City of Norman, OK

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

Meeting Agenda

Tuesday, October 22, 2013

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Greg Heiple
Council Member Tom Kovach
Council Member Robert Castleberry
Council Member Greg Jungman
Council Member Lynne Miller
Council Member Jim Griffith
Council Member Stephen Holman
Council Member Chad Williams

1 **Roll Call**

2 **Pledge of Allegiance**

3 **Consent Docket**

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 4 through Item 32 be placed on the consent docket.

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

ACTION TAKEN:

_____

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

ACTION TAKEN:

_____

Minutes

4 GID-1314-41 CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 8, 2013
CITY COUNCIL MINUTES OF OCTOBER 8, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 8, 2013

Attachments: Text File Minutes
October 8 Conference Minutes
October 8 CC Minutes

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

ACTION TAKEN: _____

Zoning Ordinance

5 O-1314-18 CONSIDERATION OF ORDINANCE NO. O-1314-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Attachments: Text File O-1314-18 First Reading
O-1314-18
Exhbiit A PUD Narrative
Exhibit A - Open Space Rendering
Exhibit A Pool amenities
Location Map
Staff Report O-1314-18
Protest Map
Millenium Protest Letter
10-10-13 PC Minutes

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-18 upon First Reading by title.

ACTION TAKEN: _____

6 O-1314-19 CONSIDERATION OF ORDINANCE NO. O-1314-19 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-19
Memo Vacation
Petition to Close UE
Radius Map O-1314-19
O-1314-19
Location Map
Staff Report
10-10-13 PC Minutes

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-19 upon First Reading by title.

ACTION TAKEN: _____

Ordinance

7 O-1314-22 CONSIDERATION OF ORDINANCE NO. O-1314-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-22

Attachment 1 State Code Amendments

Attachment 2 Proposed New Local amendments

O-1314-22

O-1314-22 annotated

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-22 upon First Reading by title.

ACTION TAKEN: _____

Appointment

8 AP-1314-10 CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BOARD OF ADJUSTMENT
TERM: 10-22-13 TO 12-22-14: TODD MARPLE, 412 FLINT RIDGE COURT

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 10-27-13 TO 10-27-16: CORSON HIRSCHFELD, 8301 EAST CEDAR LANE
TERM: 10-27-13 TO 10-27-16: LINDA GOERINGER, 824 SOUTH FLOOD AVENUE
TERM: 10-27-13 TO 10-27-16: AARON PILAT, 1624 CRESTMONT AVENUE

HISTORIC DISTRICT COMMISSION
TERM: 10-26-13 TO 10-26-16: CHESLEY POTTS, 1201 WOODLAND DRIVE
TERM: 10-26-13 TO 10-26-16: LOY MACARI, 507 CHAUTAUQUA AVENUE
TERM: 10-26-13 TO 10-26-16: SCOTT WILLIAMS, 614 SOUTH LAHOMA AVENUE

PUBLIC ARTS BOARD
TERM: 10-23-13 TO 10-23-16: JONATHAN FOWLER, 422 PARK DRIVE

Attachments: Text File Appointments

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Report/Communication

9 RPT-1314-13 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Text File Finance Report

Finance Director's Investment Report September 2013

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

ACTION TAKEN: _____

10 RPT-1314-23 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Text File Monthly Report

Monthly Report September 2013

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

ACTION TAKEN: _____

11 RPT-1314-24 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Attachments: Text File Change Order Report

Memo Change Order

Change Order Urban Contractors

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

ACTION TAKEN: _____

Bid

12 BID-1314-7 CONSIDERATION AND AWARDING OF BID NO. 1314-7 FOR THE PURCHASE OF AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

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

Attachments: Text File Aggregate and Stone

Bid Tab Aggregate and Stone

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on 1, 2, 3, 5, 8, 9, and 14 to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder
ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Bernie Mathes Trucking as the alternate bidder.

ACTION TAKEN: _____

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

ACTION TAKEN: _____

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

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 10, 11, and 12; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 13b; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

13 BID-1314-8 CONSIDERATION AND AWARDING OF BID NO. 1314-8 FOR THE PURCHASE OF INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAMES
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAMES WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON RIBBED DRAIN GRATES
5. HEAVY-DUTY CAST IRON VANE GRATES
6. A - 6-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
   B - 8-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

Attachments: Text File Curb Hoods

Bid Tabulation Inlet Frames

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 2, 3, and 6A; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Waterworks Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4 and 5; and, if accepted, award the bid to Ferguson Waterworks as the lowest and best bidder meeting specifications and Oklahoma Contractors Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 6B and 7; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Ferguson Waterworks as the alternate bidder.

ACTION TAKEN: _____

14 BID-1314-9 CONSIDERATION AND AWARDING OF BID NO. 1314-9 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

SECTION 1
A - CLASS A CONCRETE LESS THAN 5 CUBIC YARDS
B - CLASS A CONCRETE 5 CUBIC YARDS OR GREATER
C - CLASS A CONCRETE WITH ONE PERCENT CALCIUM
D - CLASS A CONCRETE WITH TWO PERCENT CALCIUM

SECTION 2
A - HIGH EARLY STRENGTH CONCRETE LESS THAN 5 CUBIC YARDS
B - HIGH EARLY STRENGTH CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 3
A - FAST-TRACK CONCRETE LESS THAN 5 CUBIC YARDS
B - FAST-TRACK CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 4
A - 5-SACK GROUT MIX LESS THAN 5 CUBIC YARDS
B - 5-SACK GROUT MIX 5 CUBIC YARDS OR GREATER

SECTION 5
A - FLOWABLE FILL LESS THAN 5 CUBIC YARDS
B - FLOWABLE FILL 5 CUBIC YARDS OR GREATER

Attachments: Text File Bid Concrete
Bid Tabulation Concrete

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1A, 2A and 5A; and, if accepted, award the bid to Metheny Concrete Products, Inc., as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Dolese Brothers Company as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1B, 3A, 3B, and 5B; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Van Eaton Ready Mix as the second alternate bidder.

ACTION TAKEN: _____

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

ACTION TAKEN: _____

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

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

ACTION TAKEN: _____

15 BID-1314-10 CONSIDERATION AND AWARDING OF BID NO. 1314-10 FOR TYPE II BARRICADE RENTAL FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

1. A - 200 BARRICADES PER MONTH

2. A - 20 BARRICADES PER SEVEN DAYS
   B - 40 BARRICADES PER SEVEN DAYS
   C - 60 BARRICADES PER SEVEN DAYS

Attachments: Text File Bid for Barricades

TYPE II BARRICADE

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

ACTION TAKEN: _____

Final Plat

16 FP-1213-27 CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF INTERSTATE DRIVE AND CONFERENCE DRIVE)

Attachments: Text File Final Plat UNP 12
UNPSecXII Location Map
Final Plat UNP Section XII
Stf-rept final-plat- UNP Sec XI1, 3-4-13.pdf
UNP FINAL SITE DEVELOPMENT PLAN.pdf
UNP Rev Prelim Plat
3-14-13 PC Minutes - FP-1213-27

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

ACTION TAKEN: _____

17 FP-1213-28 A CONSIDERATION OF AN AMENDED FINAL PLAT FOR P.B. ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS FOR FLOOD AVENUE. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE NORTH OF HIGHLAND PARKWAY)

Attachments: Text File Final Plat PB Addition
Location Map.pdf
Final Plat PB Addition
SMC Letter.pdf
Dev Comm App.pdf
Amended Final Plat PB Addition
Dev Comm Staff Report.pdf

ACTION NEEDED: Motion to approve or reject the amended final plat for P.B. Addition and deferral of street improvements for Flood Avenue; and, if approved, accept the public dedications contained therein, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of $550 for deferral of street improvements for Flood Avenue within ten days after approval; and direct the filing of the final plat.

ACTION TAKEN: _____

Encroachment

18 EN-1314-4 CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1314-4 FOR LOT 1, BLOCK 1, LOTS 1 AND 10, BLOCK 2, AND LOT 1, BLOCK 3, INDEPENDENCE VALLEY ADDITION, SECTION 1. (INTERSECTIONS OF CEDAR LANE AND GLENDALE DRIVE AND CEDAR LANE AND TRUMAN AVENUE)

Attachments: Text File Encroachment
Clerk Memo Encroachment Independence Valley
Letter of Request Encroachment
Consent to Encroach 1314-4 (Entrance Walls) Intersections Cedar Lane-Glenda
Planning Approval
Utilities Approval
Public Works memo
Letters from Utilities

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1314-4; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Grant

19 GID-1314-51 CONSIDERATION OF THE NORMAN MUNICIPAL AUTHORITY'S ACCEPTANCE OF A GRANT IN THE AMOUNT OF $20,000 FROM THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY TO BE USED BY THE SANITATION DIVISION TO PURCHASE ADDITIONAL RECYCLING POLYCARTS FOR THE NEW CURBSIDE RECYCLING PROGRAM AND BUDGET APPROPRIATION.

Attachments: Text File Recycling Grant
Purchase Order DEQ

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to accept or reject a grant in the amount of $20,000 from the Oklahoma Department of Environmental Quality to be used by the Sanitation Division to purchase additional recycling carts for the new Curbside Recycling Program; and, if approved, increase Other Revenue/Miscellaneous Grant Reimbursements (033-0000-331.13-46) and appropriate $20,000 from that account to Plant and Operating Equipment/Refuse Receptacles (033-5566-432.51-08).

ACTION TAKEN: _____

20 K-1314-87 CONSIDERATION OF ACCEPTANCE OF A COVERDALE NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT GRANT THROUGH THE DISTRICT ATTORNEY'S COUNCIL IN THE AMOUNT OF $7,480.57 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ACCREDITATION TRAINING AND TO PURCHASE EQUIPMENT FOR LABORATORY TECHNICIANS AND SUPERVISORS OF THE CITY OF NORMAN FORENSIC LABORATORY, APPROVAL OF CONTRACT NO. K-1314-87; AND BUDGET APPROPRIATION.

Attachments: Text File Coverdale

Award Document to be signed.pdf

ACTION NEEDED: Motion to accept or reject a Coverdale National Forensic Sciences Improvement Act Grant through the District Attorney's Council in the amount of $7,480.57 to be used by the Police Department; and, if accepted, approve Contract No. K-1314-87; authorize execution of the contract; increase Other Revenue/Police Grants (022-0000-334.13-43) by $7,481; and appropriate $2,231 to Project No. GP0023, Coverdale NFSIA Grant, Professional Services/Seminars and Workshops (022-6011-421.46-22) and $5,250 to Laboratory Equipment (022-6011-421.51-22).

ACTION TAKEN: _____

21 K-1314-88 CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $95,884 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TO HOST TWO STATEWIDE TRAINING CLASSES FOR NORMAN POLICE OFFICERS TO BECOME DRUG RECOGNITION EXPERTS (DRE), APPROVAL OF CONTRACT NO. K-1314-88, AND BUDGET APPROPRIATION.

Attachments: Text File DRE Grant

K-1314-88 OHSO Highway Safety Application.pdf

ACTION NEEDED: Motion to accept or reject a grant in the amount of $95,884 from the Oklahoma Highway Safety Office; and, if accepted, approve Contract No. K-1314-88; authorize the execution thereof; increase DRE Training (022-0000-331.13-30) by $95,884; and appropriate $51,000 to Professional Services/Workshops and Seminars (022-6037-421.46-04) and $44,884 to General Supplies/Employee Training (022-6037-421.30-13).

ACTION TAKEN: _____

Limited License

22 LL-1314-9 LIMITED LICENSE NO. LL-1314-9: A LIMITED LICENSE TO PLACE FOUR (4) VINYL SIGNS WITH WOODEN FRAMES WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM MISSION NORMAN FOR PHASE ONE, HOMES OF THE HOMELESS CAPITAL CAMPAIGN, FROM OCTOBER 23, 2013, UNTIL FEBRUARY 28, 2014.

