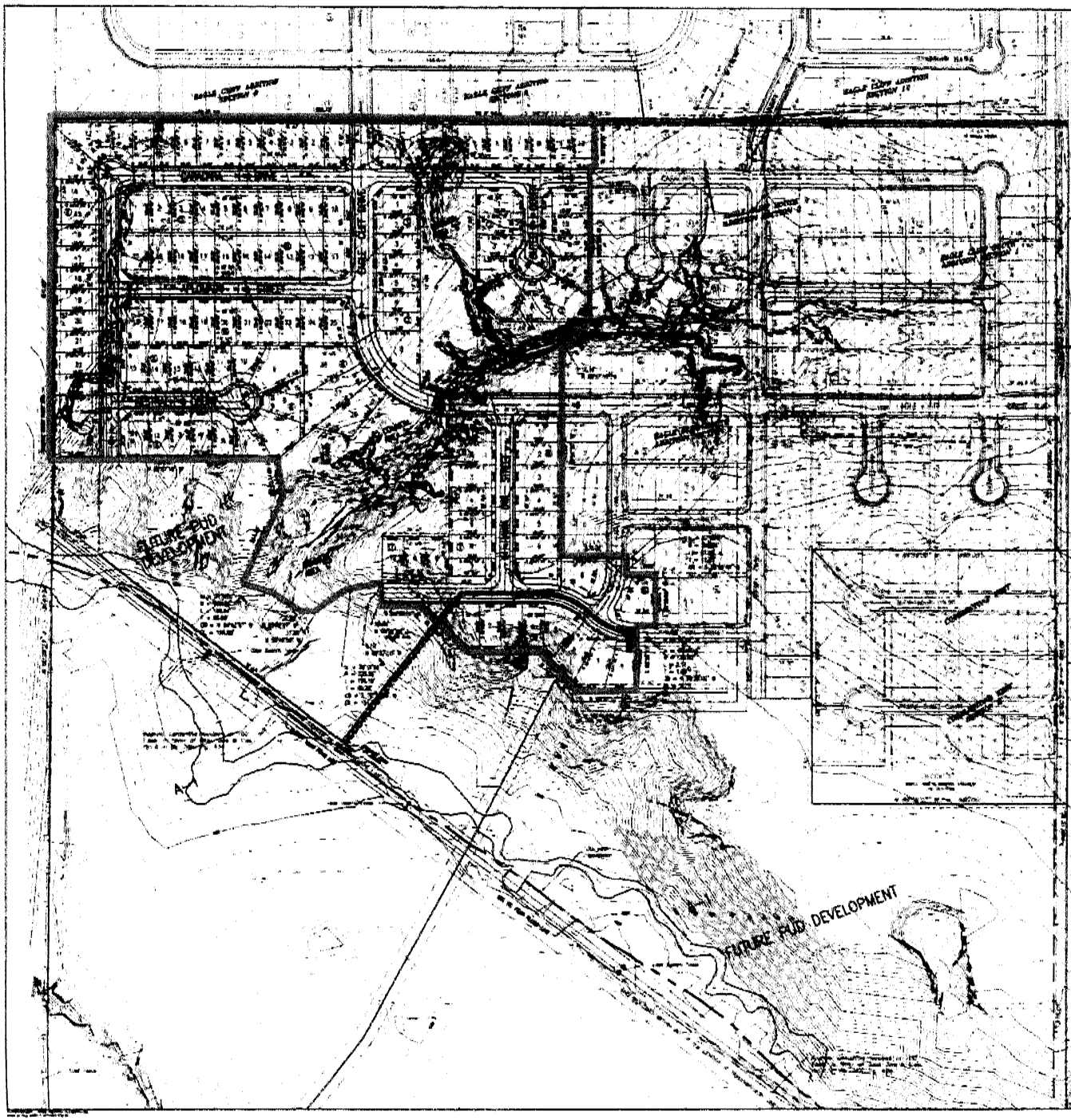
Subject Tract

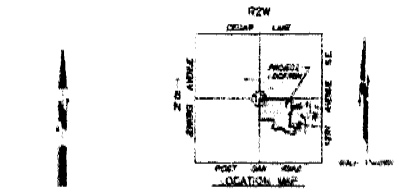
Zoning

PRELIMINARY PLAT

EAGLE CLIFF SOUTH ADDITION

A PART OF THE S.E. 1/4, SECTION 17, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





35.800 ACRES
126 LOTS
3.58 LOTS PER ACRE

EAGLE CLIFF SOUTH ADDITION
12th AVE. S.E. & CEDAR LANE RD.
NORMAN, OKLAHOMA

SMC

PRELIMINARY PLAT

PRELIMINARY PLAT ITEM NO. 7

STAFF REPORT

ITEM: Consideration of a PRELIMINARY PLAT FOR EAGLE CLIFF SOUTH ADDITION, (REAPPROVAL).

LOCATION: Generally located one-half mile south of Cedar Lane Road and one-quarter mile west of 12th Avenue S.E.

INFORMATION:

1. Owner. Eagle Cliff Limited Partnership.
2. Developer. Eagle Cliff Limited Partnership
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. August 7, 2003. The Norman Board of Parks Commissioners, on a vote of 8-0, recommended fee in lieu of park land for Eagle Cliff South Addition.
2. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council to amend the NORMAN 2020 Land Use and Transportation Plan for Future Urban Service Area to Current Urban Service Area Designation.
3. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council that a portion of this property be placed in R-1 and removed from A-2 zoning classification.
4. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council that the preliminary plat for Eagle Cliff South Addition be approved.
5. October 14, 2003. City Council amended the NORMAN 2020 Land Use and Transportation Plan to place this property that is sewerable in the current service area district.

6. October 14, 2003. City Council adopted Ordinance No. O-0304-16 placing the majority of this property in the R-1, single family residential and removing it from A-2, rural agricultural district.

7. October 14, 2003. City Council approved the preliminary plat for Eagle Cliff South Addition.

8. October 14, 2008. Approval of the preliminary plat became null and void.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. Sanitary sewer mains will be installed to serve this property in accordance with approved plans and City and State Department of Environmental Quality standards. This area is being served by an existing lift station.

4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy.

5. Storm Sewers. Storm water runoff will be conveyed to proposed privately-maintained retention facilities to be located within the property. A mandatory Property Owner's Association will be required in order to maintain the retention ponds and open space lots.

6. Streets. Streets will be constructed in accordance with approved plans and City paving standards.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. All street rights-of-way will be dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map and preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Although all of the land within the ownership is not proposed for development at this time, Staff anticipates a revised preliminary plat in the future to include the southern boundary of the plat into a Planned Unit Development proposal. Staff recommends approval of the preliminary plat for Eagle Cliff South Addition.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Eagle Cliff South Addition to City Council.

ACTION TAKEN: _____

Greenbelt Commission Meeting – April 16, 2012

GBC Application 12-13 (Planning Commission Item 7)

Applicant: Eagle Cliff Limited Partnership
Location: Generally located one-half mile south of Cedar Lane road and one-quarter mile west of 12th Avenue SE
Proposal: Preliminary Plat

Greenbelt Commission Final Comments - GBC 12-13

- No additional comments were noted.

The Commission finds that the applicant's development meets the following Greenbelt Ordinance criteria.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

(a) Portions of the Greenbelt System are accessible to the general public.

(b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.

(d) Greenways connect neighborhoods to each other and to industrial and commercial areas.

(e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.

(f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

(h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.

(j) Permeable ground surfaces have been preserved to the extent possible.

(k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

(m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.

(n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

(o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

(p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.

GBC# 12-13

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: **Eaglecliff South Partnership** Date: **04-09-12**
Contact Person: **Tom L. McCaleb, P.E. for Applicant**
Telephone/Fax/Email: **ph-232-7715 / fx-232-7859 / email – tom.mccaleb@smcokc.com**

Name of Development: **Eaglecliff South Addition**
Area (Acres): **35.80 ac**

General Location: **On west side of 12th Ave. SE approximately one half mile south of Cedar Lane.**

Type of Development: (please check) Residential_X_ Commercial___ Industrial___ Other___
This property is currently zoned R-1 and continuation of single family homes is planned.

1. Briefly explain the kind of development, types of buildings/uses, or character of your proposal.

   - **Eaglecliff South Addition Preliminary Plat was approved by the Planning Commission on 8/14/03 and by the City Council on 10/14/03. Subsequently, there have been three final plats submitted built and recorded. The preliminary plat has now expired and this is the first step to renew the preliminary plat. This process took place before the Preliminary Development process was enacted. There are no changes to the preliminary plat. All parkland negotiations have already been completed and that was fee in lieu of. The developer is ready to submit the next addition as a final plat.**

2. Does your proposed development or project incorporate open space(s)?
   Yes _X_ No ____

   Please check what type(s) of open space is proposed within your development:

Park:	_____ Yes	_X_ No	____Public_____Private
Open Space:	_X_ Yes	____ No	____Public_X_Private
Detention Pond:	_X_ Yes	____ No	____Public_X_Private
Parking Lot Landscape:	_____ Yes	_X_ No	____Public_____Private
Floodplain/Creek:	_X_ Yes	_____ No	____Public_____Private

Other _____

If the above noted areas are accessible via some other arrangement please explain.

3. Does the open space for this development include some kind of trail or path that meets the definitions contained in 4-2023A of the attached guidelines? (Indicate all that are applicable.)

Public Sidewalks (4-5' wide)**(On Street R/W Only)**	_X_ Yes	_____ No
Natural Trails (compacted earth 8-10' wide)	_X_ Yes	_____ No
Parkway Trails (durable surface 6-8' wide)	_____ Yes	_X_ No
Neighborhood Trails (durable or paved, 6-10' wide)	_____ Yes	_X_ No
Community Wide Trails (paved, 10-12' wide)	_____ Yes	_X_ No
Specialized Trails (equestrian, water, etc)	_____ Yes	_X_ No

Other_____

4. Identify schools, recreational areas (parks, playgrounds), commercial sites, or other public open spaces within ½ mile of your proposed development. (If there are no such areas within the ½ mile radius please state such and skip question 5.)

   - **South Canadian River is the southern boundary and will be accessible.**

5. 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. (If there is no such connectivity please state such.)

6. Please check, from the following (or make a list), the geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails, per the attached guidelines.

   Storm water channels __X__
   Detention ponds __X__
   Floodplains __X__
   Stream bank/Riparian corridors __X__
   Utility Easements __X__
   Abandoned/Active RR corridors____
   Other_____

   How will your development incorporate those elements noted into greenbelts and trails?

   - **South Canadian River will have access.**

7. If, after reviewing 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 below. (Any comments you feel will help the Commission understand your intent to develop the area.)

   - **The South Canadian River on this tract of land could be used for a tract system.**

Signature of Applicant or Contact Person: _____
Tom L. McCaleb, P.E. for Applicant

City of Norman Predevelopment **April 26, 2012**

Applicant	Eagle Cliff Limited Partnership
Location	West side of 12th Avenue SE approximately ½ mile south of Cedar Lane
Case Number	PD 12-11
Time	6:00-6:30 PM

Attendee	Stakeholder	Address	email	phone
Tom McCaleb	Applicant's engineer	SMC Eng OKC		232-7715
Everett Dale	Neighbor	504 Night Hawk Drive	emdale2@cox.net	213-5762
Dennis and Ann Smith	neighbors	600 Night Hawk Drive	onelali@cox.net	476-7747
Richard Miller	Neighbor	513 Night Hawk Drive		476-7733
Drew Norlin	City staff			366-5459
Susan Atkinson	City staff			366-5392

Application Summary. The applicants completed a preliminary plat of this 35.80-acre parcel, known as Eagle Cliff South Addition, over five years ago. The preliminary plat expired after five years. The applicants are seeking to reinitiate a preliminary plat with no changes from the previous. The current zoning is R-1 Single Family Residential. The *Norman 2025 Land Use and Transportation Plan* designation is Low Density Residential.

Applicant's Opportunity. The applicants propose to create 250 single-family lots on this 35.80-acre parcel as the Eagle Cliff South Addition. This is consistent with both current zoning and the *Norman 2025 Land Use Plan* designation.

Neighbors' Concerns

Traffic Impacts.
Neighbors were very concerned about additional traffic being added to 12th Avenue SE from this development. Several commented that traffic on 12th Avenue backs up south of Cedar Lane twice a day, due in large part to drivers trying to avoid the Hwy 77 exit ramp.

Drainage.
Neighbors were also concerned about drainage from the proposed development flowing onto neighboring properties.

> **Engineer's Answer.** He explained that water flowed southwest to the Canadian River, which is away from existing development.