Attachments: Text File Limited License
Application Mission Norman
Sign Homes for the Homeless
Mission Norman

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-9 to place four (4) vinyl signs with wooden frames within the public rights-of-way pursuant to a request from Mission Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Contract

23 K-1213-126 AMD#2 AMENDMENT NO. TWO TO CONTRACT NO. K-1213-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SAIC ENERGY, ENVIRONMENT, AND INFRASTRUCTURE, INC., (SAIC) INCREASING THE CONTRACT AMOUNT BY $301,250 FOR A REVISED CONTRACT PRICE OF $2,400,065 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR UTILITY RELOCATION ALONG LINDSEY STREET AND A GEOTECHNICAL INVESTIGATION SUPPLEMENT AS PART OF THE CONTRACT FOR THE DESIGN OF LINDSEY STREET FROM 24TH AVENUE S.W. TO BERRY ROAD.

Attachments: PR SAIC Amendment
Lindsey Street Project Location Map
Costs Associated with Amendment.pdf
Existing Design Contracts
Revised Typical Roadway Drawing
K-1213-126 #2.pdf
PR SAIC Amendment

ACTION NEEDED: Motion to approve or reject Amendment No. Two to Contract No. K-1213-126 with SAIC, Inc., increasing the contract amount by $301,250 for a revised contract price of $2,400,065; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

24 K-1213-151 FINAL

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-151 WITH AZTEC BUILDINGS SYSTEMS, INC., FOR THE REAVES PARK SOFTBALL BUILDING REPLACEMENT PROJECT.

Attachments: Text File Reaves Building

Aztec Bldg Purchase Order

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $15,598.90 to Aztec Building Systems, Inc.

ACTION TAKEN: _____

25 K-1213-195 CO #1

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-195: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C., INCREASING THE CONTRACT AMOUNT BY $80,966.19 FOR A REVISED CONTRACT AMOUNT OF $1,405,992.16 AND EXTENDING THE CONTRACT UNTIL DECEMBER 21, 2013, FOR THE REHABILITATION OF THE POLICE/FIRE INVESTIGATIONS FACILITY LOCATED AT 1507 WEST LINDSEY STREET.

Attachments: Text File Change Order Police Fire

PDF AIA form Change Order No. 1 K-1213-195 with Downey

Backup Documents to Change Order No. 1 K-1213-195 with Downey

PR Downey Police Fire

ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1213-195 with Downey Contracting, L.L.C., increasing the contract amount by $80,966.19 for a revised contract price of $1,405,992.16 and extending the contract to December 21, 2013; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

26 K-1213-201 FINAL

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-201 WITH AND Z-FLOOR COMPANY, LTD., FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.

Attachments: Text File Irving Whittier

Whittier Photo

Irving Photo

PO ZFloor

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $7,055.70 to Z-Floor Company, Ltd.

ACTION TAKEN: _____

27 K-1314-64 CONTRACT NO. K-1314-64: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT A WATER LINE LOCATED AT HIGHWAY 9 AND 24TH AVENUE S.W. IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Attachments: Text File K-1314-64

ODOT I-35 Relocations K-1314-64

I-35 Waterline Relocations Budget 2013-09-26

ODOT I-35 Relocations Map

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-64, a utility relocation agreement with ODOT; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

28 K-1314-65 CONTRACT NO. K-1314-65: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT B WATER LINE LOCATED AT BRIGGS STREET AND SEGMENT C WATER LINE LOCATED AT BROOKS STREET IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Attachments: Text file K-1314-65

ODOT I-35 Relocations K-1314-65

ODOT I-35 Relocations Map

I-35 Waterline Relocations Budget 2013-09-26

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-65, a utility relocation agreement with ODOT; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

29 K-1314-66 CONTRACT NO. K-1213-66: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SAIC ENERGY, ENVIRONMENT AND INFRASTRUCTURE, L.L.C., (SAIC) IN THE AMOUNT OF $143,000 TO PROVIDE ENGINEERING DESIGN, BIDDING AND LIMITED CONSTRUCTION ADMINISTRATION FOR THE I-35 WATER LINE RELOCATIONS AND THE SEGMENT D WATER LINE ON LINDSEY STREET FROM BRIGGS TO BERRY AND BUDGET TRANSFERS.

Attachments: Text File K-1314-66

SAIC Contract K-1314-66

I-35 Waterline Relocations Budget 2013-09-26

ODOT I-35 Relocations Map

Lindsey Street Waterline Project Location Map

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-66 with SAIC in the amount of $143,000; and, if approved, authorize execution of the contract and transfer $75,000 from Project WA0191, Highway 9 Water Line Relocation Project, Design (031-9727-462-62-01), $380,000 from Highway 9 Water Line Relocation Project, Construction (031-9727-462.61-01), and $220,000 from Project No. WA0253, Arsenic Treatment, Construction (031-9345-462.61-01) to Project No. WA0196, I-35 Waterline Relocation, Construction (031-9727-462-61-01).

ACTION TAKEN: _____

30 K-1314-86 CONTRACT NO. K-1314-86: A MEMORANDUM OF UNDERSTANDING WITH THE OKLAHOMA OFFICE OF HOMELAND SECURITY REGARDING GRANT FUNDS IN THE AMOUNT OF $566,250 RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO BE ASSIGNED TO THE OKLAHOMA STATE BUREAU OF INVESTIGATION (OSBI) TO CONTINUE SUPPORT OF THE INFORMATION SHARING AND EXCHANGE SYSTEMS.

Attachments: Text File K-1314-86

2013 MOU OASIS, OKLeX, Fusion, School 9-9-13.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-86 with the Oklahoma Office of Homeland Security; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Resolution WCC

31 R-1314-38 RESOLUTION NO. R-1314-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY GREGORY W. HARRIS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF GREGORY W. HARRIS V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2013-03951 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Attachments: Text File R-1314-38
Resolution No. R-1314-38
Pr Harris

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-38; and, if adopted, direct payment of claims in the amount of $15,781.21 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Resolution

32 R-1314-53 RESOLUTION R-1314-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $108,684 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PURCHASE AND INSTALL COMPUTER NETWORK CONNECTIVITY HARDWARE FOR THE COMPUTERS IN THE FIRE DEPARTMENT'S FIRST RESPONSE VEHICLES AND THE FIRE STATIONS WHERE THE VEHICLES ARE HOUSED.

Attachments: Text File R-1314-53
R-1314-53
R-1314-53 Fire Department Access Points.pdf
R-1314-53 Fire Department Electical Bid for all Stations.pdf
R-1314-53 Fire Department Shore Power Project.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-53.

ACTION TAKEN: _____

Non-Consent Items

33 R-1314-25 RESOLUTION NO. R-1314-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 WEST MAIN STREET)
APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013

Attachments: Letter of Postponement
Text File R-1314-25
R-1314-25
2025 Map
Staff Report
Predevelopment Rose Rock School
9-12-13 PC Minutes

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-25; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according theretol

ACTION TAKEN: _____

34 O-1314-12 CONSIDERATION OF ORDINANCE NO. O-1314-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)
APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013

Attachments: Letter of Postponement
Text File O-1314-12
O-1314-12
Location Map
Staff Report
PUD Narrative
Site Plan Rose Rock
Rose Rock Photographs
History of the House
Protest-Support Map - 9/11/13
Protest Letters
Letters of Support Rose Rock
Letter of Support Oct 8 2013
9-12-13 PC Minutes - O-1314-12

ACTION NEEDED: Motion to approve or reject the preliminary plat for Rock Rock School Addition.

ACTION TAKEN: _____

35 PP-1314-5 CONSIDERATION OF A PRELIMINARY PLAT FOR ROSE ROCK SCHOOL ADDITION. (LOCATED AT 1515 WEST MAIN STREET). APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013

Attachments: Letter of Postponement
Text File Prelim Rose Rock
ATTACHMENT A.pdf
Location Map
Preliminary Plat Rose Rock Addition
Staff Report
Transportation Impacts
Rose Rock Site Plan
Greenbelt Comments Rose Rock Addition Prelim
9-12-13 PC Minutes - Rose Rock School

ACTION NEEDED: Motion to approve or reject the preliminary plat for Rock Rock School Addition.

ACTION TAKEN: _____

36 PP-1314-3 CONSIDERATION OF A PRELIMINARY PLAT FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. ONE ADDITION. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LINDSEY STREET BETWEEN 24TH AVENUE S.W. AND I-35)

Attachments: Prelim Sooner Legends
Attachment A.pdg.pdf
Location Map
Preliminary Plat Sooner Legends
Staff Report
Transportation Impacts
Site Plan Sooner Legends
Predevelopment Summary
Greenbelts Commission Final Comment Sooner Legends
9-12-13 PC Minutes - PP-1314-3 Sooner Legends

ACTION NEEDED: Motion to approve or reject the preliminary plat for Sooner Legends Addition, a replat of Dickerson No. One Addition.

ACTION TAKEN: _____

37 PP-1314-4 CONSIDERATION OF A PRELIMINARY PLAT FOR ANDES ADDITION, INCLUDING A PART OF LOT ONE, BLOCK ONE, PB ADDITION, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE MIDWAY BETWEEN MOSIER STREET AND HIMES STREET)

Attachments: Text File Andes Addition
Attachment A.pdf
Location Map
Preliminary Plat/Site Plan
Staff Report
Transportation Impacts
Alley Waiver
Predevelopment Andes
Greenbelt Commission Comments
9-12-13 PC Minutes - PP-1314-4 Andes

ACTION NEEDED: Motion to approve or reject the preliminary plat and waiver of alley requirements for Andes Addition, including a part of Lot One, Block One, PB Addition.

ACTION TAKEN: _____

38 O-1314-10 CONSIDERATION OF ORDINANCE NO. O-1314-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTH OF TECUMSEH ROAD AND WEST OF 12TH AVENUE N.E.)

Attachments: Text File O-1314-10
O-1314-10
Location Map
Memo Lot 4 Block 4 Red Canyon
Petition to close Red Canyon Ranch
Radius Map Red Canyon
Staff Report
9-12-13 PC Minutes - O-1314-10

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-10 upon Final Reading as a whole.

ACTION TAKEN: _____

39 O-1314-11 CONSIDERATION OF ORDINANCE NO. O-1314-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PART OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE LOCATED IN HARDIE-RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-11
O-1314-11
Location Map
Clerk Memo Farmer Street
Petition to Close Farmer Street
ATT letter Farmer
Memo from Utilities Farmer
OGE Letter Farmer
Site Plan
Staff Report
9-12-13 PC Minutes - O-1314-11

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-11 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-11 upon Final Reading as a whole.

ACTION TAKEN: _____

40 O-1314-13 CONSIDERATION OF ORDINANCE NO. O-1314-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), GENERAL COMMERCIAL (C-2), INTENSIVE COMMERCIAL (C-3), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-13
Exhibit A - Survey on Crematoriums
O-1314-13 Clean
O-1314-13 Annotated
Staff Report
9-12-13 PC Minutes - O-1314-13

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-13 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-13 upon Final Reading as a whole.

ACTION TAKEN: _____

41 **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.

42 **Adjournment**

City of Norman, OK

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

Master

File Number: GID-1314-41

File ID:	GID-1314-41	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/16/2013
File Name:	Minutes			**Final Action:**	

Title: CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 8, 2013
CITY COUNCIL MINUTES OF OCTOBER 8, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 8, 2013

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 4

Attachments: Text File Minutes, October 8 Conference Minutes, October 8 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-1314-41

CITY COUNCIL CONFERENCE MINUTES

October 8, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 8th day of October, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Heiple, Holman, Griffith, Jungman, Miller, Williams, and Mayor Rosenthal
ABSENT:	Councilmember Kovach

DISCUSSION REGARDING THE UTILITY RELOCATION PROCESS FOR CAPITAL PROJECTS AND, MORE SPECIFICALLY, ADDITIONAL DESIGN SERVICES WITH SAIC ENGINEERING FOR UTILITY RELOCATION TASKS FOR THE LINDSEY STREET BOND PROJECT, THE INTERSTATE 35 WIDENING PROJECT, AND THE HIGHWAY 9 IMPROVEMENTS PROJECT.

Mr. Shawn O'Leary, Director of Public Works, said the Public Works Department and the Utilities Department have been working together on the utility relocation process for Capital Projects, specifically, the Lindsey Street Bond Project, the Interstate Widening Project, and the Highway 9 Improvements Project. He said several items will be on the October 22, 2013, City Council agenda for consideration to include:

- Engineering agreement with SAIC to provide engineering design services to relocate utilities in conjunction with the Oklahoma Department of Transportation (ODOT) I-35 Project and design services for the Segment D water line along Lindsey Street: (*item will be brought forward by the Utilities Department*):
  - Agreement between NUA and SAIC for design. Total engineering fee is approximately $143,000, $62,000 for I-35 and $81,000 for Segment D.
  - Total construction costs estimate is $3,200,000, $600,000 for I-35 and $2,600,000 for Segment D
  - Relocation of three (3) public waterlines under I-35 at Highway 9, Brooks, Street, and Briggs Street
  - Installation of a new 24" water main on Lindsey Street
  - Funding sources include: Segment D Waterline Design and the SE Oklahoma Water Study account
- Two utility relocation agreements with ODOT: (*both items/agreements will be brought forward by the Utilities Department*):
  - Agreement #1: Lindsey Street Interchange:
    - Interstate 35 Project crossings at Briggs and Brooks
    - Requires City to relocate 12" and 24" water pipelines
    - Estimated total cost will be $561,000 and ODOT will reimburse 100%
  - Agreement #2: SH-9 East Interchange:
    - Interstate 35 Project crossing at Highway 9 and 24th Avenue
    - Requires City to relocate 12" water pipeline
    - Estimated total costs will be $114,000 and ODOT will reimburse 100%
- Engineering Agreement, Amendment No. 2 – SAIC – Lindsey Street Bond Project, Design, Phase II: (*item will be brought forward by the Public Works Department*):
  - Anticipated amendment in original contract-specific details/costs developed through field surveys
  - Engineering design of water/sewer relocations
  - Geotechnical investigation for groundwater conditions
  - Total additional engineering fee will be $253,000

- ❖ Relocation of 40 pipeline crossings
- ❖ Funding source: Lindsey Street Bond Funds

Mr. O'Leary said some key concepts to consider include the Norman Utilities Authority (NUA) is a public utility enterprise; there are currently five (5) City franchise agreements, i.e., Oklahoma Gas and Electric (OG&E), Oklahoma Electric Cooperative (OEC), Oklahoma Natural Gas (ONG), Cox Cable (COX), and AT&T; the City owned public rights-of-way (ROW) and utility easements; Oklahoma State-owned ROW; and contractual obligations of federally-funded transportation projects. He said when the City accepts federal funds for transportation projects, the City is responsible for the engineering design; utility relocation process; and the ROW acquisition.

Mr. O'Leary said the typical ODOT ROW and Utility Agreement requires the City to acquire all ROWs for projects, grant ODOT access and the ROW; and the City has to maintain all ROWs acquired for the construction of a project. He said the City must follow the Uniform Relocation Assistance and Real Property Acquisition Act while acquiring ROWs and the City must remove all encroachments and obstructions including utilities from the ROWs.

Mr. Ken Komiske, Director of Utilities, said ODOT informed the City we would have to remove utilities that are obstructing their I-35/SH-9E project. He said the City has two (2) ODOT permits; the first permit is for the I-35 portion of the project and includes relocating a 24" water line on Briggs Street in conflict with a proposed retaining wall footing, as well as, relocating a 12" water line on Brooks Street tin conflict with a proposed culvert. The second permit is for the SH-9E portion of the project and includes relocating a 12" water line on Highway 9 in conflict with the proposed storm sewer. Mr. O'Leary said there are many reasons the encroachments occur and ODOT attempts to work with utilities to avoid limitations. Mr. Komiske said sometimes ODOT needs utilities relocated so they can excavate some of the roadway in order to gain a better base and when doing so the excavation with heavy equipment can get within a certain distance of the City's water lines causing damage.

Mr. Komiske highlighted the proposed 24" Segment D Water Line which is part of the overall water modeling for the City to evenly distribute the water throughout the City. He said the new (not replacement) 24" water line will be over one mile long and the Utilities Department is taking advantage of the Lindsey Street Bond Project, so that the water line can be installed at the same time. Mr. Komiske said installing the water line at the same time will reduce the overall cost because the streets and/or sidewalks would need to be repaired/replaced if the water line was installed at a later date.

Mr. O'Leary said a new storm sewer line will also be installed in three phases during the Lindsey Street Bond Project. He said Phase 1 will begin south of Highway 9; Phase 2 will begin north of Highway 9 to Briggs Street; and Phase 3 will begin on the south side of Lindsey Street, along Lindsey Street through McGee Drive, Wylie Road, etc. Mr. O'Leary said there will be 40 utility conflicts to contend with during the storm sewer installation.

Councilmember Heiple asked if there is a way to identify utility company lines, i.e., color-coded, etc., and Mr. O'Leary said there is no a single database or mapping system for the City's utilities and/or storm water systems; however, Council approved a Utility Coordinator position approximately three years ago. He said this position assists with and makes certain that utility companies install their lines where they are supposed to be installed and documents the utility installations so, if ever needed, those records will be available in the future. Mr. Komiske said directional drilling companies currently utilize trenchless technology and all too often believe they are on target, but instead drill through gas, electric, sewer and water lines on a regular basis.

Mr. O'Leary felt most companies, ODOT and/or Staff have a general idea where lines are located; however, in many cases the *exact* location is typically unknown. He said the utility location process on these projects is very important and stated the Lindsey Street Bond Project will include a corridor for water and sewer lines only, and a

duct bank and/or corridor where all the additional utilities, gas, electric, etc., will be housed. He said all of the franchises have agreed to have their lines relocated to this duct bank and/or corridor at their cost.

Mayor Rosenthal said given the Lindsey Street design/ROW/Utility relocation is being discussed; she felt there was some unfinished business with respect to the Lindsey Street Bond Project. She said Council recently received a report from Peters and Associates which included a traffic analysis at the intersection of Berry Road and Lindsey Street. Mayor Rosenthal requested Staff to compare this traffic analysis to the two former traffic analyses that were completed for the same intersection.

At this time, Councilmember Castleberry recused himself and Mayor Rosenthal agreed that was appropriate.

Mayor Rosenthal said the Peters report also included a road section design for east of Berry Road and the engineering results on roundabouts being installed on Lindsey Street vary quite a bit; therefore, she felt Council is left with a great deal of uncertainty with respect to the ROW and the operational performance of the intersection. She said a lot of constituent comments have been received by Council, some negative and some positive, regarding what needs to be done at the Berry Road and Lindsey Street intersection. Mayor Rosenthal said there is very little to no-support from the community, University of Oklahoma (OU), or the neighborhood(s) for two double-lane roundabout at Lindsey Street. She said there is a great deal of support for the roadway section design proposed in the Peters report because it is a complete street and an improved two-lane section through the bridge area but there is not sufficient support for single-lane roundabout at Berry Road and Lindsey Street.

Mayor Rosenthal said there have been strong opposition, as well as, support for roundabouts because they could possible provide safer and/or smoother operations; however, given the conflicting engineering analyses she suggested suspending further discussion of a roundabout option at Berry Road and Lindsey Street. She also suggested Council ask Staff to include the following three items in the proposed SAIC amendment: 1) the design of Imhoff Bridge, 2) where to locate aesthetic improvements around the bridge and possible around the Berry Road interchange, and 3) add any additional traffic calming strategies to ease the transition from commercial to residential going east on Lindsey Street. Mayor Rosenthal asked Council if there was any objection to proceeding along these lines. She felt in the public's mind this is still an unresolved issue since there is currently is not a resolution and the SAIC contract remains un-amended.

Councilmember Jungman asked where the street would change from four (4) lanes to two (2) lanes and Mr. O'Leary said the intersection of Berry Road and Lindsey Street would have five (5) lanes on the west leg and four lanes on the east leg; however, the transition from four (4) lane to two (2) lane would be just before the bridge and would include sidewalks and bike paths on both sides of the street. Mr. O'Leary said the original contract included a three (3) lane road section with bike lanes and sidewalks and now the proposal is to convert from three (3) to two (2) lanes. Councilmember Jungman asked Staff if that particular design has been modeled and Mr. O'Leary said yes, and the level of service (LOS) was "C:; however, the LOS would become "D" in approximately 20 years with the current growth projection. Mr. O'Leary said the purpose of the project is to create a "fork" lane to mitigate some of the congestion that occurs today with a new signal system and interconnected signal system throughout the corridor. He said if Council decides Staff should proceed as Mayor Rosenthal suggested, it will help set up the next phase of construction included in the Comprehensive Transportation Plan (CPT) and identify what the future of Lindsey Street, east of Berry Road should be.

Councilmember Miller said she likes the way a roundabout would look, but felt the City does not have time to resolve conflicting studies and/or reports or conduct educational process/awareness regarding roundabouts to keep with the current project schedule. She felt the best decision at this time would be not to install a roundabout at the intersection of Berry Road and Lindsey Street. Councilmember Heiple concurred and stated the good discussions can be used in future projects.

After hearing no objection from Council, Mayor Rosenthal requested Staff proceed with adding the following amendments to the SAIC contract as follows: 1) the design of Imhoff Bridge, 2) where to locate aesthetic improvements around the bridge and possible around the Berry Road interchange, and 3) add any additional traffic calming strategies to ease the transition from commercial to residential going east on Lindsey Street.

Items submitted for the record

1. PowerPoint presentation entitled: "Utility Relocation Issues, Lindsey Street Bond Project, Interstate 35 and State Highway 9 Project," City Council Conference, presented by Ken Komiske, Director of Utilities, and Shawn O'Leary, Director of Public Works, dated October 8, 2013

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Ken Komiske, Director of Utilities

The meeting adjourned at 6:17 p.m.

ATTEST:

City Clerk

Mayor

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

October 8, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 8th day of October, 2013, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Miller, Williams, Mayor Rosenthal
ABSENT:	Councilmember Kovach

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

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 20, 2103
CITY COUNCIL CONFERENCE MINUTES OF AUGUST 27, 2013
PUBLIC MEETING MINUTES OF SEPTEMBER 3, 2013
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 10, 2013
CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 17, 2013
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 24, 2013
CITY COUNCIL MINUTES OF SEPTEMBER 24, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 24, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 24, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 24, 2013

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

Items submitted for the record
1. Text File No. GID-1314-39 dated October 1, 2013, by Brenda Hall, City Clerk
2. City Council Special Session minutes of August 20, 2013
3. City Council Conference minutes of August 27, 2013
4. Public Meeting minutes of September 3, 2013
5. City Council Conference minutes of September 10, 2013
6. City Council Study Session minutes of September 17, 2013
7. City Council Conference minutes of September 24, 2013
8. City Council minutes of September 24, 2013
9. Norman Utilities Authority minutes of September 24, 2013
10. Norman Municipal Authority minutes of September 24, 2013
11. Norman Tax Increment Finance Authority minutes of September 24, 2013

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

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

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

* * * * *

Item 4, being:

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

Mayor Rosenthal and Councilmember Williams presented Citizenship Awards to students from Roosevelt Elementary School.

Items submitted for the record
1. Text File No. GID-1314-37 dated September 20, 2013, by Carol Coles, Administrative Assistant

Participants in discussion
1. Students receiving Citizenship Awards were Molly Cole; Abby Schultz; Ellie Simon; Rebecca Tweedy; Kimberlyn McDonald; Huston Ridings; Josh Vordenbaum; Nicholas Dionisio; Reece Jones; Stephen Szcezesny; and Lindsey Miller
2. Tiffany Dixon, Principal of Roosevelt Elementary School, said these students were selected as representatives of good citizens of Roosevelt Elementary School

* * * * *

Item 5, being:

CONSENT DOCKET

Councilmember Griffith moved that Item 6 through Item 23 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Heiple; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 23, a vote was taken with the following result:

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

The Mayor declared the motion carried and Item 6 through Item 23 were placed on the consent docket by unanimous vote.