Schedule.
The engineer stated that this project would be moving through the approval process throughout the summer. He anticipated that dirt work would begin in the fall with the completion of Phase I by the summer of 2013.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

MAY 10, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of May 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	Diana Hartley

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst David Riesland, Traffic Engineer Terry Floyd, Development Coordinator

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:
APPROVAL OF THE APRIL 12, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1112-7 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY RONALD AND BOBBIE TRITTEN (CENTERLINE SERVICES, L.L.C.) FOR TRITTEN ACRES, GENERALLY LOCATED AT THE NORTHWEST CORNER OF TECUMSEH ROAD AND 96TH AVENUE N.E.

Item No. 5, being:
CPC-1112-2 – CONSIDERATION OF A CERTIFICATE OF PLAT CORRECTION FOR THE FINAL PLAT FOR COBBLESTONE CREEK GOLF CLUB, GENERALLY LOCATED EAST OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE.

Item No. 6, being:
PP-1112-12 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SHAZ INVESTMENT GROUP, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR INDEPENDENCE VALLEY ADDITION, GENERALLY LOCATED SOUTH OF CEDAR LANE ROAD AND APPROXIMATELY ONE-HALF MILE WEST OF 12TH AVENUE S.E.

Item No. 7, being:
PP-1112-13 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY EAGLE CLIFF LIMITED PARTNERSHIP (SMC CONSULTING ENGINEERS, P.C.) FOR EAGLE CLIFF SOUTH ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE S.E. APPROXIMATELY ONE-HALF MILE SOUTH OF CEDAR LANE ROAD.

*

Chairman Sherrer asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he announced that staff has requested Item 5 be removed from the Consent Docket.

Jim Gasaway moved to place approval of Item Nos. 3, 4, 6 and 7 on the Consent Docket and approve by one unanimous vote. Chris Lewis seconded the motion.

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

YEAS	Dave Boeck, Jim Gasaway, Cynthia Gordon, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Diana Hartley

Ms. Tromble announced that the motion, to place approval of Item Nos. 3, 4, 6 and 7 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

* * *

Item No. 7, being:
PP-1112-13 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY EAGLE CLIFF LIMITED PARTNERSHIP (SMC CONSULTING ENGINEERS, P.C.) FOR EAGLE CLIFF SOUTH ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE S.E. APPROXIMATELY ONE-HALF MILE SOUTH OF CEDAR LANE ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Greenbelt Commission Meeting Summary
5. Greenbelt Enhancement Statement

The Preliminary Plat for EAGLE CLIFF SOUTH ADDITION was approved on the Consent Docket by a vote of 8-0.

* * *

City of Norman, OK

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

Master

File Number: PP-1112-18

File ID:	PP-1112-18	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 54	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	05/15/2012
File Name:	Milligan Rev PP			**Final Action:**	

Title: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR MILLIGAN INDUSTRIAL TRACT ADDITION AND A REQUEST FOR AN EXEMPTION FROM THE WATER QUALITY PROTECTION ZONE (WQPZ) STANDARDS AND AN EXEMPTION FROM PAVING IMPROVEMENTS FOR ROCK CREEK ROAD. (GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD ON THE EAST SIDE OF THE RAILROAD TRACKS)

ACTION NEEDED: Motion to approve or reject the revised preliminary plat for Milligan Industrial Tract Addition and a request for an exemption from the WQPZ Standards and an exemption from paving improvements for Rock Creek Road.

ACTION TAKEN: _____

Notes:

Agenda Date: 07/10/2012

Agenda Number: 54

Attachments: Text File Milligan, Attachment A - Traffic Impact Table (Milligan Addition), Applicable Code Provisions Variations and Exemptions, Milligan Location Map, aerial photos and site maps- Milligan Industrial Tract Addition, Rock Creek Rd-Flood to Stubbeman, Milligan Indus Tr Prelim Plat, Staff Report Milligan, Milligan Indust Tr Site Plan, Milligan WQPZ Variance Letter, Milligan WQPZ Engineer Letter, Milligan Road Deferral, 6-14-12 PC Minutes - Milligan

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/14/2012	Recommended for Rejection	City Council			
	Action Text:	Recommended for Rejection to the City Council					

Text of Legislative File PP-1112-18

body

BACKGROUND: This item is a preliminary plat for Milligan Industrial Tract Addition and is located on the north side of Rock Creek Road between 12th Avenue N.W. and Burlington Northern Santa Fe Railroad Right-of-Way. The property is currently unplatted. This property consists of approximately 2.28 acres on one (1) lot. City Council, at its meeting of October 5, 1982, adopted Ordinance No. O-8283-14 placing this property in I-1, Light Industrial zoning district.

The preliminary plat for Milligan Addition was previously recommended for approval by Planning Commission on March 8, 2012. However, in April of 2012, the owner chose not to advance the preliminary plat for Milligan Addition to City Council. Instead, the applicant opted to make changes to the preliminary plat and to re-submit those changes to the Planning Commission.

Planning Commission, at its meeting of June 14, 2012, on a vote of 2-7 failed to approve the revised preliminary plat for Milligan Industrial Tract Addition, including the requested City ordinance exemptions from the Subdivision Regulations including arterial street improvement requirements and the Water Quality Protection Zone requirements.

The original preliminary plat application for the Milligan Addition was submitted by Mike and Cindy Milligan on January 9, 2012. City staff worked closely with the applicant prior to and following that application submittal. City ordinance does not allow new development or associated public improvements on an unplatted parcel until the preliminary plat is approved by City Council and the final plat is approved by the Planning Commission. In December, 2011, the applicant appealed to the City Manager for a variance from City ordinance to allow the construction of a new driveway from this parcel onto Rock Creek Road. The City Manager granted this variance on January 11, 2012 on the condition that the applicant complete the platting process and that only basic maintenance of the property be performed during the interim period.

Water Quality Protection Zone (WQPZ). This property is required to comply with the City's Water Quality Protection Zone Ordinance because it is a new preliminary plat and because the storm water runoff from the property discharges into Lake Thunderbird through the Little River and tributaries. Staff has worked closely for months with the applicant and the private engineer on this matter.

This parcel is bordered by existing storm water channels, and thus WQPZs, along the west and the north property lines. The ordinance requires the dedication of 100-foot buffers along both boundaries unless an "engineered alternative" can be developed. The applicant requested this "engineered alternative" variance in order to maximize the use of this small parcel. Staff concurred in the variance based upon (1) the storm water detention basin being slightly enlarged, (2) the on-site drainage channel on the parcel being widened and (3) wetlands plants being incorporated into the detention basin. While the applicant's engineer was able to design these improvements in accordance with the City's WQPZ ordinance, the applicant chose instead to request a full exemption from the ordinance. At the June 14, 2012 Planning Commission meeting, the applicant stated that the proposed WQPZ improvements would utilize approximately 0.20 acres or 10% of the property.

The WQPZ ordinance currently does not allow a full exemption from the water quality requirements for any parcel within the Lake Thunderbird watershed. Section 19-601(B) (*see attached*) of the City Code allows for reduction of the WQPZ width through buffer averaging "to accommodate unusual or historical development patterns, shallow lots, stream crossings, or storm water ponds". In addition, variations are available under §19-601(A) (*see attached*) when a tract is "of such unusual size or shape or is surrounded by such development or unusual conditions" that the strict application of the Subdivision Regulations would result in substantial hardship or inequity. In those cases, Council may vary or modify design requirements, but not procedure or public improvements, so that an applicant can develop his or her property in a reasonable manner. Although such variations or modifications may be allowed, Section 19-601(A) requires that the public welfare and interest of the City be protected and the general intent and spirit of the Subdivision Regulations be preserved by granting the variation. A variation based on unique condition(s) shall not be granted when the unique condition(s) was created or contributed to by the subdivider. A modification under §19-601(A) may be granted upon written request of the subdivider or his engineer, stating the reason for such modification, and may be approved by majority vote of Council, with the recommendation of the Planning Commission.

Streets. Development in this area first began in 1961 with the platting of Norman Industrial Tract Addition. This property was located on the south side of Rock Creek Road from the Burlington Northern and Santa Fe Railroad to the east property a distance of 1,700 feet. The street width standard at that time was 44 feet. The developer was responsible for 1,700 feet of half width paving. The improvements were accepted October of 1962. The next development occurred in 1970. It was located at the northwest corner of Rock Creek Road and Stubbeman Avenue. This was the first development on the north side of Rock Creek Road. The developer installed 450 feet of 22-foot width paving for Rock Creek Road. In 1978, a large industrial user known as TOTCO proposed to move their operations to Norman. A request was made by the City of Norman of the Oklahoma Department of Transportation for a grant to construct Rock Creek Road as an industrial access road. The plan was to utilize the existing paving and install new paving on the south side of Rock Creek Road for a distance of 1,300 feet.

In 1976, the City of Norman adopted revised Engineering Design Criteria for all public improvements which included a new street width requirement on arterial streets of 52 feet. Despite the objections of the City of Norman, Rock Creek Road was widened and improved by ODOT to a width of 44-feet in 1979. The north side of Rock Creek Road was included in the ODOT project. From the 450-feet of Rock Creek Road that had been installed in 1971 to the railroad tracks, 22-feet half width paving was installed. The project was accepted by ODOT in 1981. Although the improvements did not meet the City's current standards at that time, the project was accepted by the City of Norman, City Council released the deferral funds that were submitted by TOTCO to secure the improvements and a certificate of occupancy was issued to TOTCO. Except for the one development on the north side of the street near Stubbeman Avenue, the remaining properties to the west remained vacant.

In 2005, development began 450-feet west of Stubbeman Avenue on the north side of Rock Creek Road. At that time, the City standards required 26-feet of half width paving. As a result, the developer was required to submit a deferral fee of $33,882.80 for a future 4-foot street widening for a distance of 964 feet. The next development occurred in 2008 on the north side or Rock Creek Road including of deferral of 4-foot width for a distance of 1,000 feet for Rock Creek Road and additional improvements for 12th Avenue N.W. and a fee of $80,954.60. The remaining development to occur

between 12th Avenue N.W. and Stubbeman Avenue took place in 2009 with a frontage of 270 feet and a deferral fee of $15,288.80. The Milligan plat is the first development on the north side of Rock Creek Road located west of 12th Avenue N.W.

Rock Creek Road must be widened four (4) additional feet on each side of the road in order to meet current City standards for arterial streets in Norman. Under §19-602(B) *(see attached)* of the City Code, Council may temporarily defer the construction of certain public improvements that would otherwise be required at the time of acceptance of the final plat within a subdivision. Deferral is appropriate when Council deems that such deferment is immediately in the interest of public health, safety, or general welfare. Deferral allows the applicant to move forward with obtaining a building permit prior to the construction of the required public improvements. Whenever Council approvals a deferral of a public improvement, the applicant is required to pay the cost of future improvements to the City within ten (10) days of acceptance of the final plat. Such payment must be in the form of cash or certificate of deposit. In this case, the requirement to widen Rock Creek Road or to pay a deferral fee for future widening has been imposed on other recent developments in the area including Forest Lumber and Trailwoods Addition. The attached aerial map illustrates those developments and the associated fees.

Staff estimates the deferral fee attributable to the Milligan Plat to be somewhere in the range of $17,000 to $18,000. The owner has requested an exemption from the deferral fee requirement. The City's Subdivision Regulations do not allow an exemption or even a variation from the public improvement requirements, but the City Council can release the deferral fee if the street widening has not occurred within ten (10) years of payment of the fee. To staff's knowledge, a full exemption of this requirement has never been granted by the City Council as part of the preliminary plat approval process. If an exemption is granted to the Milligan Plat, then it would appear prudent to refund all previous deferral payments by other developers as well.

Rock Creek Road, including its intersections with 12th Avenue N.W. and Trailwoods Drive, is scheduled for widening and intersection improvements within the City's 5-year Capital Improvement Program. The City of Norman has applied for federal transportation funds to assist with the project. The deferral fees and traffic impact fees paid by developers will be used to pay for part of the local share of that project rather than using local funds. If the exemption is granted to the Milligan development, City capital funds may have to be used to make up the difference in the future local costs to widen Rock Creek Road.

DISCUSSION: All access to this tract is provided by way of a right-in/right-out driveway along Rock Creek Road. The location of the driveway was carefully chosen with respect to the existing railroad crossing and a future traffic signal at the intersection of 12th Avenue NW and Rock Creek Road. The lot is expected to generate an estimated 50 trips per day or 5 during the p.m. peak hour. This is well below the threshold for when any traffic impact analysis is required. The traffic capacities on the surrounding arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on the nearby arterial streets.

(See attachment A-Traffic Impact chart)

The intersection of 12th Avenue NW and Rock Creek Road will require additional lanes and a new

traffic signal. The estimated cost of design and construction is $709,375 of which this applicant will be responsible for 0.21% of the cost (or $1,471.12) based on their share of the traffic impacting the intersection. The City of Norman and other development will fund the remaining cost.

Public improvements for this property consist of the following:

Alley. Alley is not required.

Fire Hydrants. A fire hydrant will be installed in accordance with approved plans. Its location has been approved by the Fire Department.

Sanitary Sewers. There are no gravity sanitary sewer lines to secure this property. A private sanitary sewer system will be installed in accordance with the Oklahoma Department of Environmental Quality (ODEQ) standards.

Sidewalks. Sidewalks will be constructed adjacent to Rock Creek Road.

Storm Sewers. A privately-maintained detention facility will be utilized.

Intersections: A previous traffic study concluded that the intersection of 12th Avenue NW and Rock Creek Road will need to be improved. The estimated cost of design and construction for the widening and signalization improvements is $709,375 of which this applicant will be responsible for 0.21% of the cost (or $1,471.12) based on their share of the PM peak hour traffic impacting the intersection.

Streets. There is an additional four foot (4') paving requirement for Rock Creek Road. The applicant's share of the costs of this requirement is estimated to be around $17,000 to $18,000.

Water Mains. One water main will be installed to serve fire hydrant in accordance with approved plans and City water standards.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

RECOMMENDATION: Based upon the above information, staff cannot support an exemption from the WQPZ Ordinance or the exemption from Subdivision Regulations involving street improvements to Rock Creek Road. As a result, staff recommends denial of the preliminary plat for Milligan Industrial Tract Addition.

Attachment A
Traffic Impact Table
PP-1112-18

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY LOS "E"	% LOS 'E' CAPACITY USED (EXISTING)	% LOS 'E' CAPACITY USED (PROJECTED)
12th Avenue N.W.	2	1,500	20	1,520	17,100	8.77	8.89
Rock Creek Road	4	11,760	50	11,810	34,200	34.39	34.53

Sec. 19-601. - Variations.

A. Occasionally the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardship or inequity. The City Council may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or public improvements, so that the subdivider may develop the subject property in a reasonable manner. At the same time, the public welfare and interests of the City must be protected and the general intent and spirit of this chapter are preserved by granting such variance. Such modification may be granted upon written request of the subdivider or the subdivider's engineer, stating the reason for each modification, and may be approved by vote of the regular membership of the City Council, with the recommendation of the Planning Commission, subject to the acceptance of the plat and the dedications thereon by the City Council; provided, however, that a variation based on unique condition(s) shall not be granted when the unique condition(s) was created or contributed to by the subdivider.

B. WQPZ Averaging. The width of the WQPZ may be reduced in some circumstances to accommodate unusual or historical development patterns, shallow lots, stream crossings, or storm water ponds. Any averaging of the WQPZ must be done in accordance with the following:

1. An overall average WQPZ width of at least the base width as determined in [subsection] 19-411(B) must be achieved within the boundaries of the property to be developed. The WQPZ on adjoining properties cannot be included with buffer averaging on a separate property, even if owned by the same property owner.

2. The average width must be calculated based upon the entire length of stream bank that is located within the boundaries of the property to be developed. When calculating the WQPZ length, the natural stream channel should be followed.

3. WQPZ averaging shall be applied to each side of a stream independently. If the property being developed encompasses both sides of a stream, WQPZ averaging can be applied to both sides of the stream, but must be applied to both sides of the stream independently, unless the natural topography of the stream makes one side of the stream not conducive to the establishment of a WQPZ and in that event, averaging using both sides may be utilized.

4. WQPZ averaging is prohibited in developments that have, or will have after development areas that have slopes greater than fifteen (15) percent that are located within fifty (50) feet of the stream to be buffered.

5. Appeal from Decision of Public Works Director. If the applicant desires to appeal from the decision of the Public Works Director or his or her designee made in accordance with this subsection, the applicant may file such request, and any documentation supporting said appeal, with the City Clerk. The City Clerk will place the appeal on the agenda of the next available regular City Council meeting. The decision of the Public Works Director, or his or her designee, may be upheld or overturned by vote of the regular membership of the City Council.

Sec. 19-602. - Exception for issuing a building permit.

B. *Deferral of public improvements:*

1. It is the purpose of this section to provide, in specific cases, as are hereinafter designated, a procedure whereby the City Council may temporarily defer the construction of certain public improvements required by the Code of the City of Norman at the time of acceptance of a final plat within a subdivision; provided that the City Council, in its sole judgment, deems that such deferment shall be immediately in the interest of public health, safety, or general welfare. It is the further purpose of this section to provide in specific cases where construction of required drainage improvements outside the boundary of a subdivision plat or other tract of land cannot be accomplished because the necessary easements or rights-of-way cannot be reasonably obtained, a procedure whereby the City Council may temporarily defer the construction of certain public improvements required by the Code of the City of Norman at the time of acceptance of a final plat and the associated program of improvements.

2. The City Council, after recommendation from the Director of Public Works and the Planning Commission, may accept a final plat and authorize the issuance of building permits prior to the construction of such deferred public improvements required by the Code of the City of Norman in the following situations:

(a) Where incompatible grades exist;

(b) Where there are inadequate or a lack of connecting facilities;

(c) Where construction of the improvement would not immediately function for its intended use; or

(d) Where such improvement would be replaced by a planned future project.

3. The City Council, after recommendation from the Director of Public Works and the Planning Commission, may accept a final plat and the program of improvements and defer public drainage improvements with the condition that the deferred drainage improvements are a part of the program of improvements but are the responsibility of the City of Norman to construct under the following situations:

(a) Where construction of required drainage improvements outside the boundary of a subdivision plat or other tract of land cannot be accomplished because the necessary easements or rights-of-way cannot reasonably be obtained; or

(b) Where documentation is provided which demonstrates that reasonable and proper attempts have been made to obtain the necessary easements and rights-of-way to construct the drainage improvements required by the City and that these attempts have been unsuccessful.

(c) Deferral of such improvements shall not result in any increased flooding of any street or habitable structure.

4. Whenever it is deemed necessary by the City Council to defer construction of any improvement, other than drainage under section 19-602B.3, the applicant shall pay the cost, as

determined by the Director of Public Works, of future improvements to the City within ten (10) days of City Council acceptance of the final plat. Payment of cost shall be in cash or certificate of deposit.

In the case of deferred construction recommended under subsection 19-602B.3. above, the applicant shall make the following payments:

(a) An initial payment based on the engineer's estimate of the cost of construction as approved by the Director of Public Works plus the estimated costs of right-of-way acquisition and competitive bidding. The initial payment shall be in cash or certificate of deposit and shall be made within ten (10) days of City Council acceptance of the final plat.

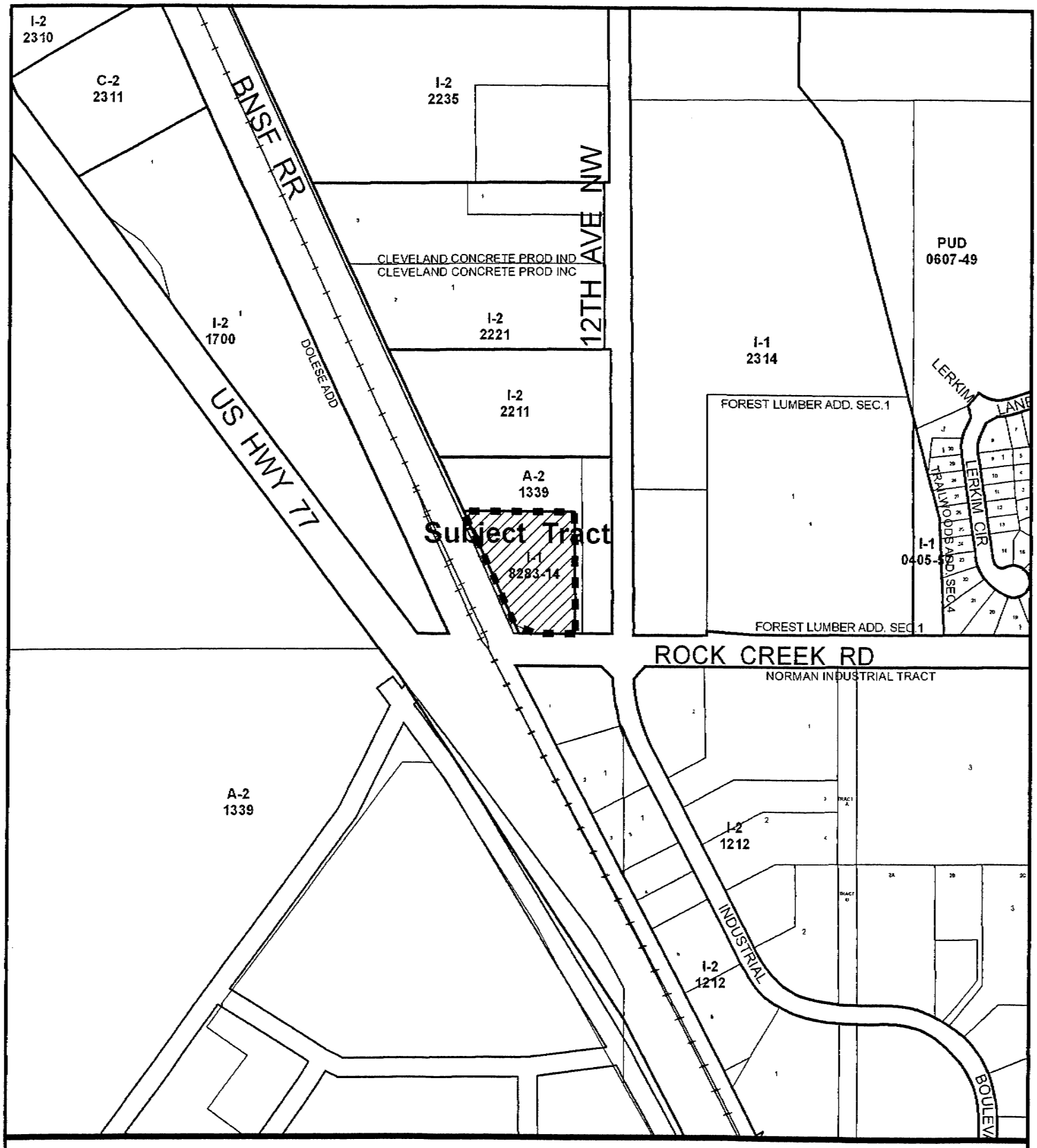
(b) A final payment based on the actual cost of construction, right-of-way acquisition, and competitive bidding minus the initial payment. If the initial payment is greater than the actual cost, the difference will be returned to the applicant upon action of the Council upon request from the applicant. The final payment shall be in cash.

5. Monies received by the City under the authority of this section shall be separately accounted for and expended for no other purpose than in conjunction with the later construction of deferred improvement, except for deferred drainage improvements.

6. Monies received by the City under authority of this section for drainage improvements must be separately accounted for, but may be used for a drainage improvement other than the specific deferred improvement with the approval of the City Council if the proposed drainage improvement addresses a problem of the tract of land that the specific deferred improvement serves. The applicant is relieved of the obligation for the deferred improvement when its deferred funds are expended.

7. If construction of the deferred facility has not commenced within ten (10) years from the date of deferment, then the cost paid or the certificate of deposit may be returned upon action of the Council upon written request of the payor.

8. A deferment as contemplated by this section shall be submitted to the Planning Commission for a recommendation of approval or disapproval at the same time the final plat is submitted. The deferment and recommendation shall then be submitted to the City Council for its consideration at the same time the final plat is submitted for acceptance.