* * * * *

Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1314-10 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Griffith moved that Ordinance No. O-1314-10 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. O-1314-10 dated August 20, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1314-10
3. Location map
4. Memorandum dated July 22, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; Rone Tromble, Administrative Assistant IV; and Jane Hudson, Principal Planner
5. Letter of request dated July 17, 2013, from Robert L. Bailey, II, Bailey and Poarch, to Brenda Hall, City Clerk
6. Final plat
7. Radius map
8. Staff Report dated September 12, 2013, recommending approval
9. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Item 6, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1314-10 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-10 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1314-11 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PART OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE LOCATED IN HARDIE-RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Griffith moved that Ordinance No. O-1314-11 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-11 dated August 20, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1314-11
3. Location map
4. Memorandum dated July 22, 2013, from Brenda Hall, City Clerk, to Rone Tromble, Administrative Assistant IV; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; and Jane Hudson, Principal Planner
5. Letter of request filed July 22, 2013, from Harold Heiple, Attorney-Agent, to City of Norman in care of Brenda Hall, City Clerk
6. Radius map
7. Letter filed August 27, 2013, from Pat Mason, Assistant to Thomas Ishamel, AT&T to City Clerk, City of Norman
8. Memorandum dated August 1, 2013, from Jim Speck, Capital Projects Engineer, to Ken Danner, Subdivision Development Manager
9. Letter dated September 9, 2013, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
10. Location maps
11. Staff Report dated September 12, 2013, recommending approval
12. Site plan
13. Pertinent excerpts from Planning Commission minutes of September 12, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-11 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-11 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1314-12 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 SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Councilmember Griffith moved that Ordinance No. O-1314-12 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-12 dated August 20, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-12
3. Location map
4. Staff Report dated September 12, 2013, recommending approval
5. Rose Rock School Foundation PUD Narrative submitted August 5, 2013 and revised August 29, 2013, and September 5, 2013
6. Site plan
7. Architectural drawings of existing and proposed project
8. History of the house at 1515 West Main Street submitted August 5, 2013, and revised August 29, 2013
9. Protest and support map containing 38% protest and 7.9% support within notification area
10. Letter of protest filed September 3, 2013, from James F. Ryan, O.D. to Planning Commission
11. Letter of protest filed September 3, 2013, from Colette Fudge to Planning Commission
12. Petition of protest filed September 9, 2013, containing 32 signatures
13. Petition of support filed September 6, 2013, containing 56 signatures
14. Email of support filed September 6, 2013, from Stephanie Royse to Whom It May Concern
15. Letter of support filed September 6, 2013, from Mr. L. Dee Fink to Norman City Council
16. Letter of support filed September 6, 2013, from Mary Jo Tinsley to City Council
17. Letter of support filed September 6, 2013, from David Kelso Spradling and Family to Whom It May Concern
18. Letter of support filed October 1, 2013, from Arletta Fink to Brenda Hall, City Clerk

and the question being upon the Introduction and adoption of Ordinance No. O-1314-12 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-12 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-1314-13 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), GENERAL COMMERCIAL (C-2), INTENSIVE COMMERCIAL (C-3), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Griffith moved that Ordinance No. O-1314-13 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. O-1314.13 dated August 20, 2013, by Susan Connors, Director of Planning and Community Development with Exhibit A, Survey on Crematoriums
2. Ordinance No. O-1314-13
3. Legislatively notated copy of Ordinance No. O-1314-13
4. Staff Report dated September 12, 2013, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 12, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-13 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-13 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 10, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

NORMAN ELECTION COMMISSION
TERM: 09-01-13 TO 09-01-16: ROBIN ALLEN, #6 BINGHAM PLACE
TERM: 09-01-13 TO 09-01-16: ELIZABETH WINDES, 1862 ROLLING HILLS STREET

SOCIALAND VOLUNTARY SERVICES COMMISSION
TERM: 10-08-13 TO 12-09-13: KAY ANTINORO, 613 SHERWOOD DRIVE
TERM: 10-08-13 TO 12-09-14: ANDREA DIXON, 1917 EMBERWOOD DRIVE

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

Items submitted for the record
1. Text File No. AP-1314-9 dated September 20, 2013, by Brenda Hall, City Clerk

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

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

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

* * * * *

Item 11, being:

CONSIDERATION OF BID NO. 1314-6, CONTRACT NO. K-1314-6 WITH CENTRAL CONTRACTING SERVICES, INC., IN THE AMOUNT OF $296,457; PERFORMANCE BOND NO. B-1314-4, STATUTORY BOND NO. B-1314-5, MAINTENANCE BOND NO. MB-1314-2, AND RESOLUTION NO. R-1314-5 FOR THE FRANKLIN ROAD BRIDGE WATER LINE AND WASTEWATER FORCE MAIN RELOCATION PROJECT AND BUDGET TRANSFER.

Acting as the City Council and the Norman Utilities Authority, Councilmember Griffith moved that all bids meeting specifications be accepted; the bid in the amount of $296,457 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-6 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1314-5 be adopted; and $44,800 be transferred from Project No. WA0188, SE Oklahoma Raw Water Preliminary Report, Design (031-9356-462.62-01) to Project No. WA0198, Franklin Road Bridge Waterline and Wastewater Force Main Relocation Project, Utilities (031-9727-462.67-01), which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. K-1314-6 dated September 24, 2013, by John Clink, Capital Projects Engineer
2. Tabulation of Bids dated August 12, 2013, for the Franklin Road Force Main and Waterline Relocation
3. Contract No. K-1314-6
4. Performance Bond No. B-1314-4
5. Statutory Bond No. B-1314-5
6. Maintenance Bond No. MB-1314-2
7. Resolution No. R-1314-5
8. Location map
9. Purchase Requisition No. 0000223445 dated September 17, 2013, in the amount of $296,457 to Central Contracting Services, Inc.

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

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

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $296,457 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-6 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution No. R-1314-5 was adopted; and $44,800 was transferred from Project No. WA0188, SE Oklahoma Raw Water Preliminary Report, Design (031-9356-462.62-01) to Project No. WA0198, Franklin Road Bridge Waterline and Wastewater Force Main Relocation Project, Utilities (031-9727-462.67-01)

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Item 12, being:

CONSIDERATION OF BID NO. 1314-14, APPROVAL OF CONTACT NO. K-1314-41 WITH SCOTT RICE IN THE AMOUNT OF $366,013.70 AND CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNTY BY $74,734.39 FOR A REVISED CONTRACT AMOUNT OF $291,788.81 AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-22 FOR THE NORMAN PUBLIC LIBRARY FLOORING REPLACEMENT PROJECT AND BUDGET APPROPRIATION.

Councilmember Griffith moved that all bids meeting specifications be accepted; the bid be awarded to Scott Rice as the lowest and best bidder meeting specifications; Contract No. K-1314-41 in the amount of $366,013.70 and Change Order No. One to Contract No. K-1314-41 decreasing the contract amount by $74,734.39 for a revised contract amount of $292,788.81 be approved; the Mayor be authorized to execute the contract and change order and to sign Performance Bond No. B-1314-14, Statutory Bond No. B-1314-15, and Maintenance Bond No. MB-1314-7 contingent upon the City Attorney's approval; Resolution No. R-1314-22 be adopted; and GO Bond funds in the amount of $278,732 were appropriated from the from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0015, Library Flooring Replacement Project, Construction, (050-9365-419.61-01), which motion was duly seconded by Councilmember Williams;

Item 12, continued:

Items submitted for the record
1. Text File No. K-1314-41 dated September 12, 2013, by Brenda Hall, City Clerk
2. Bid Record dated August 29, 2013, for the Norman Public Library Flooring Replacement Project
3. Contract No. K-1314-41
4. Change Order No. One to Contract No. K-1314-41
5. Resolution No. R-1314-22
6. Purchase Requisition No. 0000224377 dated October 3, 2013, in the amount of $291,278.81 to Scott Rice Company

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

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

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid was awarded to Scott Rice as the lowest and best bidder meeting specifications; Contract No. K-1314-41 in the amount of $366,013.70 and Change Order No. One to Contract No. K-1314-41 decreasing the contract amount by $74,734.39 for a revised contract amount of $292,788.81 were approved; the Mayor was authorized to execute the contract and change order and to sign Performance Bond No. B-1314-14, Statutory Bond No. B-1314-15, and Maintenance Bond No. MB-1314.7 contingent upon the City Attorney's approval; Resolution No. R-1314-22 was adopted; and GO Bond Funds in the amount of $278,732 were appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0015, Library Flooring Replacement Project, Construction, (050-9365-419.61-01).

* * * * *

Item 13, being:

CONSIDERATION OF BID NO. 1314-24 AND THE NORMAN UTLITIES AUTHORITY APPROVAL OF CONTRACT NO. K-1314-52 WITH DOWNEY CONTRACTING, L.L.C., IN THE AMOUNT OF $259,620, PERFORMANCE BOND NO. B-1314-33, STATUTORY BOND NO. B-1314-34, AND MAINTENANCE BOND NO. MB-1314-30 FOR THE HIGHWAY 9 WATERLINE PROJECT, PHASE 2.

Acting as the Norman Utilities Authority, Trustee Griffith moved that all bids meeting specifications be accepted; the bid in the amount of $259,620 be awarded to Downey Contracting, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1314-52 and the performance, statutory, and maintenance bonds be approved; the execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Highway 9 Waterline Project be authorized; and the filing of the bonds be directed, which motion was duly seconded by Trustee Williams;

Items submitted for the record
1. Text File No. K-1314-52 dated September 23, 2013, by Jim Speck, Capital Projects Engineer
2. Tabulation of Bids for the Highway 9 Waterline Project, Phase 2
3. Contract No. K-1314-52
4. Performance Bond No. B-1314-33
5. Statutory Bond No. B-1314-34
6. Maintenance Bond No. MB-1314-30
7. Purchase Requisition No. 0000224247 dated October 1, 2013, in the amount of $259,620 to Downey Contracting, L.L.C.

Item 13, continued:

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

YEAS:	Trustees Castleberry, Griffith, Heiple, Holman, Jungman, Miller, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $259,620 was awarded to Downey Contracting, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1314-52 and the performance, statutory, and maintenance bonds were approved; the execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Highway 9 Waterline Project were authorized; and the filing of the bonds was directed.

* * * * *

Item 14, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR GLENRIDGE ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT; ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN; AND DEFERRAL OF PAVING, DRAINAGE, AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH INDIAN HILLS ROAD. (GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD EAST OF 48TH AVENUE N.W.)

Councilmember Griffith moved that the final site development plan and final plat for Glenridge Addition, Section 1, a Planned Unit Development, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to completion and the City Development Committee's acceptance of all public improvements and receipt of a Certificate of Deposit in the amount of $65,233 for deferral of paving, drainage, and sidewalks in connection with Indian Hills Road within ten (10) days, traffic impact fee in the amount of $4,263.58, and a filed copy of a warranty deed for private park land; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. FP-1213-5 dated July 17, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat approved by Planning Commission
4. Final plat with minor modifications
5. Staff Report dated August 9, 2012, recommending approval
6. Memorandum dated August 1, 2012, from Shawn O'Leary, Director of Public Works, to Andy Sherrer, Chairman, Planning Commission
7. Letter dated September 19, 2103, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Todd McLellan, P.E., Development Engineer, with Deferred Cost of Improvements
8. Preliminary plat
9. Pertinent excerpts from Planning Commission minutes of August 9, 2012

and the question being upon approving the final site development plan and final plat for Glenridge Addition, Section 1, a Planned Unit Development, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the final site development plan and final plat for Glenridge Addition, Section 1, a Planned Unit Development, approved; the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to completion and the City Development Committee's acceptance of all public improvements and receipt of a Certificate of Deposit in the amount of $65,233 for deferral of paving, drainage, and sidewalks in connection with Indian Hills Road within ten (10) days, traffic impact fee in the amount of $4,263.58, and a filed copy of a warranty deed for private park land; and the filing of the final site development plan and final plat was directed.

* * * * *

Item 15, being:

CONSIDERATION OF THE ACCEPTANCE OF DONATIONS IN THE AMOUNTS OF $250 FROM SOONER VETERINARY HOSPITAL; $250 FROM DENISE SWAROWSKY; $300 FROM BELINDA SNEED; $325 FROM DANIELLE BROWN; $500 FROM LYNN ROSE; $500 FROM BARRETT WILLIAMSON ARCHITECTS, INC.; AND $5,000 FROM AN ANONYMOUS DONOR TO BE USED BY THE CITY OF NORMANANIMALWELFARE CENTER.