Location Map

MILLIGAN Addition

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

N
W E
S

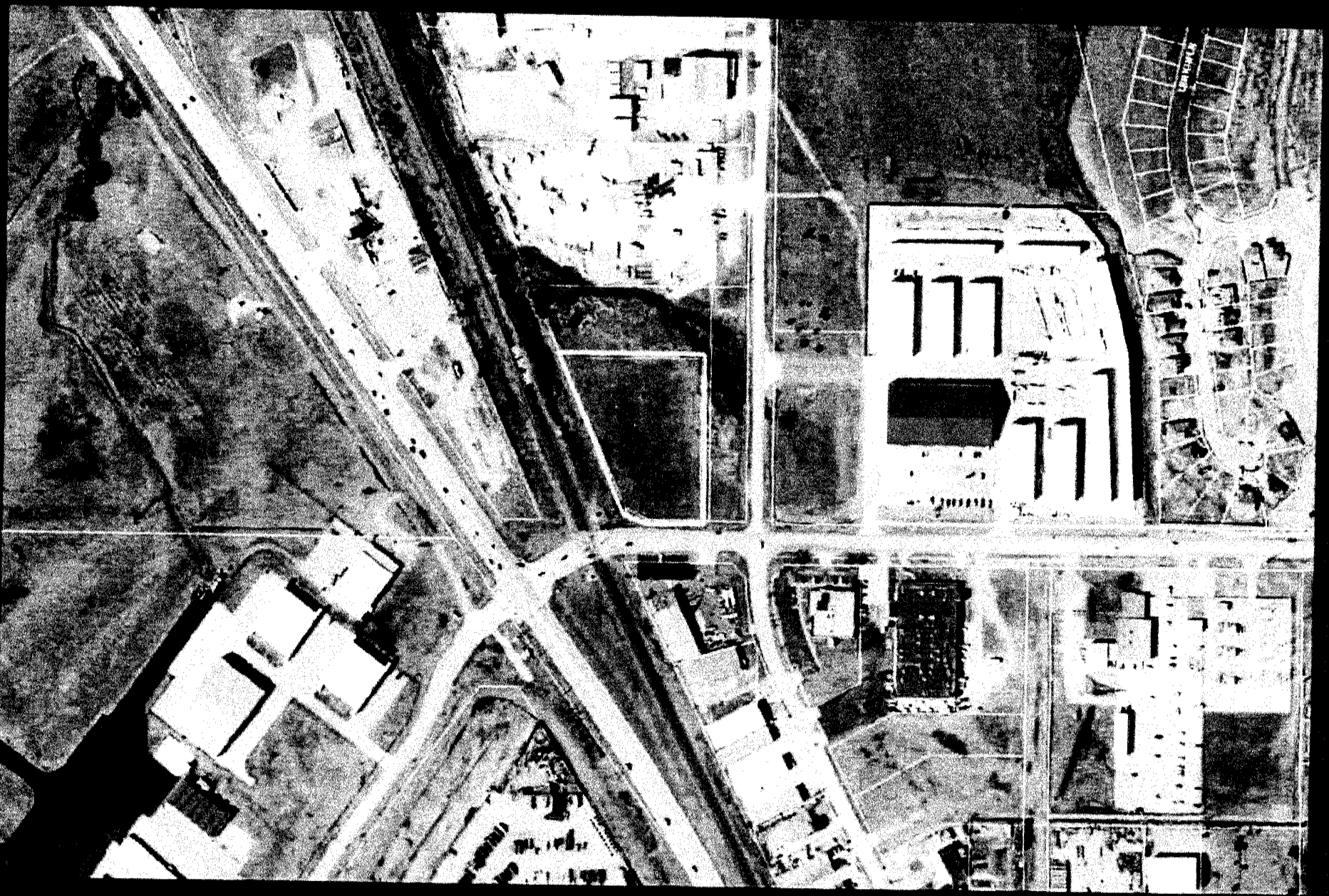
January 10, 2012

0 200 400 Ft.

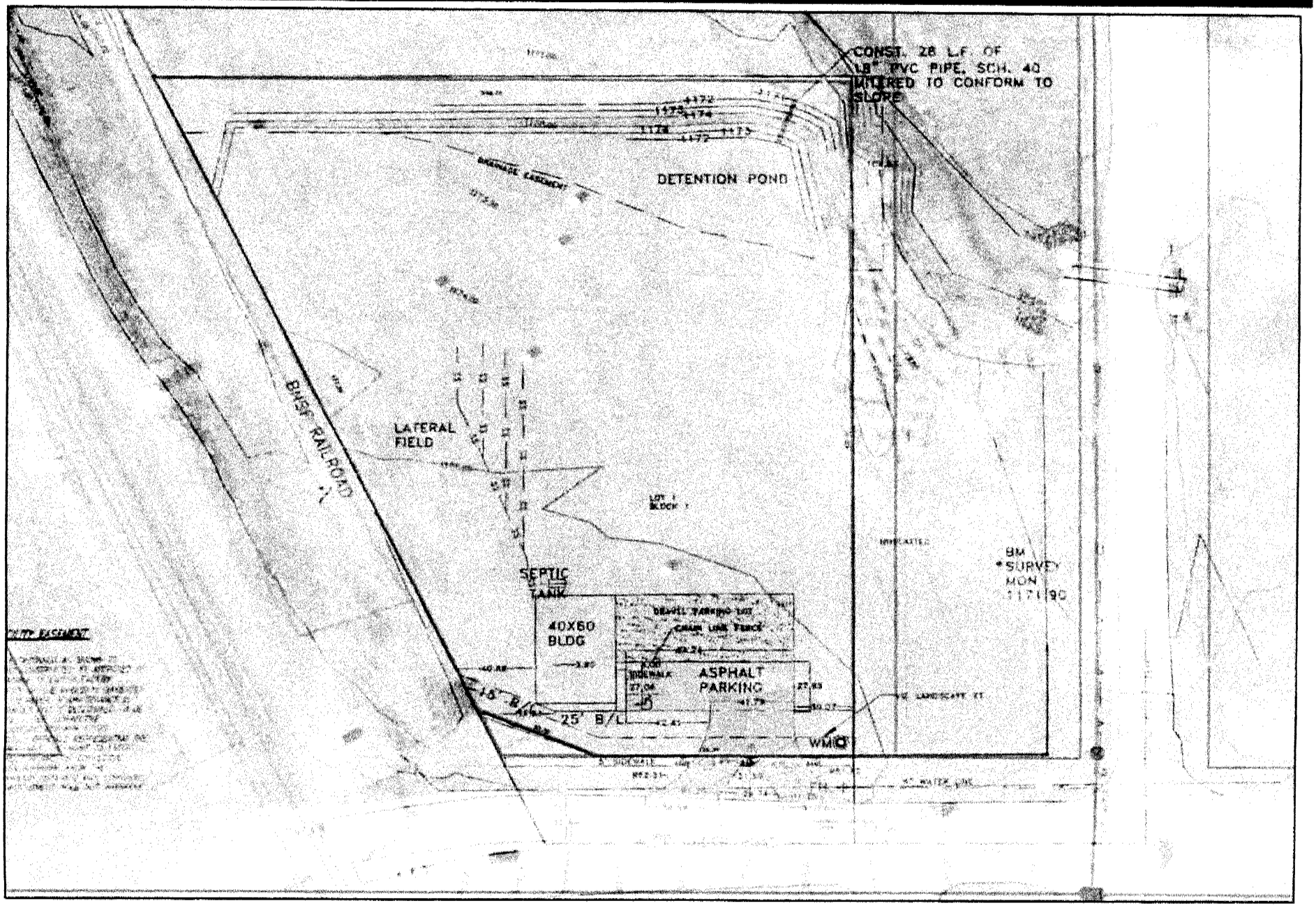
Subject Tract

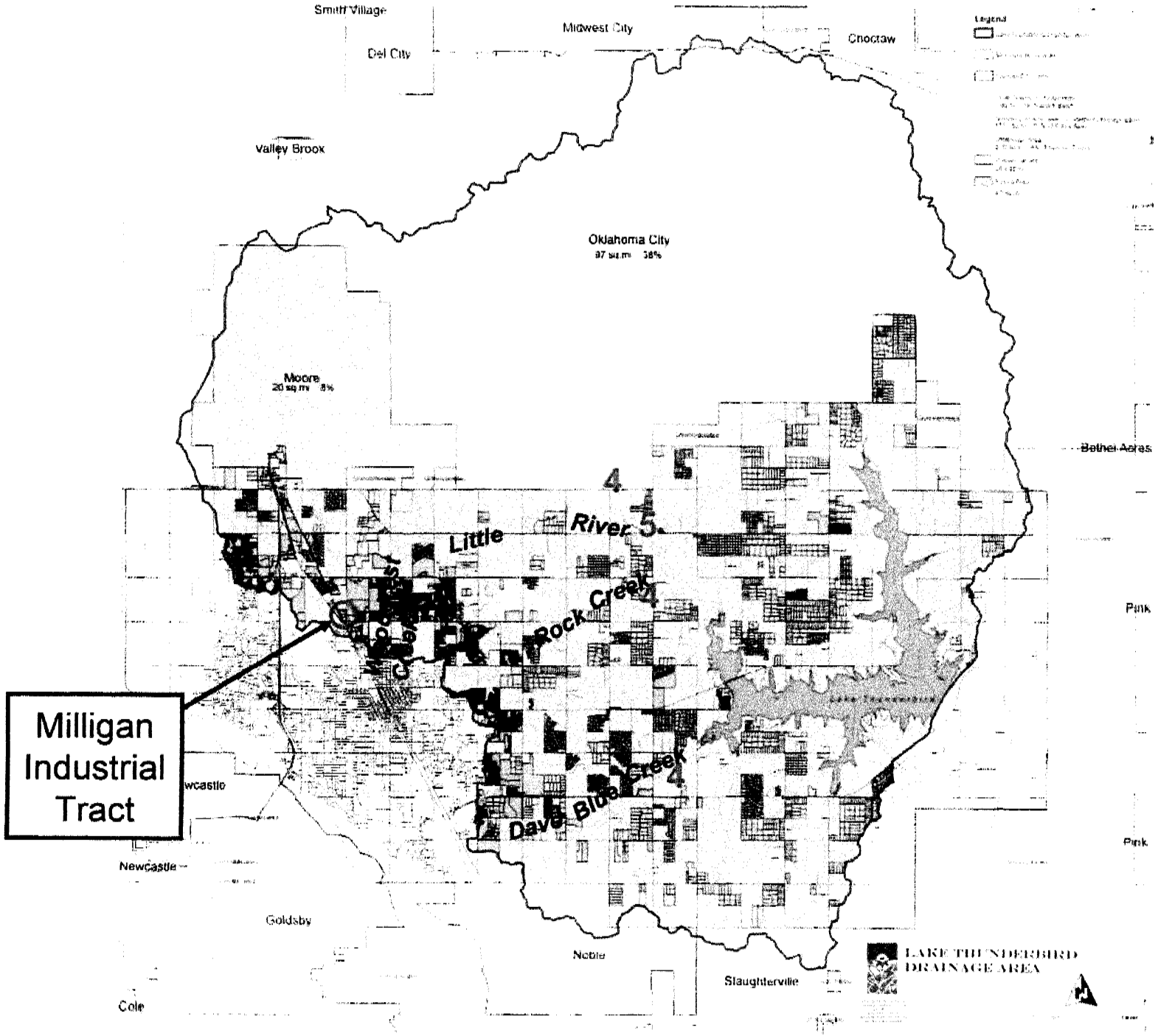
Zoning

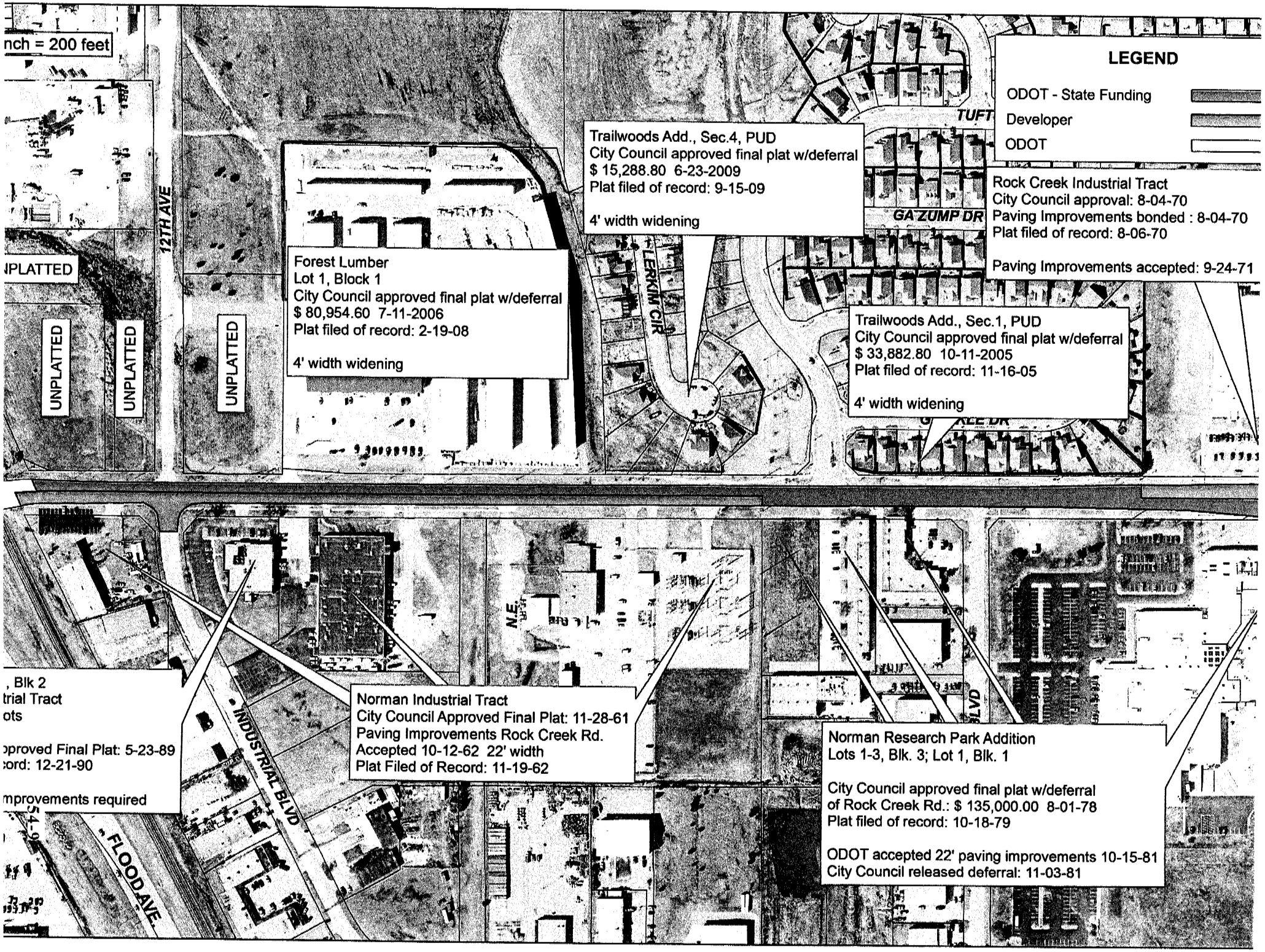
Milligan Industrial Tract Addition



Milligan Industrial Tract Addition




Milligan Industrial Tract
Smith Village
Midwest City
Choctaw
Del City
Valley Brook
Oklahoma City
Moore
Little
River
Rock Creek
Dave Blue Creek
Bethel Acres
Pink
Newcastle
Goldsby
Noble
Slaughterville
Cole
LAKE THUNDERBIRD DRAINAGE AREA


nch = 200 feet
LEGEND
ODOT - State Funding
Developer
ODOT
Trailwoods Add., Sec.4, PUD
City Council approved final plat w/deferral
$ 15,288.80 6-23-2009
Plat filed of record: 9-15-09
4' width widening
Rock Creek Industrial Tract
City Council approval: 8-04-70
Paving Improvements bonded : 8-04-70
Plat filed of record: 8-06-70
Paving Improvements accepted: 9-24-71
Forest Lumber
Lot 1, Block 1
City Council approved final plat w/deferral
$ 80,954.60 7-11-2006
Plat filed of record: 2-19-08
4' width widening
Trailwoods Add., Sec.1, PUD
City Council approved final plat w/deferral
$ 33,882.80 10-11-2005
Plat filed of record: 11-16-05
4' width widening
12TH AVE
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
TUFT
GA ZUMP DR
LERKIM CIR
, Blk 2
trial Tract
ots
pproved Final Plat: 5-23-89
cord: 12-21-90
mprovements required
Norman Industrial Tract
City Council Approved Final Plat: 11-28-61
Paving Improvements Rock Creek Rd.
Accepted 10-12-62 22' width
Plat Filed of Record: 11-19-62
Norman Research Park Addition
Lots 1-3, Blk. 3; Lot 1, Blk. 1
City Council approved final plat w/deferral
of Rock Creek Rd.: $ 135,000.00 8-01-78
Plat filed of record: 10-18-79
ODOT accepted 22' paving improvements 10-15-81
City Council released deferral: 11-03-81
INDUSTRIAL BLVD
FLOOD AVE
N.E.

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE/4, SEC. 13, T.9N., R.3W., IM., CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING A THE SE. CORNER OF THE SE/4 OF SEC. 13;
THENCE N89°48'00"W A DISTANCE OF 147.00';
THENCE N00°00'00"E A DISTANCE OF 30.00', TO THE P.O.B.;
THENCE N89°52'25"W A DISTANCE OF 129.36';
THENCE N66°26'21"W A DISTANCE OF 65.04';
THENCE N24°10'00"W A DISTANCE OF 389.03';
THENCE S89°48'00"E A DISTANCE OF 348.25';
THENCE SOUTH A DISTANCE OF 380.00', TO THE P.O.B.;
SAID TRACT CONTAINING 2.28 ACRES, MORE OR LESS.

OWNER OF RECORD:

MIKE AND CINDY MILLIGAN
2313 ROCKWOOD LN
NORMAN, OK 73071

TOTAL LOTS: 1

TOTAL AREA: 2.28 ACRES

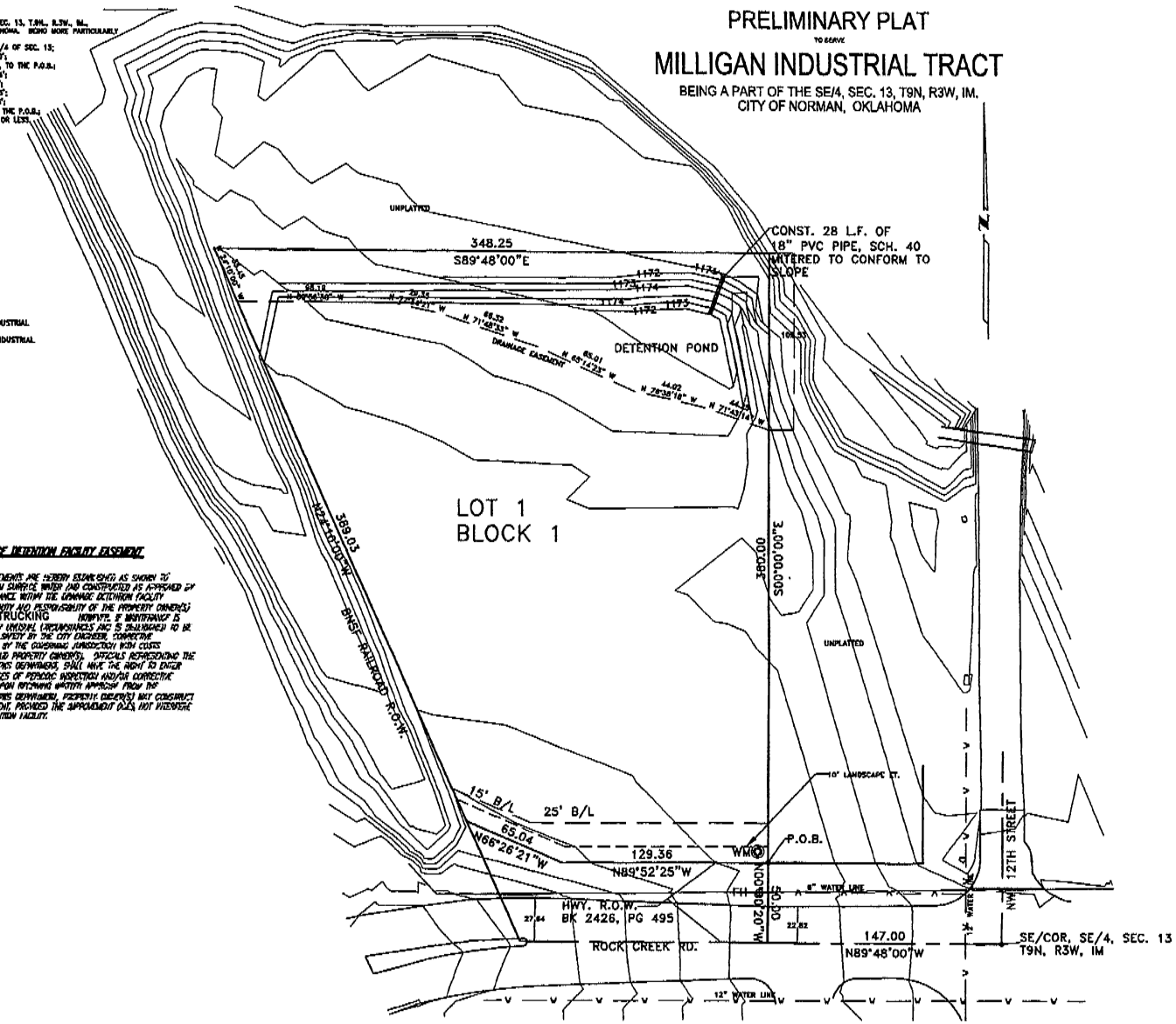
DENSITY: .44 LOTS/ACRE

CURRENT ZONING: I-1 INDUSTRIAL

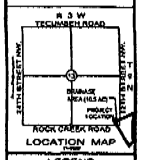
PROPOSED ZONING: I-1 INDUSTRIAL

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE SOLE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PLAT OF MILLIGAN TRUCKING NORMAL, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND WORK UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.



CITY OF NORMAN



LOCATION MAP

LEGEND

- SANITARY SEWER LINE
- WATER LINE
- OVERHEAD ELECTRIC
- EXISTING GAS SERVICE
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- POWER POLE
- GUY ANCHOR
- LIGHT POLE
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- GAS VALVE
- GAS METER
- ELECTRIC METER
- TELEPHONE PEDESTAL
- MONITOR WELL
- SIGN
- TRAFFIC SIGNAL POLE
- TRAFFIC SIGNAL BOX
- FENCE
- SET IRON PIN
- FOUND IRON PIN
- BENCHMARK

PRELIMINARY PLAT
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA

MORRIS
ENGINEERING AND SURVEYING
www.morrisengineering.com
817 N.W. 27TH ST. MOORE, OK 73160
(405) 913-7775 OFC (405) 913-2323 FAX

ROSS C. MORRIS 16837
OKLAHOMA

P.E. EXP. 6-30-12
CA 2564 EXP. 6-30-11

DATE 6-6-12
SIGNATURE

PRELIMINARY PLAT
TO SERVE
MILLIGAN INDUSTRIAL TRACT
SE/4, SEC. 13, T9N, R3W

PROJECT NO. | REF. NO. | REF. NO.

SHEET NO. 1 OF 1

REVISED PRELIMINARY PLAT ITEM NO. 7

STAFF REPORT

ITEM: CONSIDERATION of a REVISED PRELIMINARY PLAT for MILLIGAN INDUSTRIAL TRACT ADDITION (Formerly submitted as Milligan Addition).

LOCATION: Generally located on the north side of Rock Creek Road between 12th Avenue N.W. and Burlington Northern Santa Fe Railroad Right-of-Way.

INFORMATION:

1. Owner. Mike and Cindy Milligan
2. Developer. Milligan Trucking.
3. Engineer. Morris Engineering Surveying

HISTORY:

1. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
2. August 31, 1982. City Council accepted the proposed sewer solution for Rock Creek Storage Addition.
3. September 9, 1982. Planning Commission, on a vote of 9-0, recommended to City Council rejection of the request that this property be placed in I-1, and removed from A-2 zoning.
4. September 9, 1982. Planning Commission, on a vote of 9-0, tabled the preliminary plat for Rock Creek Storage Addition.
5. October 5, 1982. City Council adopted Ordinance No. O-8283-14 placing this property in I-1 and removing it from A-2 zoning classification.
6. October 14, 1982. Planning Commission, on a vote of 5-1, approved the preliminary plat for Rock Creek Storage Addition.

7. October 14, 1987. Approval of the preliminary plat for Rock Creek Storage Addition became null and void.

8. March 8, 2012. Planning Commission, on a vote of 6-0, recommended to City Council that the preliminary plat for Milligan Addition be approved.

9. April, 2012. Applicant chose not to proceed to City Council, but instead, to make significant changes to the application and return to Planning Commission.

IMPROVEMENT PROGRAM:

1. Alleys. In accordance with the City Code, alleys are not needed for a lot greater than one acre.

2. Fire Hydrants. A fire hydrant will be installed in accordance with approved plans. Its location has been approved by the Fire Department.

3. Permanent Markers. Permanent markers will be installed prior to City acceptance of street improvements.

4. Sanitary Sewers. A private sanitary sewer solution will be utilized in accordance with City and Oklahoma Department of Environmental Quality standards.

5. Sidewalks. A sidewalk will be located and constructed adjacent to Rock Creek Road.

6. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately-maintained detention system will be employed in natural low area to minimize the increase in storm water runoff from this tract.

7. Water Quality Protection Zone (WQPZ). This property is required to comply with the City's Water Quality Protection Zone Ordinance because it is a new preliminary plat and because the storm water runoff from the property discharges into Lake Thunderbird through the Little River and its tributaries. Staff has worked closely for months with the applicant and the private engineer on this matter.

   This parcel is bordered by existing storm water channels, and thus WQPZs, along the west and the north property lines. The ordinance requires the dedication of 100-foot buffers along both boundaries unless an "engineered alternative" can be developed. The applicant requested this "engineered alternate" variance in order to maximize the use of this small parcel. Staff concurred in the variance that (1) the storm water detention basin be slightly enlarged, (2) the on-site drainage channel on the parcel be widened and (3) wetlands plants be incorporated into the detention basin. While the applicant's engineer was able to design these improvements in

accordance with the City's WQPZ ordinance, the applicant chose instead to request a full exemption from the ordinance.