Councilmember Griffith moved that donations in the amount of $250 from Sooner Veterinary Hospital; $250 from Denise Swarowsky; $300 from Belinda Sneed; $325 from Danielle Brown; $500 from Lynn Rose; $500 from Barrett Williamson Architects, Inc.; and $5,000 from an anonymous donor to be used by the City of Norman Animal Welfare Center be accepted; and Animal Control Liability (010-0000-227.24-31) be increased by $7,125, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. GID-1314-38 dated September 23, 2013, by John Bowman, Animal Welfare Supervisor
2. Receipt No. R13-002323 dated September 3, 2013, in the amount of $250 from Sooner Vet Hospital
3. Receipt No. R13-002498 dated September 19, 2013, in the amount of $250 from Denise Swarowsky
4. Receipt No. R13-002453 dated September 16, 2013, in the amount of $300 from Belinda Sneed
5. Receipt No. R13-002479 dated September 17, 2013, in the amount of $325 from Danielle Brown
6. Receipt No. R13-002380 dated September 7, 2013, in the amount of $500 from Lynn Rose
7. Receipt No. R13-002338 dated September 5, 2013, in the amount of $500 from Barrett William Architects, Inc.
8. Receipt No. R13-002488 dated September 18, 2013, in the amount of $5,000 from an anonymous donor

and the question being upon accepting donations in the amount of $250 from Sooner Veterinary Hospital; $250 from Denise Swarowsky; $300 from Belinda Sneed; $325 from Danielle Brown; $500 from Lynn Rose; $500 from Barrett Williamson Architects, Inc.; and $5,000 from an anonymous donor to be used by the City of Norman Animal Welfare Center and upon the subsequent increase, a vote was taken with the following result:

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

The Mayor declared the motion carried and donations in the amount of $250 from Sooner Veterinary Hospital; $250 from Denise Swarowsky; $300 from Belinda Sneed; $325 from Danielle Brown; $500 from Lynn Rose; $500 from Barrett Williamson Architects, Inc.; and $5,000 from an anonymous donor to be used by the City of Norman Animal Welfare Center accepted; and Animal Control Liability (010-0000-227.24-31) was increased by $7,125.

* * * * *

Item 16, being:

LIMITED LICENSE NO. LL-1314-7: A LIMITED LICENSE TO PLACE THREE (3) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY FAMILY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT TO BE HELD ON OCTOBER 25, 2013.

Councilmember Griffith moved that Limited License No. LL-1314-7 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County Family YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. LL-1314-7 dated September 24, 2013, by Wayne Stenis, Planner II
2. Application for Limited License for three ground banners dated August 31, 2013, from the Cleveland County Family YMCA
3. Limited License No. LL-1314-7

Item 16, continued:

and the question being upon approving Limited License No. LL-1314-7 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County Family YMCA and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Limited License No. LL-1314-7 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County Family YMCA approved; and the issuance thereof was authorized.

* * * * *

Item 17, being:

LIMITED LICENSE NO. LL-1314-8: A LIMITED LICENSE TO PLACE SIX (6) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM DOWNTOWN NORMAN FALL FESTIVAL, L.L.C., FOR THE DOWNTOWN NORMAN FALL FEST MAIN STREET EVENT TO BE HELD ON OCTOBER 25, 2013.

Councilmember Griffith moved that Limited License No. LL-1314-8 to place six (6) ground banners within the public rights-of-way pursuant to a request from the Downtown Norman Fall Festival, L.L.C., be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. LL-1314-8 dated September 25, 2013, by Wayne Stenis, Planner II
2. Application for Limited License for six ground banners dated September 23, 2013, from Ashley Adair-Garner on behalf of Downtown Norman Fall Festival, L.L.C.
3. Limited License No. LL-1314-8
4. Ground banner design

and the question being upon approving Limited License No. LL-1314-8 to place six (6) ground banners within the public rights-of-way pursuant to a request from the Downtown Norman Fall Festival, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Limited License No. LL-1314-8 to place six (6) ground banners within the public rights-of-way pursuant to a request from the Downtown Norman Fall Festival, L.L.C., approved; and the issuance thereof was authorized.

* * * * *

Item 18, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-168 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REX PLAYGROUND EQUIPMENT FOR THE MCGEORGE PARK PLAYGROUND EQUIPMENT PROJECT.

Councilmember Griffith moved that the project be accepted and final payment in the amount of $3,500 to Rex Playground Equipment be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-168, Final, dated October 8, 2013, by Mitch Miles, Park Planner
2. Location map and picture of new playground equipment

Item 18, continued:

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

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

The Mayor declared the motion carried and the project accepted; and final payment in the amount of $3,500 to Rex Playground Equipment was directed.

* * * * *

Item 19, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-197 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ACS PLAYGROUND ADVENTURES, INC., FOR THE WOODSLAWN PARK PLAYGROUND EQUIPMENT PROJECT.

Councilmember Griffith moved that the project be accepted and final payment in the amount of $1,726.65 to ACS Playground Adventures, Inc., be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-197, Final, dated September 24, 2013, by Mitch Miles, Park Planner
2. Location map and picture of new playground equipment
3. Purchase Order No. 232903 dated June 13, 2013, in the amount of $34,533 subtracting payment in the amount of $32,806.35 for a final payment amount of $1,726.65 to ACS Playground Adventure, Inc.

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

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

The Mayor declared the motion carried and the project accepted; and final payment in the amount of $1,726.65 to ACS Playground Adventures, Inc., was directed.

* * * * *

Item 20, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-1213-78: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PRA GOVERNMENT SERVICES, L.L.C., D/B/A REVENUE DISCOVERY SYSTEMS (RDS) EXTENDING THE TERM OF THE CONTRACT UNTIL OCTOBER 8, 2014, TO PERFORM COMPLIANCE AUDIT SERVICES.

Councilmember Griffith moved that Amendment No. One to Contract No. K-1213-78 with PRA Government Services, L.L.C., d/b/a Revenue Discovery Systems (RDS) extending the term of the contract until October 8, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-78, Amendment No. One, dated September 20, 2013, from Suzanne Krohmer, Municipal Accountant
2. Amendment No. One to Contract No. K-1213-78
3. Contract No. K-1213-78 with Exhibit A, Confidentiality Agreement

Item 20, continued:

and the question being upon approving Amendment No. One to Contract No. K-1213-78 with PRA Government Services, L.L.C., d/b/a Revenue Discovery Systems (RDS) extending the term of the contract until October 8, 2014, and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Amendment No. One to Contract No. K-1213-78 with PRA Government Services, L.L.C., d/b/a Revenue Discovery Systems (RDS) extending the term of the contract until October 8, 2014, approved; and the execution thereof was authorized.

* * * * *

Item 21, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF EQUIPMENT FROM CHICKASAW TELECOM, AN AUTHORIZED VENDOR OF CISCO SYSTEMS, INC., AND PROJECT AGENT RESOLUTION R-1314-51 FOR THE CITY-WIDE VOICE-OVER INTERNET PROTOCOL PHONE SYSTEM PROJECT.

Councilmember Griffith moved authorization for the purchase of equipment from Chickasaw Telecom, an authorized vendor of Cisco Systems, Inc., be approved and Resolution No. R-1314-51 be adopted, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. GID-1314-40 dated October 2, 2013, by Kari Madden, Network Manager
2. Resolution No. R-1314-51

and the question being upon approving authorization for the purchase of equipment from Chickasaw Telecom, an authorized vendor of Cisco Systems, Inc., and upon the subsequent adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried and authorization for the purchase of equipment from Chickasaw Telecom, an authorized vendor of Cisco Systems, Inc., approved; and Resolution No. R-1314-51 was adopted.

* * * * *

Item 22, being:

CONTRACT NO. K-1314-63: A FINANCING AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DE LAGE LANDEN PUBLIC FINANCE, L.L.C., IN THE AMOUNT OF $265,000 PER YEAR TO PROVIDE FOR A PERIOD OF THREE YEARS FOR THE CITY OF NORMAN VOICE OVER INTERNET PROTOCOL PHONE SYSTEM PROJECT AND BUDGET TRANSFERS.

Councilmember Griffith moved that Contract No. K-1314-63 with De Lage Landen Public Finance, L.L.C., in the amount of $265,000 per year for a period of three years be approved; execution of the contract be authorized; and $44,000 be transferred from Project No. EF1001, Smalley Center Renovations, Construction (050-9540-419.61-01); $11,200 from Project No. FT0002, Fire Station No. 8, Construction (050-9377-419.61-01); and $6,370 from Project No. FT0003, Fire Station No. 9, Construction (050-9377-419.61-01) to Project No. BG0040, City Phone System Replacement, Construction (050-9365-419.61-01), which motion was duly seconded by Councilmember Williams;

Item 22, continued:

Items submitted for the record
1. Text File No. K-1314-63 dated September 26, 2013, by Kari Madden, Network Manager
2. Contract No. K-1314-63 with Amendment to Equipment Lease/Purchase Agreement; Exhibit A, Payment Schedule; and Exhibit B, Equipment Description

and the question being upon approving Contract No. K-1314-63 with De Lage Landen Public Finance, L.L.C., in the amount of $265,000 per year for a period of three years and upon the subsequent authorization and transfers, a vote was taken with the following result:

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

The Mayor declared the motion carried Contract No. K-1314-51 with K-1314-63 with De Lage Landen Public Finance, L.L.C., in the amount of $265,000 per year for a period of three years approved; execution of the contract was authorized; and $44,000 was transferred from the Project No. EF1001, Smalley Center Renovations, Construction (050-9540-419.61-01); $11,200 from Project No. FT0002, Fire Station No. 8, Construction (050-9377-419.61-01); and $6,370 from Project No. FT0003, Fire Station No. 9, Construction (050-9377-419.61-01) to Project No. BG0040, City Phone System Replacement, Construction (050-9365-419.61-01).

* * * * *

Item 23, being:

RESOLUTION NO. R-1314-50: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING $30,630 FROM THE GENERAL FUND BALANCE TO REPLACE TRAFFIC SIGNAL EQUIPMENT THAT WAS DAMAGED DURING CONSTRUCTION AND TRAFFIC COLLISIONS.

Councilmember Griffith moved that Resolution No. R-1314-50 be adopted, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. R-1314-50 dated September 25, 2013, by David Riesland, City Traffic Engineer
2. Resolution No. R-1314-50

and the question being upon adopting Resolution No. R-1314-50, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1314-50 was adopted.

* * * * *

Item 24, being:

RESOLUTION NO. R-1314-16: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AFFIRMING THE RECOMMENDATION OF THE CENTRAL REGION OF OKLAHOMA EMERGENCY MANAGEMENT ASSOCIATION TO DEVELOP PERSONAL SAFETY PLANS, TO STAY INFORMED, AND TO SHELTER IN PLACE IN THE EVENT OF SEVERE WEATHER AND CLOSING PUBLIC STORMS SHELTERS IN CONFORMANCEWITH THIS RECOMMENDATION.

Councilmember Griffith moved that Resolution No. R-1314-16 be adopted, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. R-1314-16 dated July 10, 2013, by James Fullingim, Fire Chief
2. Resolution No. R-1314-16
3. City Council Study Session minutes of February 19, 2013
4. City Council Oversight Committee minutes of August 7, 2013
5. PowerPoint presentation entitled, "Severe Weather Planning," presented by James Fullingim, Fire Chief

Participants in discussion
1. Mr. James Fullingim, Fire Chief
2. Mr. Mark Campbell, Post Office Box 1531, protestant
3. Mr. Harold Heiple, 2011 Morgan Drive, proponent
4. Ms. Joy Hampton, *The Norman Transcript*, asked questions
5. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Resolution No. R-1314-16, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1314-16 was adopted.

* * * * *

MISCELLANEOUS DISCUSSION

Storm Shelters. Mr. Mark Campbell, Post Office Box 1531, said he was disappointed with Council's decision to stop promoting the schools as storm shelters. He said most severe weather develops in the afternoon when people are at work or school and having buildings open during a storm is not the same as designating or advertising them as storm shelters. He urged Council to leave the buildings open, but not advertise them as storm shelters. He said during the May tornado, the Library closed and made people leave and busses kept running even though there were no plans on where riders would go if the tornado hit. He said the City should be involved in decisions on whether or not to close the Library or stop busses from running during severe weather instead of leaving those decisions solely to the agencies that operate them. He said the Library is a City building and he does not understand why the City does not have some jurisdiction in decisions on closing the Library during severe weather.