The WQPZ ordinance currently does not allow a full exemption from the water quality requirements for any parcel within the Lake Thunderbird water shed. The Planning Commission may wish to comment on this issue, but it appears that only the City Council is authorized to waive the WQPZ ordinance requirements.

8. Streets. Development in this area first began in 1961 with the platting of Norman Industrial Tract Addition. This property was located on the south side of Rock Creek Road from the Burlington Northern and Santa Fe railroad to the east property a distance of 1,700 feet. The street width standard at that time was a half width of 22 feet. The developer was responsible for 1,700 feet of half width paving. The improvements were accepted October of 1962. The next development occurred in 1970. It was located at the northwest corner of Rock Creek Road and Stubbeman Avenue. This was the first development on the north side of Rock Creek Road. The developer installed 450 feet of 22-foot width paving for Rock Creek Road. In 1978, a large industrial user known as TOTCO proposed to move their operations to Norman. A request was made of the Oklahoma Department of Transportation for cooperation in providing an industrial access road. The plan was to utilize the existing paving and install new paving on the south side of Rock Creek Road for a distance of 1,300 feet. An issue was raised by City staff that ODOT was going to install the improvements at a width of 22-feet instead of the City's new standard of 25-foot half width. At the objections of the City of Norman, Rock Creek Road was built at a width of 44-feet or 22-feet half width. The north side of Rock Creek Road was included with the ODOT project. From the 450-feet of Rock Creek Road that had been installed in 1971 to the railroad tracks, 22-feet half width paving was installed. The project was accepted in 1981. Although the improvements did not meet the current standards at that time, the project was accepted, City Council released the deferral money that was submitted to secure the improvements and a certificate of occupancy was issued to TOTCO. Except for the one development on the north side of the street near Stubbeman Avenue, the remaining properties to the west remained vacant.

   In 2005, development began 450-feet west of Stubbeman Avenue. At this time the City standards required 26-feet of half width paving. As a result, the developer was required to defer a 4-foot width street widening. This property had a frontage of 964 feet. The next development in 2006 to occur on the north side consisted of deferral of 4-foot width for a distance of 1,000 feet. The remaining development to occur between 12th Avenue N.W. and Stubbeman Avenue took place in 2009 with a frontage of 270 feet. This preliminary plat is the first development on the north side of Rock Creek Road located west of 12th Avenue N.W.

   Rock Creek Road must be widened four additional feet on each side of the road in order to meet current City standards for arterial streets in Norman. The owner has

requested an exemption from this requirement. The City's Subdivision Regulations do not allow an exemption from the arterial street improvement requirements. To staff's knowledge, a full exemption of this requirement has never been granted by the Planning Commission or the City Council.

In this case, the requirement to widen Rock Creek Road or to pay a deferral fee for future widening has been imposed on other recent developments in the area including Forest Lumber and Trailwoods Addition. The attached aerial map illustrates those developments and the associated fees. If an exemption is granted to the Milligan Plat, then it would appear prudent to refund all previous deferral payments by other developers as well.

Rock Creek Road, including its intersections with 12th Avenue NW and Trailwoods Drive, is scheduled for widening and intersection improvements within the City's 5-year Capital Improvement Program. The City of Norman has applied for federal transportation funds to assist with the project. The deferral fees paid by developers will be used to pay for part of the local share of that project rather than using local funds. If the exemption is granted to the Milligan development, local funds may have to be used to make up the difference in the future local costs to widen Rock Creek Road.

9. Water Mains. There is an existing twelve-inch (12") main adjacent to Rock Creek Road. A water main will be installed to serve the proposed fire hydrant.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

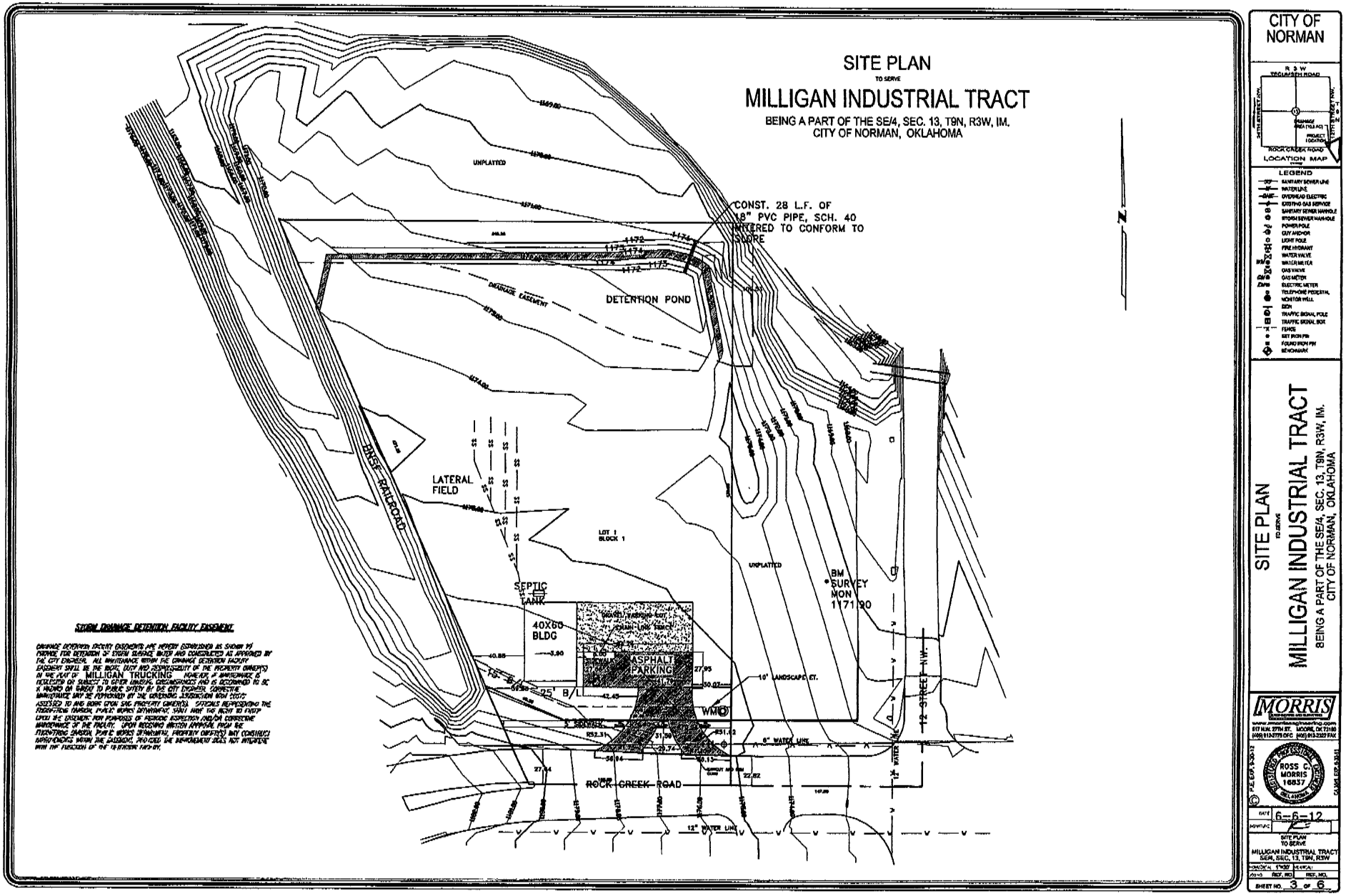
2. Rights-of-Way. All required street rights-of-way will be dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plan and revised preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Based on the fact Staff cannot support the exemptions from the WQPZ Ordinance and arterial street improvements for Rock Creek Road, staff recommends disapproval of the preliminary plat for Milligan Industrial Tract Addition.

ACTION NEEDED: Recommend approval or disapproval of the request for exemption from the WQPZ standards and exemption from paving improvements for Rock Creek Road and approval or disapproval of the revised preliminary plat for Milligan Industrial Tract Addition to City Council.

ACTION TAKEN:_____


SITE PLAN
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA
CONST. 28 L.F. OF 18" PVC PIPE, SCH. 40 MITERED TO CONFORM TO SLOPE
DETENTION POND
DRAINAGE EASEMENT
UNPLATTED
LATERAL FIELD
BNSF RAILROAD
LOT 1 BLOCK 1
SEPTIC TANK
40X60 BLDG
ASPHALT PARKING
25' B/L
WM
10' LANDSCAPE ET.
BM SURVEY MON 1171.90
12 STREET NW.
8" WATER LINE
12" WATER LINE
ROCK CREEK ROAD
STORM DRAINAGE DETENTION FACILITY EASEMENT
CITY OF NORMAN
LOCATION MAP
LEGEND
SITE PLAN
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA
MORRIS
ROSS C. MORRIS 16837
6-6-12
SITE PLAN TO SERVE
MILLIGAN INDUSTRIAL TRACT SE/4, SEC. 13, T9N, R3W
SHEET NO. 3 OF 6

MILLIGAN
405-701-4000
TRUCKING
L.L.C

Milligan Trucking, LLC
DUMP TRUCK SERVICE
NORMAN - OKLAHOMA CITY METRO AREA

May 14, 2012

City of Norman

RE: Variance to WQPZ Requirements

Dear Sir or Madam ~

Your consideration regarding a variance on the WQPZ ordinance would be greatly appreciated for our parcel of land. This land is 2.4 acres, purchased to house our raw earth material and trucking business, which serves the Norman community. Set backs and structural control measures required would consume the area dedicated to our material stock pile and consumer/truck entrance for loading.

We understand the purpose of the WQPZ and being residence of Norman, want clean drinking water for our family just like anyone else. The three reasons we believe being exempt from this will not negatively impact the overall goal of the WQPZ is the following:

- The WQPZ doesn't require benchmark testing of the water run off from the land, therefore if implemented we don't know how effective the structural controls are.
- The raw earth material being stored on the land will absorb and "cleanse" any water running off the property. The primary chemicals of concern in the WQPZ are not present on our property. We aren't fertilizing the topsoil and rocks.
- The size of the .2 of an acre required to implement the WQPZ is not large to have a substantial impact on the quality of water once it reaches Lake Thunderbird. From Rock Creek and NW 12th it will naturally pass through phases of material to be cleansed.

Your consideration is sincerely appreciated and we welcome any questions regarding development of the land and our products and services.

Sincerely,

Cindy Milligan

Cindy Milligan

Office 405.701.4000 | Fax 888.588.4018 | www.milligantrucking.com

MORRIS
ENGINEERING AND SURVEYING
www.rmorrisengineering.com

617 N.W. 27th Street
Moore, OK 73160
(405) 912-2775
(405) 912-2322 Fax

April 13, 2012

Mike Milligan
Milligan Trucking

RE: WQPZ requirements at the Rock Creek and 12 ST. NW site

Dear Sirs,

I am writing to inform you of my opinions of the City of Norman's WQPZ requirements. Evidently this is the first test case where structural controls have been attempted to lessen the effects of the Water Quality Protection Zone. Without this, the WQPZ would be a limiting factor on the uses for your 2.28 acre property. However, the controls are just as limiting. By using the Wichita storm water manual we would need several structure controls leading down to the detention pond. And this area would not be usable for anything else. I can see with a larger parcel the structural controls would be more effective and less constrictive. But on this size site with the limited use you are proposing I don't think it is feasible, nor effective. Especially since other surrounding uses have more sever uses and no structural controls. It just seems the cat is out of the bag in this case. Whatever minuscule improvement to the basin your controls would provide will be overshadowed by the other uses without any controls. My opinion is that with the degree of development the City of Norman has already, they would be better served to go downstream and create some regional structural controls that would allow more pollutant removal before it enters the reservoir containing the drinking water.

Sincerely,

Ross C. Morris

405-701-4000

Milligan Trucking, LLC
DUMP TRUCK SERVICE
NORMAN - OKLAHOMA CITY METRO AREA

May 14, 2012

City of Norman

RE: Variance for Deferral & Public Improvements

Dear Sir or Madam ~

Your consideration for a variance from the required deferral cost of public improvement or the installation thereof, widening of Rock Creek Road at NW 12th, would be greatly appreciated.

Rock Creek Road was widened several years ago by ODOT and to our knowledge there are no known plans to widen this section of road running in front of our property.

We appreciate your consideration.