*

National Night Out. Councilmember Holman said he enjoyed National Night Out on October 1st. He met a number of new people and enjoyed the conversation and food.

Councilmember Griffith said he enjoyed National Night Out as well. His Ward held nine events and he attended six of those events. He thanked the Norman Police Department for escorting him to the events allowing him to attend as many as time allowed. He thanked the District Attorney's (DA) Office and said this is the first year DA Staff has attended the events. He also thanked the Animal Welfare Division for attending and discussing improvements being made to the Animal Welfare Facility and thanked the Fire Department because they were always the hit of the party when they arrived in fire trucks.

Councilmember Castleberry echoed previous comments about National Night Out. He said there were five parties in his Ward that were very well attended and thanked the Mayor for attending a couple of them. He appreciated the citizen feedback and said it was nice to hear that many people think the City is doing a good job.

Miscellaneous Discussion, continued:

National Night Out, continued. Councilmember Williams said National Night Out is his favorite time of the year. He always enjoys meeting new people and eating the wonderful food they provide. He said his Ward held nine events and he attended them all and thanked the Mayor for attending a few. He thanked the Police and Fire Departments as well as citizens who attended and hosted the events. He thanked the City Manager for helping resolve two issues that were brought to his attention at the events and said if the City is not aware there is a problem, they cannot fix it and encouraged citizens to call their Councilmember or City Hall to report problems.

Councilmembers Miller and Heiple said National Night Out was great and they had good time.

Mayor Rosenthal thanked Deputy Police Chief Jim Maisano for escorting her to the many National Night Out events. She said moving the event from August to October made it a huge success and many constituents urged the City to keep the event in October.

*

Business and Community Affairs Committee. Councilmember Castleberry thanked Professor Cindy Rogers for inviting Dr. Carlianne Patrick of the Department of Economics, Georgia State University, to make a presentation to the Business and Community Affairs Committee regarding economic development and clawback agreements. He said it was nice to hear from an expert that Council did some things right in regards to the Norman Economic Development Authority and that the City is moving in the right direction on economic development.

*

Norman Public Library Flooring Replacement Project. Councilmember Miller said an item on the consent docket may have seemed obscure to many people, but is a big deal to her. The Library will be getting new flooring, which is badly needed. She said the City has made a lot of recent improvements to the Library building that included a new heat and air system and new lighting throughout the building.

*

Crop Walk for Hunger. Councilmember Heiple said approximately 700 people attended the Crop Walk for Hunger event. He said it was a fun time and encouraged citizens to attend next year's event. He said there are at least 200 to 300 people that do not have a place to go to at night and this is an issue that needs to always be considered.

*

Norman Regional Hospital. Councilmember Heiple said when Norman Regional Hospital submitted their annual budget to the City, he had asked if them if they could provide prices for the twenty most common procedures they perform and they could not. He and Councilmember Miller recently met with hospital Administrative Staff to discuss this and found there is no simple solution. He said the City of Norman has the best community hospital in the world and if health care is going to be fixed, it has to start in our own back yard because federal and state governments are not going to do it. He hopes within twelve months the hospital will be able to list prices they have for some medical procedures. He thanked Norman Regional Staff for their assistance as well as Councilmember Miller and constituents who attended the meeting. He said if anyone wants to be a part of these discussions, feel free to contact him.

*

City Manager's Report

Sewer Rate Increase Election. A Special Election for a sewer rate increase will be held on November 12, 2013. Those rates will be used to finance the expansion of the Water Reclamation Facility. Citizens will be receiving an informational brochure in the mail soon and the information is posted on the City's website. He said if citizens have questions, please contact the Action Center.

Road Improvements. Construction seems to happening everywhere and I-35 and Lindsey Street will soon be added. Many citizens ask what is happening on Highway 9 between 24th Avenue and 36th Avenue. He said there have been a lot of utility relocations as part of a project that the Oklahoma Department of Transportation (ODOT) is sponsoring to construct a four-lane urban section with divided median, curbs, and shoulders. That project is scheduled to be bid in December 2013, with improvement beginning in March 2014, with an estimated construction period of one year.

Miscellaneous Discussion, continued:

City Manager's Report, continued:

Many motorists have been trying to navigate around the closure of the Indian Hills Road Bridge at I-35. This is a project where Norman has partnered with ODOT to make major maintenance repairs to the bridge deck and the project should be completed by Friday, October 11th. The maintenance should sustain the bridge for ten years, but the City and ODOT are in the process of scheduling rebuilding that interchange within the eight year plan.

Budget. The total General Fund Revenue Budget is $37,700,000 for FYE 14 and $9,073,000 was projected for the first three months of revenue; however, $9.4 million has been collected to date, an increase of 4 1/2 % on sales tax revenue. Use taxes have increased by 22% and although franchise taxes have decreased they are above last year's figures. Other taxes have increased by $300,000 due to a Federal Emergency Management Agency (FEMA) reimbursement. In July sales tax increased by 3.6%, 5.9% in August, and 5.3% in September 2013.

Expenditures have been projected to be $8 million to date, but only $7.4 million has actually been expended.

License and permit revenues have increased while fines and forfeitures have decreased. Expenditures are creeping ahead of revenues and that is a chronic issue the City is trying to address.

Hotel/Motel revenues have increased because of the room tax increase voters approved recently, but there has also been an increase in occupancy because of the May 31st tornado, housing victims of the tornado as well as contractors involved in clean up and rebuilding efforts.

Residential water revenues have had a dramatic decrease from last year, but the City is comparing very dramatic years. He said the summer of FYE 14 has been very moderate and is the fourth or fifth wettest year in Oklahoma while FYE 13 was one of the driest years. Emergency water was purchased from Oklahoma City, which is not reflected in the revenue figures and that would offset the revenues. The City is monitoring the Water Fund carefully and because it is capital intensive, some projects may have to be readjusted.

Mayor Rosenthal said although it is very early in the fiscal year, Council needs to be vigilant in monitoring the budget and not change course. She said, typically, budget adjustments are made mid-year after the audit is complete so Council has three months to review proposed adjustments.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 7:45 p.m.

ATTEST:

City Clerk Mayor

City of Norman, OK

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

Master

File Number: O-1314-18

File ID: O-1314-18 **Type:** Zoning Ordinance **Status:** Consent Item

Version: 1 **Reference:** Item No. 5 **In Control:** City Council

Department: Planning and Community Development Department **Cost:** **File Created:** 09/11/2013

File Name: Parkgreen Rezone **Final Action:**

Title: CONSIDERATION OF ORDINANCE NO. O-1314-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-18 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 5

Attachments: Text File O-1314-18 First Reading, O-1314-18, Exhbiit A PUD Narrative, Exhibit A - Open Space Rendering, Exhibit A Pool amenities, Location Map, Staff Report, Protest Map, Millenium Protest Letter, 10-10-13 PC Minutes

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, seconded by Commissioner Boeck, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 10/22/2013. The motion carried by the following vote:

Text of Legislative File O-1314-18

Body

SYNOPSIS: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District, to PUD, Planned Unit Development District, for a student based housing project. The land under review was set aside on the NORMAN 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the property as High Density Residential.

ANALYSIS: The particulars of this PUD include:

USE: The development as proposed will consist of 197 units and 705 beds for a student housing development. With the close proximity to the University the project will be focused on the University population. The location will be best suited for students, faculty and staff to walk or ride bicycles to the University, as well as neighboring commercial entities.

DESIGN: This is a gated apartment community. The entries are designed to City standards. Per the proposed PUD Narrative the structures may not exceed five stories of habitable space, plus the additional height needed for roof structure, any mechanical equipment and associated construction. Exterior materials will consist of eighty percent masonry on all elevations. The exterior material may include brick, stone, stucco or manufactured materials such as synthetic stone, panel stucco or cement board. There will be three access points for the development. There will be one access point on Lindsey Street, centered between Barkley Street and Virginia Street. The second and third access points will be off Classen Boulevard. There is an existing access point on the northwest side of the property which flows into the commercial development to the west of this proposal; a small section of the residential development will be accessed from this point.

OPEN SPACE: In addition to the open spaces noted within the development there is a large open space area incorporated into the amenities/park area located along the southern portion of this development, previously Boyd View Park.

The applicant, as part of this proposal, will install a fifty-four inch reinforced concrete pipe located in the eastern portion of this property. This drainage pipe will be installed in the southern boundary of the property and connect to the existing reinforced concrete box located at Classen Boulevard. This will allow fill activity outside the proposed detention area and within the amenities/park area. As a result, the proposed amenities as shown on the preliminary site development plan can be constructed.

PARKING: There is a parking garage provided for this development. Some of the residents will be able to park in the parking garage and walk across the attached walkway to their building. In addition to the parking garage there is parking distributed throughout the development. The PUD states there will be a 1:1 bed to parking ratio. There will be 731 parking spaces on-site. There will be 705 parking spaces for 705 beds. There are twelve parking spaces for the clubhouse. The remaining parking is supplementary.

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

SIGNAGE: All signage shall be in conformance with the City of Norman's Sign Ordinance. The additional comment in the PUD stated "signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines."

FENCING: This development includes an area that was previously designated as parkland, Boyd View Park. The parkland is in a flood zone and was included as part of the drainage system for developments to the east and north of this property. This area was never suited for a park. The western portion of the parkland will incorporate the needed detention for this site. This development is utilizing this previously undeveloped parkland for a new park area that the neighboring single-family and two-family, as well as adjacent multi-family

developments can use. The area along the southern portion of the development abuts two-family homes with existing fences along the rear of their property. The Zoning Ordinance states that these types of developments should screen/fence as a buffer between less intense zoning districts. In this case staff suggests the applicant not fence the south and east sides of the park area as this will close off the proposed park/amenity area to adjacent residential developments. However, there is a security fence, as shown on the site plan, which surrounds the apartment portion of the development; this will secure the gated community from visitors at the park.

OTHER AGENCY COMMENTS

PARKS BOARD In addition to the proposed park area on-site the developer has proposed a fee-in-lieu for parkland. At the October 3, 2013 Park Board Meeting, Board of Parks Commissioners accepted staff's recommendation for fee-in-lieu of land for this development.

PUBLIC WORKS Detention will be provided for storm water run-off. Water and sanitary sewer is available to the property. Interior sanitary sewer is private. Interior water lines will be installed per City standards to serve for fire protection. The unimproved portion of Classen Boulevard adjacent to this property will be improved to City standards and a five-foot sidewalk will be installed adjacent to Classen Boulevard.

This proposal appeared before the Flood Plain Committee on October 7, 2013 for approval of the extension to the reinforced concrete box in connection with Classen Boulevard and the proposed detention area, west of the proposed amenities. The application was approved unanimously.

TRAFFIC A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable.

STAFF RECOMMENDATION: This proposed PUD provides adequate regulations and zoning requirements for a multi-family development. As well as providing a new park area for the adjacent properties.

Staff recommends approval of Ordinance No. O-1314-18. At their meeting of October 10, 2013, the Planning Commission, by a vote of 5-1, recommended adoption of this ordinance.

O-1314-18

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Near the Southeast Corner of Lindsey Street and Classen Boulevard)

§ 1. WHEREAS, Parkgreen Living, L.L.C., has made application to have the subject property removed from the C-2, General Commercial District, the RM-6, Medium Density Apartment District, and the A-2, Rural Agricultural District, and placed in the PUD, Planned Unit Development District; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the C-2, General Commercial District and place the same in the PUD, Planned Unit Development District, to wit:

Tract I:
Lots Three (3), Four (4), and Five (5), in Block One (1), of UNIVERSITY PLAZA ADDITION, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

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

Tract II:
All of Lot Three (3) and part of Lot Two (2), in Block Two (2), of BOYD VIEW ADDITION NO. 2, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof; that part Lot 2 being described as:
Beginning at the Northwest corner of said Lot Two (2), in Block Two (2);
Thence South 00°07'00" West along the West line of said Lot Two (2) a distance of 234.73 feet;
Thence North 54°37'29" East a distance of 49.13 feet;
Thence North 00°07'00" East a distance of 20.20 feet to a point on the North line of said Lot Two (2);
Thence North 89°53'00" West along the said North line a distance of 40.00 feet to the Point of Beginning. According to the Corrected Lot Line Adjustment filed in Book 1189, Page 497.