Sincerely,

Cindy Milligan

Cindy Milligan

Office 405.701.4000 | Fax 888.588.4018 | www.milligantrucking.com

EXCELLENCE DELIVERED... MILE AFTER MILE

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 14, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of June 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:33 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Cynthia Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	None

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer Shawn O'Leary, Director, Public Works Susan Atkinson, Planner I

* * *

Item No. 7, being:
PP-1112-18 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY MIKE AND CINDY MILLIGAN (MORRIS ENGINEERING & SURVEYING) FOR MILLIGAN INDUSTRIAL TRACT ADDITION, GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD ON THE EAST SIDE OF THE BNSF RAILROAD RIGHT-OF-WAY.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Request for Variance of the WQPZ
5. Letter from Engineer regarding the WQPZ
6. Request for Road Improvement Deferral
7. Site Plan

PRESENTATION BY STAFF:
1. Mr. Danner – I'd like to give a little bit of a background on this. The Planning Commission saw the preliminary plat in March of this year and recommended approval of it to City Council. With that particular preliminary plat, we had a variance in the WQPZ and a recommendation whenever the final plat came forward of a deferral of Rock Creek Road. In between that time, the applicant chose not to pursue the deferral or the WQPZ, so it never did make its way to the City Council. As a result of the changes and his desire to request exemption of the WQPZ and exemption of the street improvements, he has brought forward a revised preliminary plat. That's why you have it before you now. Mr. O'Leary is going to make a presentation regarding those exemptions. As far as the preliminary plat itself, a sidewalk will be required adjacent to Rock Creek Road. A fire hydrant will be used to serve the facility in regards to any structure. It will be a private sanitary sewer system, because there is no public sewer available. Water is existing.

2. Mr. O'Leary – This is an unusual situation and I want to take a few moments to certainly answer your questions if you have them. We have a few slides that we hope will help to clarify what is being requested here. Frankly, we don't think we've ever received these requests for a total exemption from a deferral or the improvement costs for the arterial street. In the one year that we have had the Water Quality Protection Zone ordinance, that has not happened either. There are variances and other ways to approach these things, but, again, what is being requested here is a total exemption. Let me elaborate, if I may. Here's the site plan that you're looking at in your book of the Milligan tract. I think one of the bases of the request from the applicant is the small size of the parcel. It is a parcel under 3 acres in size. We certainly understand and sympathize with that, but, again, neither of these ordinances give any relief to a smaller parcel different than a larger parcel. This is to acclimate you to the location if you haven't been out there. Bordering the BNSF railroad tracts on the west side of the parcel. That is 12th Avenue N.W. running along the east side of the parcel area and, of course, Rock Creek Road on the south side. Just to the east, the first developed parcel is Forest Lumber, and east of there would be Trailwoods Addition. A photo taken yesterday. It's a fairly active parcel; there's quite a bit of activity today on the site. Trucking operation and those trucks were taking access today through a gravel driveway onto 12th Avenue. This parcel does not have adjacent frontage on 12th Avenue, so I wanted to clarify that if you'd seen that. This parcel is the yellow bounded parcel. There is a long linear piece of privately owned property separating this parcel from 12th Avenue so it doesn't have access onto 12th Avenue. This is the site plan overlaid on an aerial photograph just to kind of put it into scale for you. Those red lines illustrate the three different parcels again – the one that we're talking about is the western most, the little flag lot, and the long linear lot are privately owned by another party so the applicant only owns the western most parcel. You can kind of see the location of a proposed building and a lateral septic tank system and then the driveway access onto Rock Creek Road adjacent to the tracks. I'll speak briefly to the two exceptions being requested. First is the Water Quality Protection Zone ordinance – fairly new – about a year old, roughly. This Planning Commission approved that

ordinance and recommended that favorably to the City Council last June, and on June 28, 2011 the City Council approved the ordinance. We've been operating ever since. I think we've had four or five applications that have come forward with the dedicated buffer zone along streams. Two tests. Why would a parcel be subject to the WQPZ ordinance? First, is it a new preliminary plat? This is a new preliminary plat. And second test, does the runoff from this parcel end up in Lake Thunderbird? Yes. The runoff from this parcel, shown on this map – the blue bordered area is what we refer to as the Lake Thunderbird watershed, so all the parcels within that blue boundary, including nearly 50% of the parcels in Moore and Oklahoma City – all of that stormwater runoff ends up in Lake Thunderbird through Little River and Rock Creek channel and Dave Blue Creek and so on and so forth. Believe it or not, the water that runs off this parcel ends up all the way over there in Lake Thunderbird. So the ordinance applies to this parcel. That is why we have recommended that they follow the ordinance. Again, that ordinance, without going into great detail, gives really a number of options. The starting point is where there is a water quality protection zone or a floodplain area – and this parcel has floodplain or a channel along the west boundary and along the north boundary, so there are two full build out floodplains adjacent to this parcel. The general starting point is that you can create a buffer – a 100' buffer from the edge of that full build out floodplain into the property, dedicate that as an easement for water quality protection zone, and you're done and that would come forward on the plat. This applicant had some concerns with that, primarily because of the size of the parcel – very logical and very appropriate concern. So then we went to the variance. This ordinance has a number of variance options. The one that was most practical and the most realistic here is what we call the engineered alternative. In other words, the applicant would work with their engineer to design an alternative system of water quality treatment of the storm water runoff. We've just done a very basic drawing here of the last version that our storm water engineers, working with Morris Engineering for the applicant, finally proposed would fulfill the ordinance. It basically was roughly a 15' wide grass swale with a sand filtering system shown along the east boundary – it could be anywhere on the parcel, but the east boundary was the applicant's preference – and then a storm water detention basin that the applicant is required to build as part of the basic storm water ordinance, so that's not being exempted here. But using that, then, for the water quality purposes, we recommended over-excavating – making it deeper so it was serving as a retention basin, and then installing a series of wetlands plants. We just did this in Brookhaven channel – just finished a project earlier this year. So very achievable, very doable, and we really felt like it certainly would accommodate the improvements on the parcel. So that was the engineered alternative. I think after working through all of that the applicant chose not to do any of it. Don't exactly know why. Obviously, he'll speak to that here tonight. That was where the discussion of the fulfillment of the WQPZ ordinance ended. The other very unusual part of this corridor is Rock Creek Road and the widening thereof. There's a long explanation in your book – I won't bore you with all the details. There is a history here. Naturally, like every corridor, back in the late 70s there was a development along the south side of Rock Creek Road closer to Stubbeman. This was called Toddco, an industrial development job generator – it was a big deal back in the late 70s – and they were successful in getting an industrial roadway grant to improve Rock Creek Road. Unfortunately, when they did that they built it to a lesser width than we require. They built it to 44' wide, instead of 50' wide. Standards were changing at the time. Nevertheless, every plat that has come forward since that time, including all the Trailwoods plats, the Forest Lumber plat on the north, all have agree to pay a deferral for widening their side of the road an additional 4' in the future. Theoretically, we'd like to do it on the south in the future as well. There is a project today that has been generated out of the development process – out of the Trailwoods Addition primarily – that would improve the intersection of 12th Avenue and Rock Creek and the intersection of Trailwoods Drive and Rock Creek with two new traffic signals and the widening of the road. So we have a project in our 5-year plan. We fully intend to use the deferred amounts from Trailwoods Addition and from Forest Lumber, and this is the reason we can't recommend to you a deferral of the roadway widening requirement, which is in the Subdivision Regulations. Certainly, we see a practical use of those

funds, but we see a fairness issue here. We didn't grant that deferral to Ideal Homes and to Forest Lumber; we don't think it's reasonable to grant it here.

3. Chairman Sherrer – Do you have an estimate on what the cost was or would be for doing the engineered solution?

4. Mr. O'Leary – I appreciate that question, Mr. Chairman. We do not. I think that's about the time that the process broke down. I would defer to Mr. Morris. He was doing the real heavy lifting on the design. Our storm water engineer, Bob Hanger, is no longer with us and I don't believe we had an estimate of dollars when that process stopped.

PRESENTATION BY THE APPLICANT:

1. Ross Morris, Morris Engineering, 617 N.W. 27th in Moore – The applicant, Mr. Milligan, and his wife are here as well. When we came through in March for the preliminary plat, and it was approved, we set to work to try to get together our final plat and our plans. As we went through the alternate engineered method – I'm speaking about the WQPZ – it became obvious to Mr. Milligan that this was going to take up more of his land and was going to create more of a burden on him financially in trying to comply with it, because we were going to wind up with 20' of a swale and it was going to encroach upon what he had envisioned for his property. So we had worked with the City – Mr. Hanger – to come up with a series of alternatives that would work and then to see how they would fit on his property and then what that would do to his plans for his property. We tried several different rounds of that. It just became obvious that whatever we did was going to encroach upon his property and hinder his plans for his property, so that's why we respectfully said let's just come back and try to get a deferral of it so that Mr. Milligan can continue on with his project and developing his business there. As well, the street section, in terms of the widening 4' in our little segment – it didn't seem to make sense to us. If we just widened it in our segment, then we would have a dead end right there and our little 100' or so – and Mr. Milligan already had his driveway in, so, again, that's why we had asked for the deferral on that, too. He would be happy to speak to that and answer any questions if you have any.

2. Ms. Gordon – The total area here is about 2-1/4 acres and you talk about it taking up too much of that. Do you have an approximate how much of that it would be taking up?

3. Mike Milligan, 2313 Rockwood Lane – When we looked at the – instead of doing the 100' buffer, it reduced it down to 25 – that was the option we had. But by the time you put in all the wetlands and the swales for the runoff, it makes the property totally worthless. It comes out to be about 20 or 25' of the total east side of the property from the front to the back.

4. Cindy Milligan, 2313 Rockwood Lane – One of the things that I wanted to mention, just to add onto what Mike and Ross said, is that when we look at the WQPZ, it's not only the space that it takes for the land there, but you look at the road widening, the setback for that, and then you look at the setback for the 10' landscape area that we're supposed to have – the buffer. You look at adding all of that up and, quite frankly, it doesn't leave us a lot left to be able to do what we need to do on the land.

5. Ms. Gordon – Well, that's why I'm trying to get a handle on what "not a lot left" means. You know – ballpark.

6. Mr. Morris – Mike could explain what business he's in and how he's using the property, so we can help you get an idea of what we're doing there and how this does affect them. She's wanting to know what kind of property this would take. Did we do any calculations on that at that time?

7. Ms. Gordon – But it would help to understand how you're using it or how you intend to.

8. Mr. Milligan – We own Milligan Trucking. We have a dump truck service here in Norman. We supply sand and gravel to home builders and all the construction that goes on in town. We had another site that was zoned agriculture that we housed our trucks on. It wasn't appropriate. I was told to buy industrial property so we went and done that and here we go. This is 2.4 acres of land. It's kind of a weird shape. What we do is we house our trucks there. We stockpile material there. We've got screened topsoil, regular topsoil, rock, river rock, and we're hoping to open this up for the general public to have a place to purchase these products for their landscaping needs in Norman. It's going to create tax revenue for the City of Norman by all means. But if you take the 10' landscape easement, you take the 25' on the east side of the property, you take the area for the retention pond – it's like Lord have mercy! Where does it stop? You know, I bought a piece of property I'm going to pay taxes on, but I can't use it. And that's certainly not what I was looking for when I purchased the industrial property that I had to have to be able to do this in Norman.

9. Ms. Milligan – We were unaware of the amount of setbacks that would be required for the WQPZ and the landscape boundary, the road widening – it all adds up. It fractions your property down. Dump trucks are big and the area of topsoil that we need is large. So I think that Ross had calculated at one time that it took up – what? Point two acres of it just for the WQPZ, not including the landscape easement, the road widening, and all that.

10. Ms. Gordon – When did you guys buy the property? It may be in here somewhere and I honestly don't remember.

11. Mr. Milligan – It was around the first part of the year.

12. Ms. Milligan – We didn't realize we would run into this. We really look at it as we have a growing business and we're wanting to serve the community. We need a place to park our trucks that's suitable, but we also need a place to be able to service the public because we want to be able to serve the community, not just commercial construction and residential builders. We would like to share our materials with people like you guys who want to do your yard.

13. Mr. Milligan – We're just a small business. We're not multi-millionaires or anything else. When we come up, we had got a permit to cut the driveway 'cause we had no access to the land. So we went to City of Norman and we agreed right-in and right-out. I went ahead and got a permit, got started right away on that 'cause I was just excited to be able to get to the property and do something. Well, then a couple days later it come up that we're going to have to widen the road. It's a brand new driveway. It's about $6,000 already spent. To come up with another additional cost on a small business – it's just been one thing after the next, and that's why we ask you all to give us a variance.

14. Ms. Gordon – I have questions for staff, sort of. I don't know if it's appropriate to ask them now. So when you bought this tract, is this something that – here's your packet of information for your industrial lot, or is it something that it is incumbent upon the applicant to find out all of the restrictions and the regulations and all that – so when you buy this, you should say to someone, a staff member, what are the regulations I need to know before I buy this plot? Is that correct? I'm assuming that's how it works.