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the A-2, Rural Agricultural District, and place the same in the PUD, Planned Unit Development District, to wit (formerly known as Boyd View Park):

Tract III:
Commencing at the North West corner of Lot 1, Block 7, BOYD VIEW NO. 1 ADDITION to the City of Norman, Cleveland County, State of Oklahoma,
Thence North 27°17'00" West a distance of 227.20 feet;
Thence South 89°47'00" East a distance of 328.14 feet;
Thence North 54°37'29" East a distance of 352.13 feet;
Thence South 43°05'08" East a distance of 110.49 feet;
Thence South 54°37'29" West a distance of 472.8 feet;
Thence South 76°00'00" West a distance of 207.23 feet to the Point of Beginning. According to the Quit Claim Deed filed in Book 5198, Page 80.

Said Tracts I, II, and III contain 6.85 acres, more or less.

§ 7. 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 (Exhibit A), approved by the Planning Commission on October 10, 2013, and supporting documentation submitted by the applicant and approved by the Planning Commission, and made a part hereof.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

THE MILLENNIUM ADDITION

NORMAN, OKLAHOMA

APPLICANT:
PARKGREEN LIVING, LLC

APPLICATION FOR 2025 PLAN CHANGE
PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT

Originally submitted on 9 September 2013
Revised and resubmitted 2 October 2013

PREPARED BY:

THE RIEGER LAW GROUP
Attn: Sean Paul Rieger
S.P. Rieger, PLLC
136 Thompson Drive
Norman, Oklahoma 73069-5245

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I. INTRODUCTION

THE MILLENNIUM ADDITION project is a proposed Planned Unit Development in Ward 7 of the City of Norman on the generally vacant land on the SE corner of Classen and Lindsey. The project will be an upscale multi-family housing facility containing approximately 197 units on a site that is roughly 6.85 acres.

The current zoning for this infill property is a blend of C-2 (General Commercial) and RM-6 (Medium Density Apartment), with another portion of the site currently a drainage ditch zoned A-2 (Rural Agricultural). The majority of properties in the general area are rentals and multifamily (primarily either duplexes or apartments) with the properties immediately abutting the parcel on the north and west being commercial (Braum's and Conoco).

The project is located approximately one half of a mile east of the University of Oklahoma. It is likely that with such proximity many of the residents would be associated with the University as students, faculty, or staff, and thus many of the residents are expected to walk or ride bicycles to the University. Therefore, there will be significant bicycle racks and storage facilities on the premises and a highly prominent focus on bicycle accommodations and usage.

Community amenities will include a clubhouse with a fitness center, social lounge, wireless Internet café and study areas. Outdoor amenities include a full-size pool and versatile areas that will provide additional space for recreational and social activities including but not limited to volleyball, walking trail, horseshoe courts, and playing fields. The outdoor park type amenities developed immediately adjacent to the Boyd View neighborhood to the south will be accessible to the Boyd View neighborhood.

The parking provided will far exceed the requirements for typical Norman multifamily zoning. To meet this higher parking ratio, a central parking structure will provide parking to residents with multi-level access allowing many to park on the same floor in which they live. There will be two primary access points from the property onto adjacent principal arterials, with one entrance on Lindsey and one entrance on Classen. There will be a second entrance on Classen into the Property, which is an existing access point that also serves Braums to the north.

The sloped topography of the property provides great opportunities for taller structures to be built while minimizing the vertical presence. The tallest buildings will be five stories and will be set back from abutting multifamily properties by using parking and recreational amenities as buffers.

It is the MILLENNIUM ADDITION for the Millennial generation and will be a proud presence at the corner of Lindsey and Classen.

II. PROPERTY DESCRIPTON/GENERAL SITE CONDITIONS

A. Location

The Property lies in Ward 7 on the south side of East Lindsey Street and east side of Classen Boulevard, near the intersection of those two Principal Arterial corridors in Norman, Oklahoma.

B. Existing Land Use and Zoning

The Subject Property is currently 2025 Planned under three different uses: High Density Residential, Commercial, and Park (although recently the City Council abandoned the Boyd View Park that was formerly on the Property and thus the Park designation is no longer applicable). The Property is currently zoned under three different districts: RM-6 Medium Density Apartment District, C-2 General Commercial District, and A-2 Rural Agricultural District. The Property is mostly vacant platted parcels, and unoccupied except for one single family house of roughly 1200 SF in size that was built in circa 1950.

To the south of the Property is a 1960's era R-2 Two Family Dwelling district. To the west and north are abutting lots occupied by a Braums market and a Conoco convenience store. Lindsey Street, the Indian Heights and the Faculty Heights Additions are to the north of the Property. To the east is a 1980's era apartment complex zoned RM-6 Medium Density Apartment district.. To the west is the Classen Boulevard arterial and then across that right of way are flood plain and a UHAUL commercial site.

C. Elevation and Topography

The site has some slope to it, which will allow for better multi-story planning as the structures integrate with the varied elevations. A small portion of the Property in the far southwestern corner of it is in the FEMA 100-year flood plain. That area of the Property will not have any vertical structures located therein and will be used as an area for storm water detention. The Applicant will apply for a flood plain permit to address storm water detention and any other planned facilities in the flood plain zone.

D. Drainage

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

E. Utility Services

Many of the required utility systems for the project (including water, sewer, gas, electricity, telecommunications, and others) are currently located adjacent to, or in

very near proximity to, the boundaries of the Property. Many of the services exist along the Lindsey and Classen Urban Principal Arterials. The Applicant is concurrently applying for vacation of various utility easements that currently extend across the property and that will be relocated and reconfigured to serve the new development.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and by Owner as required by adopted codes.

G. Traffic Circulation and Access

Primary vehicular access to the site will be provided by way of the two immediately abutting Urban Principal Arterials of East Lindsey Street and Classen Boulevard. The drives and access corridors within the Property will be private.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Addition is planned to accommodate multifamily residential uses. The Exhibits attached hereto, and as submitted by the project civil engineer, Cardinal Engineers, are incorporated herein by reference and further depict the development criteria.

A. Multifamily Residential District

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

1. Uses; Design

The purpose for the PUD is to allow for multifamily residential living under the following development regulations:

a. Density: The Addition may be developed up to a maximum of 197 units, up to a maximum of 705 beds, on the roughly 6.85 acre site, which calculates to roughly 28.8 units per acre. The proposed units and breakdown of each is as shown on attached **EXHIBIT C.** However, the units per acre may increase as long as the proposed number of bedrooms does not increase, and thus the Developer may construct smaller units with fewer bedrooms than what is currently proposed. In so doing, the Developer would increase the number of units, and thus increase the density of units per acre, but it would not increase the density of bedrooms per acre.

b. Height: Structures may not exceed five stories of habitable building levels, plus additional heights for roof structures, stair towers, mechanical units, building rooftop equipment, and other non-habitable building elements.
c. Impervious Area: the total amount of impervious area, including all building footprints and impervious hard-paved areas shall not cover more than seventy five (75) percent of lot area, or as necessary to accommodate all impervious surfaces as shown and planned on the proposed Preliminary Site Development Plan as submitted herewith, whichever is greater.
d. Accessory Buildings: Accessory buildings such as, but not limited to, a common area clubhouse and related uses are allowed and may contain uses consistent with, but not limited to features such as, office, fitness, residents' private movie theater, game room, library, lounge, meeting room, swimming pool and accessory buildings, model unit, maintenance and equipment rooms, exterior recreational facilities, etc. Accessory buildings not exceed the height of the principal residential buildings and shall be in harmony with the adjacent buildings.
e. Athletic and recreational courts, sidewalks, and other site plan amenities and facilities are allowed as support uses within the residential district.
f. All minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development Plan, which is attached herewith and incorporated herein as shown on **EXHIBIT B.**
g. Exterior materials for the Project shall be as follows: A minimum of 80% masonry on all elevations (which may include brick, stone, stucco, or manufactured materials such as synthetic stone, panel stucco, or cement board) (percentage of masonry excludes windows, doors, and related trim). All materials shall be high-quality and require minimum maintenance.

2. Parking

Parking will be accommodated with common area surface and structured parking facilities within the district. The Applicant is providing substantial parking far in excess of the City of Norman requirements for multi-family housing. Parking is shown as providing roughly 731 spaces for the 197 units, including 705 beds, resulting in over 3.6 spaces per unit and over I space for every bed. Parking shall be required as a minimum of one space per each bedroom.

3. Dumpster and Trash Enclosures

A trash compactor(s) and its enclosure(s) may be located on site to facilitate resident trash removal. Any dumpster enclosure will be built of materials to be compatible with the building exteriors in the Addition.

Location of dumpsters and compacters will be as approved by the City of Norman Sanitation department. Trash facilities will be built to city standards.

B. Miscellaneous Development Criteria

1. Site Plan and Final Plat

The preliminary site development plan for the multifamily residential areas currently submitted with this PUD shall be incorporated herein as an integral part of the PUD and the development of the property shall be substantially constructed as presented thereon, although the PUD may be further refined once final site development plans are submitted with final plat, subject to City Staff approval.

2. Open Space

Open space and green space areas are located throughout the Addition. Within the area of the Addition, open green space totals are as submitted by the civil engineer Cardinal Engineering and will be located as shown on **EXHIBIT D**.

3. Signage

All signage shall be in conformance with the City of Norman's sign codes, as amended from time to time, and comply with applicable district regulations.

Signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines.

4. Fencing

Fencing may be constructed at all perimeter areas of the Addition, and within the Addition, such as shown on the site plan, except that the park type amenities as developed abutting the Boyd View neighborhood will be accessible to the Boyd View neighborhood and not restricted by fencing. Construction material may be of masonry, pre-cast concrete, metal/iron, or wood, or any combination thereof, and other materials as compatible with the building structures.

5. Traffic access/circulation/parking and sidewalks

The access to the PUD will be from East Lindsey Street and from Classen Boulevard. Landscape buffers will accommodate all City of Norman traffic division sight triangle requirements. All internal drives will be

private and will have adequate circulation provided for the fire department and City Waste Management Services. The entryways to the Addition may be gated for private restricted vehicular access, so long as the gated entryways are designed to City of Norman standards and allow for emergency personnel access as per requirements of the City of Norman.

All interior sidewalks will be at least four feet wide and provide adequate access to the buildings along with all project amenities. A five-foot wide City sidewalk, constructed to City of Norman Standards, will be provided generally along Lindsey Street and Classen Boulevard to the extent there are current gaps in such as the Property abuts those arterials.

6. Lighting

All exterior lighting shall be installed in conformance with the City of Norman commercial outdoor lighting standards, as amended from time to time.

7. Landscaping

Landscaping shall be provided in conformity to City of Norman ordinances.

8. Parkland

The Developer proposes fee in lieu of as the public park land solution. The residents of the Addition will have ample recreational opportunities and amenities within the Addition. Consequently, fee in lieu of will provide an opportunity for the City to apply additional funds to other area parks.

In addition, it is noted that the City Council previously abandoned the use of the former City of Norman Boyd View Park as a park in light of the difficulties of creating a City park at that location. This development will provide open space along the southern edge of the Property which will include storm water facilities and/or park type amenities that will be accessible to the Boyd View neighborhood.