15. Ms. Connors – Well, certainly, the purchase of the property happens outside of any City process and, therefore, once someone wants to get a building permit or any sort of change to the land, they need to come through the City processes, which is when they learn what the requirements are. We don't piecemeal the requirements. Whatever they say they want to do, then we try to guide them through that process totally.

16. Ms. Gordon – And the 4' change to the road that needs to happen at some point – you said that was some point down the road. Is that correct? Within 5 years. And so those sections that are privately owned and that kind of thing – I mean, is there any kind of input from them as to having to pay for this? Is there a certain time you're waiting for kind of everybody to be onboard to have this happen, or it's just going to happen when you get the money?

17. Mr. O'Leary – It's really driven by need. The need for the widening of Rock Creek and the two traffic signals – again, one at 12th Avenue N.W. and one at Trailwoods – was generated by this development – not this particular one, but particularly Forest Lumber and Trailwoods Addition. It was that generation of additional development in the last decade or so that has prompted the need for additional improvements and the road widening comes along with those. Then there's an application process for funding, which we've gone through. We believe we'll be successful in getting federal funding for that project. I would offer, too, it's very possible that some of these deferral fees for this one or the other developers would then be partially refunded or fully refunded if we get alternate funding for the project. Very commonly done. We just did a refund to Norman Regional Hospital for the Journey Parkway signal because we got 100% federal funding, but they did pay the deferral until we got that done.

18. Ms. Milligan – When Mike got the permit for the driveway, he actually went and talked to the City Manager, who said nothing – there was no plan that was known about ...

19. Mr. Milligan – We talked to Mr. Lombardo and the only thing that he said – he said that we wouldn't have to – 'cause he was looking at this and they didn't want it off Rock Creek. We came to an agreement that it would be a right-in/right-out only. He made the statement I wouldn't have to worry about widening the road because ODOT done it years ago, but they are going to put a traffic light in that intersection. And that was the only thing that was said at that time. Well, I went to the City Manager because I was denied access to pour the driveway, so I went to the City Manager, Steve Lewis. Steve Lewis finally gave me authorization and supplied the permit to – or he talked to the people that do that, and I finally got the permit to pour my driveway and a couple days later, here we go – you know, we're going to have to widen the road, too. At the time, the only thing that was said about that intersection was they were going to put stop lights there and that's why they wanted the right-in/right-out only. That's what I was told.

20. Ms. Milligan – If I can make another comment about that. Since we are a small business, cash flow is always tight. We're a growing business and it's very painful as far as growing pains. Since road widening can be funded by federal funds, that's one of the reasons why we'd like to know if we could have a variance – even just a partial variance, because I've got people to pay on payroll and putting money out for something that might happen down the road when you actually can keep that money up to ten years – that can really hurt a small business.

21. Mr. Gasaway – You mentioned you had visited with Mr. Lombardo and there was an issue with that that you then approached the City Manager. What was that specific issue?

22. Mr. Milligan – Well, the issue was – see? We were growing at such a rapid pace and we had no place to go with the business. We were kicked off this other property, if you would. So we struggled to find a place to purchase, and then once we purchased that, we couldn't get access – we were denied access to the property. Well, I was pretty persistent about it. I apologize if I made anybody mad – you know me. But I went to Steve Lewis, as well as one of the Council members went with me, and they granted me access. They granted me a permit to pour my drive, on the conditions it was a right-in and right-out only. And we fulfilled that obligation. Here we go. And after that is when the widening of the road came about after all of that. But when we first started talking about it and started doing these plans, I was told the

only thing I'd have to worry about is the right-in and right-out, because they're going to put a signal light in that intersection and they were going to widen 12th Avenue N.W., I believe it was.

23. Ms. Pailes – My sympathies. It's very difficult to sort this all out and I'd love to buy your stuff. In terms of us, we probably do not have the authority to grant you a variance in terms of Rock Creek. I mean, we simply don't have that authority. So that question is kind of moot. In terms of the water problems or the setbacks from the creek – unfortunately your business is exactly the kind that really impacts water systems, because dirt and rock and gravel stored produces sediment, which is the biggest problem in our water systems all the way to Lake Thunderbird – sediment and clouded water. I live near the U-Haul and the stream right below it used to be a living stream full of fish – we used to go fishing there. When U-Haul came in and parked their trucks there, it killed the stream, because the oil from the trucks and the runoff from the driveway kills life in the water. So the requirement for a swale, I understand, seems odd, especially if it's kind of sprung on you. It's actually very important. I would hope there would be some way for you to say, okay, actually, this doesn't cost as much – we can work this one out. I would hope you could do that. But it's actually an important issue. The landscaping – I don't know. It's okay with me. I don't know if we actually even have the authority to forgive a landscaping setback, either – it would be okay with me if you didn't have to do that, but I truly don't know that we actually have much authority in this at all.

24. Mr. Milligan – And I do understand your concerns. However, the entire 12th Avenue N.W. is lined with industrial and commercial business from Short's Concrete to Kudron Concrete to Dolese on the other side. The list is long. And to have topsoil – I don't have compost. I don't have any type of fertilizing product.

25. Ms. Pailes – Even dirt counts. And those folks – it's relatively recent regulation and I completely sympathize that you probably were not aware of it. Technically, your realtor should have told you – technically, I imagine. I'm not sure who should have told you. Somebody should have informed you, or you should have investigated. I truly don't know where the difficulty lies. I'm sorry you got your tail caught in that.

26. Mr. Boeck – Well, that leads to another comment. Being an architect, a lot of time my clients come to me when they're looking at a piece of property and say, okay, we want to do this on this piece of property. Can we do it? So then I go through the research of looking at all of the ordinances and requirements that a community has. Engineers are supposed to be able to do the same thing. But if you don't know the questions to ask, that's where the catching point is, because you're a truck company that sells dirt and rock. You're not a realtor, you're not a builder, you're not an engineer and you're not an architect. That's part of the process is how you can improve that kind of education in the community. You think you're buying a piece of property just to run a business off of, but there's all kinds of other stuff going on. Norman takes a rap for being a hard place to build, but if you go to Edmond, you go to Oklahoma City, most cities are realizing that runoff into their streams and lakes are killing their streams and their lakes. I used to be on the ECAB board. One of the new members is a neighbor across the street from me; he's an engineer, and we were talking about that whole thing with potassium and nitrogen fertilizers – that actually dirt in central Oklahoma holds 60% of the unused phosphorous that doesn't get dissolved until it's move and aerated and water runs through it. So even selling topsoil and stuff like that has phosphorous and nitrogen in it in excess of what you need to grow stuff. So I guess the only comment is we need to figure out some way to improve that process. We can't be responsible for all land owners that are buying land and developers, but this is a tough situation.

27. Ms. Milligan – Well, the thing is, this is such a small piece of land and really there's – when you look at, like Mike said, all the other industrial properties that are around us, I don't feel like our piece of land impacts what flows into Lake Thunderbird greatly. There's no benchmark

testing beforehand to say how much of these things are in the water coming off the land now to say when we do that – when we go through that expense – what we've improved. No testing done.

28. Mr. Boeck – There's been research done on the kind of systems that the City is recommending here. Obviously has been researched in other places. They know what the difference is. The community just to the east of the lumber yard there – Ideal Homes has done two specific storm water runoff plans. One is an alternative bioswale system and one is the standard one to see what kind of sediment runoff they have. That kind of testing is done. People say, well, but why should I be held to a different standard than the industrial people that went in 20 or 30 years before me? Well, we didn't have that knowledge; we didn't have the regulations to regulate things the way they do now, because we know more now. It may seem unfair, but it's a learning process all the way down the line. So I'm not helping you -- it's just part of the issue.

29. Ms. Milligan – Coming from a neighborhood where people fertilize their lawns, I think, is different than runoff from river rock. Do you follow me?

30. Mr. Milligan – Not only that, you've got 12th right there. You've got Rock Creek right there. How many vehicles pass either way all day long every day and that water, when it rains, where does it go? Low and behold, it goes right behind my property where I'm supposed to filter what runs off the rock. It's kind of a catch 22. You've got a major thoroughfare right there with all the traffic.

31. Mr. Boeck – And there's lots of wetlands all along the railroad tracks there.

32. Mr. Milligan – So certainly whatever comes in off Rock Creek Road or off my little bit of rock or my little bit of topsoil will be filtered out by the time it gets to Little River or Lake Thunderbird, for Pete's sake.

33. Mr. Boeck – Well, if this system is put in. That's what it's designed for is to stop it at your property line and filter it out. If you don't do it, then it doesn't. Then it just goes into Little River runoff.

AUDIENCE PARTICIPATION:

1. Harold Heiple, 218 E. Eufaula, representing Forest Lumber Company – I was here in March to protest, on behalf of my client, the plat that was before you then because we wanted opaque fences on the east side and the north side of this property to protect from the dust and the noise generated by the operation that was going to be on the property. I didn't know until today, and I read through the staff report, that the thing had been pulled back and the changes that had been made. I'm in a position right now that I've never been in before for 40 years, and let me tell you, this has ramifications that go far beyond this particular piece of ground. You recall how much time we spent on the storm water thing and how much developers fought it because of the onerous burdens of the WQPZ and finally got the exception built in there, which developers said they could live with, but it was going to be very expensive. This demonstrates what that WQPZ does to small properties and absolute inability to use your property for anything with these kind of burdens placed on it. I was interested to hear your comments, Dave, about the phosphorous, because it brought to mind the comment from a DEQ man at a meeting of the ECAB board not long ago when he said that the biggest contributor of phosphorous to topsoil are the falling leaves that are dissolved. They carry more phosphorous than anything else – any other contribution that's there. So what I'm saying now is that – and, of course, if the City Council grants these two variances that are required – when I first read this, I figured this thing is DOA when it gets to the City Council anyway, and I don't need to spend a lot of time looking for a fence because it's not going to go anyplace. But if the City Council

grants these two things, obviously my client, Forest Lumber, will be just like staff expected, will be standing in Mr. Francisco's door the next morning asking for their money back on the money that we've already put up on those improvements. But I think a lot of developers will also be in to demonstrate the fact that that WQPZ is onerous and it ought to be reconsidered and taken into consideration what it is actually doing to the ownership and development of private property in this community far beyond any benefits that it might be for the improvement of the water quality at Lake Thunderbird. There's lots of things that we could have been active upon in this community already, taking advantage of things like promoting phosphorous and nitrogen-free fertilizers, that the City Council hasn't done. But I think what I'm saying to you is I probably would like to see you recommend approval of waiver of both of these problems with, of course, the requirement that they put a couple of fences out there on the west and north side to the benefit of my client. But do that and let the City Council really get a feel for just exactly what's coming home to roost. Because this is about the first time that this has come back – anybody has been aware of it. I know several developers made comments when the storm water plan was adopted that the small land owners out in eastern Norman really had no idea what was going to hit them until they come in and ask for a building permit. It is onerous – we spent months on this thing. You guys spent a lot of time; we spent a lot of time, and all this under the guise that this is going to radically improve Thunderbird. Well, Thunderbird's quality needs to be improved – there is no doubt about that. And there's a sincere belief on the part of the development community that we need to be doing things like that. But the extremely broad provision requirements of the WQPZs in this ordinance is not one that should be a priority. So I would encourage you to give some consideration to say, City Council, why don't you grant both these exemptions – complete waivers and exemptions. And, like I say, it's going to cause a line to form outside the doors of a couple of offices here in City Hall, but it will get the City Council talking about let's consider whether we really did the right for property and for the benefit of the City of Norman with the provisions of the water quality. So don't forget my fences, but give serious consideration to these waivers. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Gasaway – I might just say to the applicant, regardless of how this comes out tonight, it sounds like there might be another issue or some more to the story in terms of how the driveway came about, and I certainly would visit with your City Council member before it goes to Council and see what that issue was, why it was resolved that way, and what can be done. I think that may be a separate issue from the whole group tonight. So I would encourage you to visit with your Council member and see just how that came about.

Diana Hartley moved to recommend approval of the Revised Preliminary Plat for MILLIGAN INDUSTRIAL TRACT ADDITION, and recommend approval of the WQPZ exemption and the exemption from paving improvements for Rock Creek Road, to the City Council. Dave Boeck seconded the motion.

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

YEAS	Diana Hartley, Chris Lewis
NAYES	Dave Boeck, Jim Gasaway, Cindy Gordon, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
ABSENT	None

Ms. Tromble announced that the motion to recommend approval of the Revised Preliminary Plat for MILLIGAN INDUSTRIAL TRACT ADDITION, and recommend approval of the WQPZ exemption and the exemption from paving improvements for Rock Creek Road, to the City Council failed by a vote of 2-7.

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