EXHIBIT A

Proposed Preliminary Plat

(Full sized drawing submitted in separate copy to City Staff)

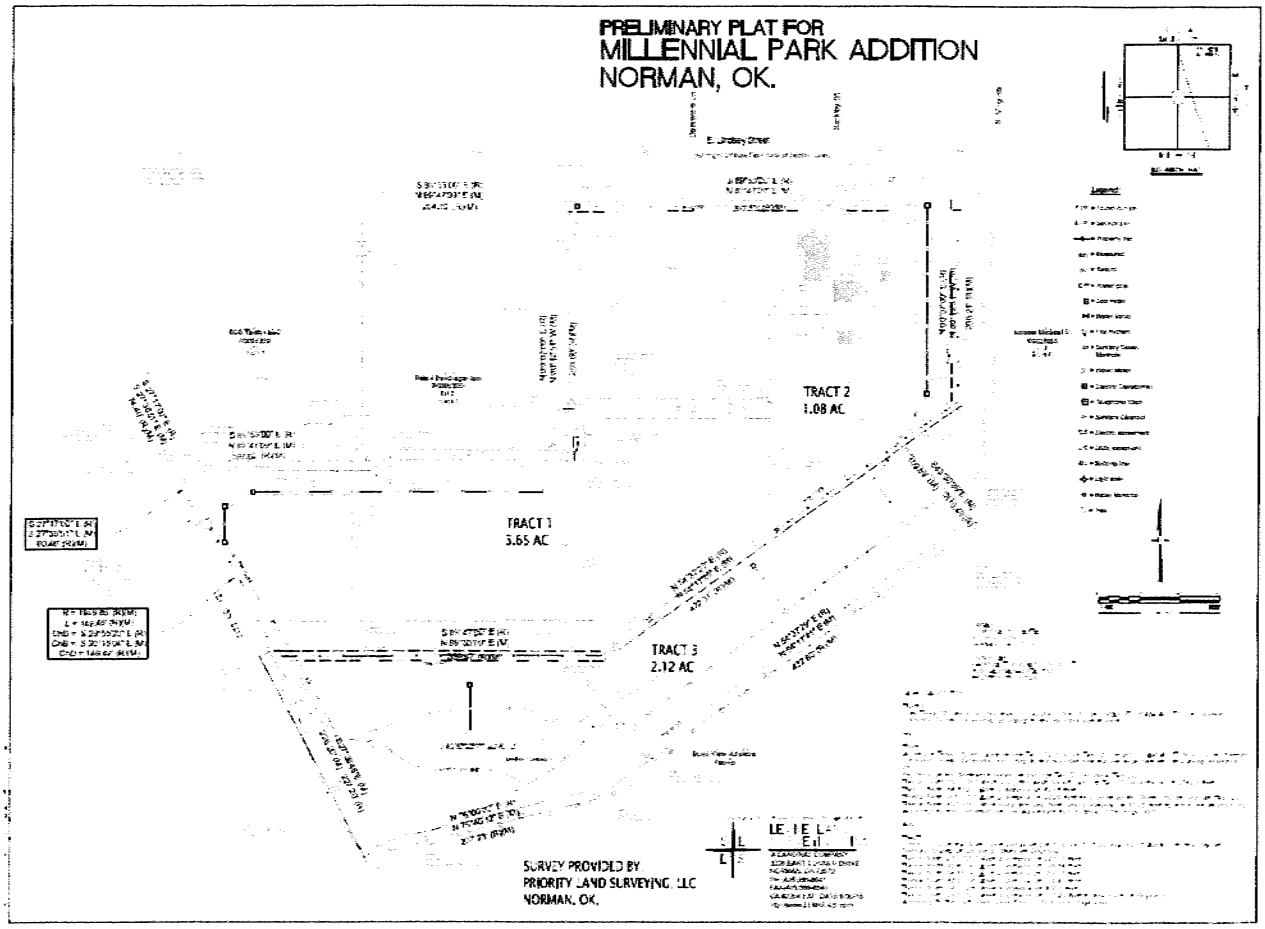


EXHIBIT B

Proposed Preliminary Site Development Plan
(Full sized drawing submitted in separate copy to City Staff)

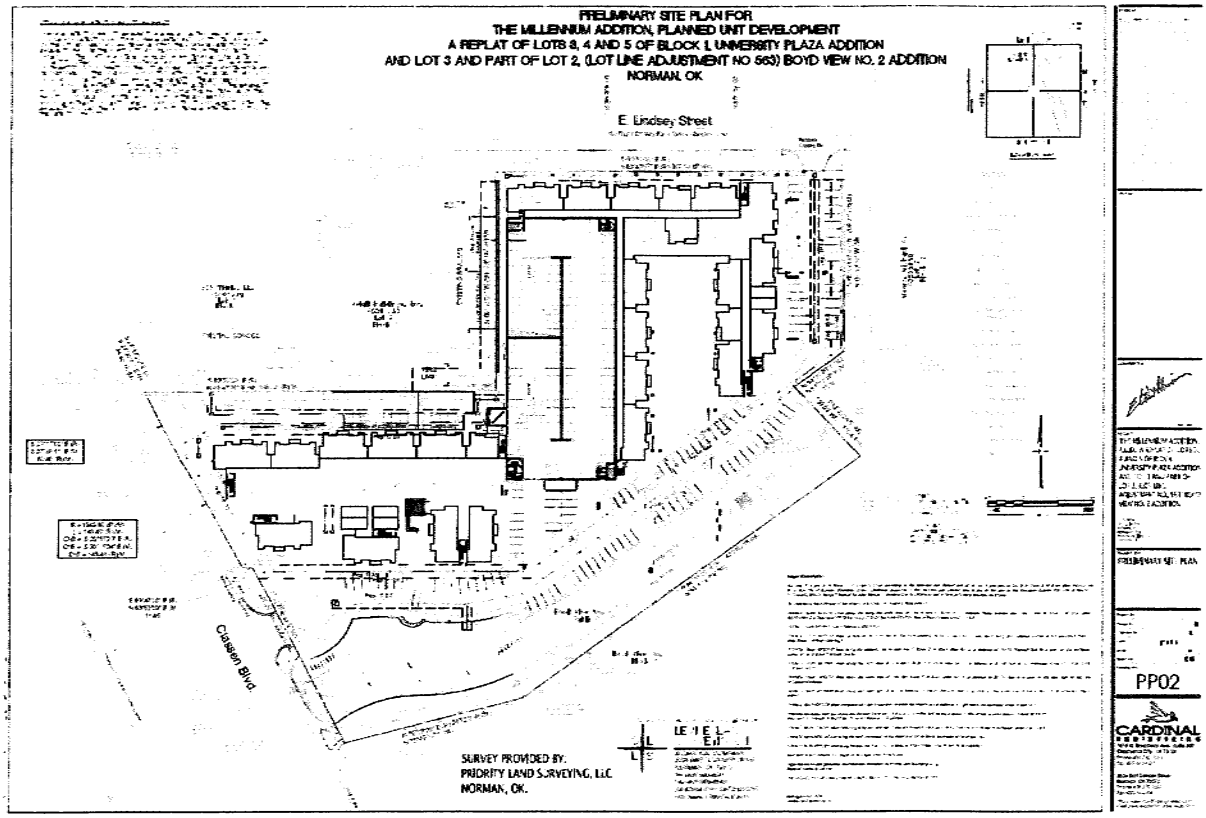


EXHIBIT C

Allowable Density and Required Parking

APARTMENT UNIT DATA:

UNIT	DESCRIPTION	CONDITIONED AREA	NUMBER OF UNITS	NUMBER OF BEDS	UNIT NET RENT.	UNIT GROSS SF	TOTAL NET RENT.	TOTAL UNIT GROSS
A	4 BDRM/ 4 BATH	1405 SQ. FT.	65	260	1405	1461	91,325	95,355
B	2 BDRM/ 2 BATH	900 SQ. FT.	19	38	900	946	17,100	17,974
C	4 BDRM/ 4 BATH	1,607 SQ. FT.	38	152	1,607	1689	61,066	64,182
E	5 BDRM/ 5 BATH	1,693 SQ. FT.	45	225	1,693	1756	76,185	79,020
D	EFFICIENCY/ 1BATH	375 SQ. FT.	30	30	375	375	11,250	11,250
TOTAL			197	705			256,926	267,781

BEDROOM COUNT:

UNIT SIZE	NUMBER OF UNITS	NUMBER OF BEDS	PERCENT OF TOTAL
EFF	30	30	4.20%
2 BD	19	38	5.4%
4 BD	103	412	58.4%
5 BD	45	225	32%
TOTAL		705	100%

PARKING REQUIRED: 1/1 RATIO

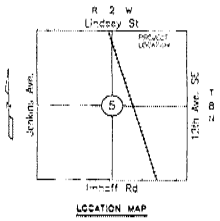
NUMBER OF BEDS: 705 - PARKING REQ'D 705 + 12 SPACES FOR CLUBHOUSE = 717

GARAGE PARKING:
115.4 SPACES PER FLOOR
5 LEVELS OF PARKING FOR 577 SPACES

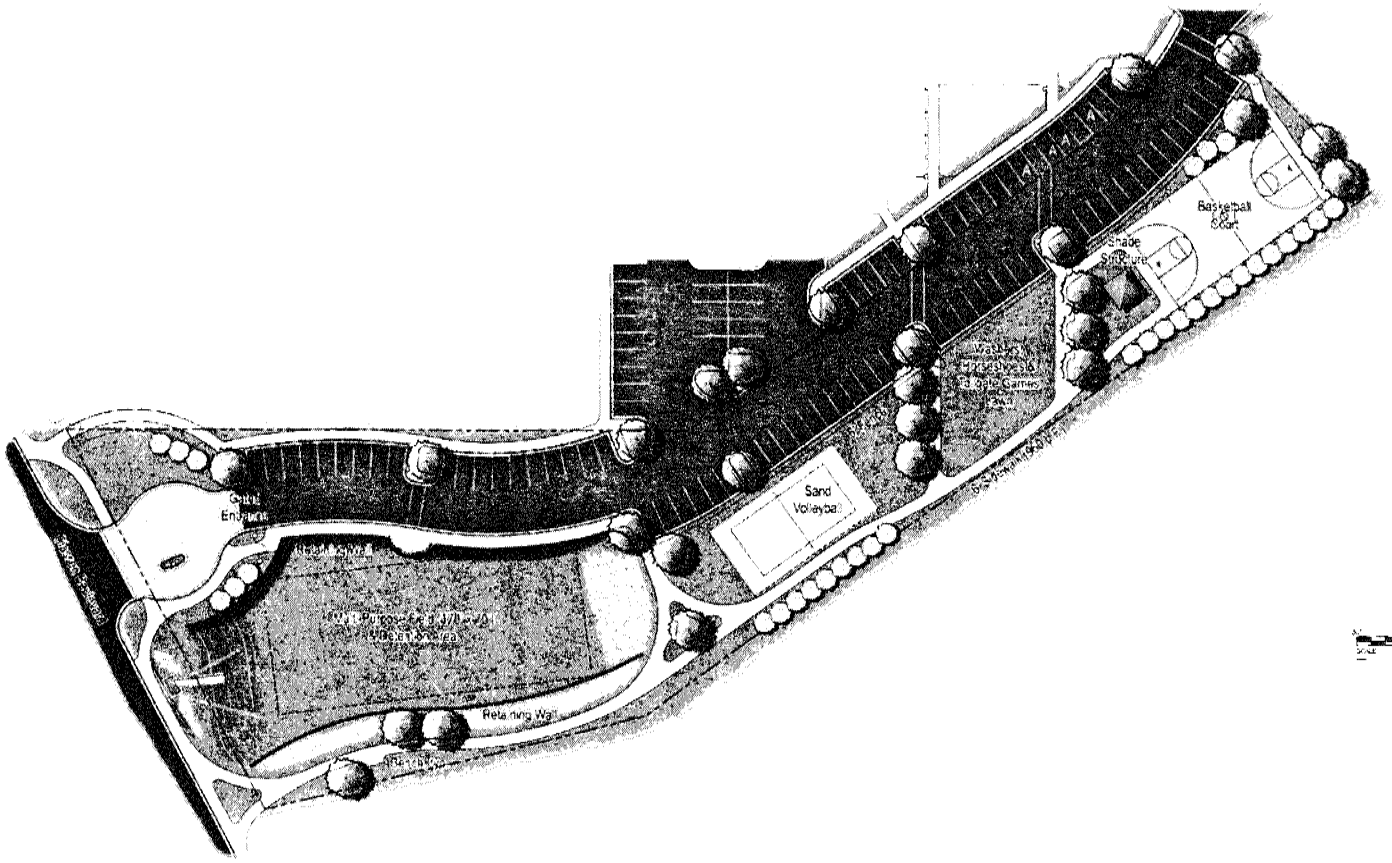
PARKING PROVIDED:
SURFACE PARKING: 154 SPACES
PARKING GARAGE PARKING: 577 SPACES
TOTAL PARKING: 731 SPACES

EXHIBIT D
Proposed Open Space Areas

GREEN SPACE EXHIBIT FOR
THE MILLENNIUM
NORMAN, OK.



LOCATION MAP



DRAFT

THE MILLENNIUM

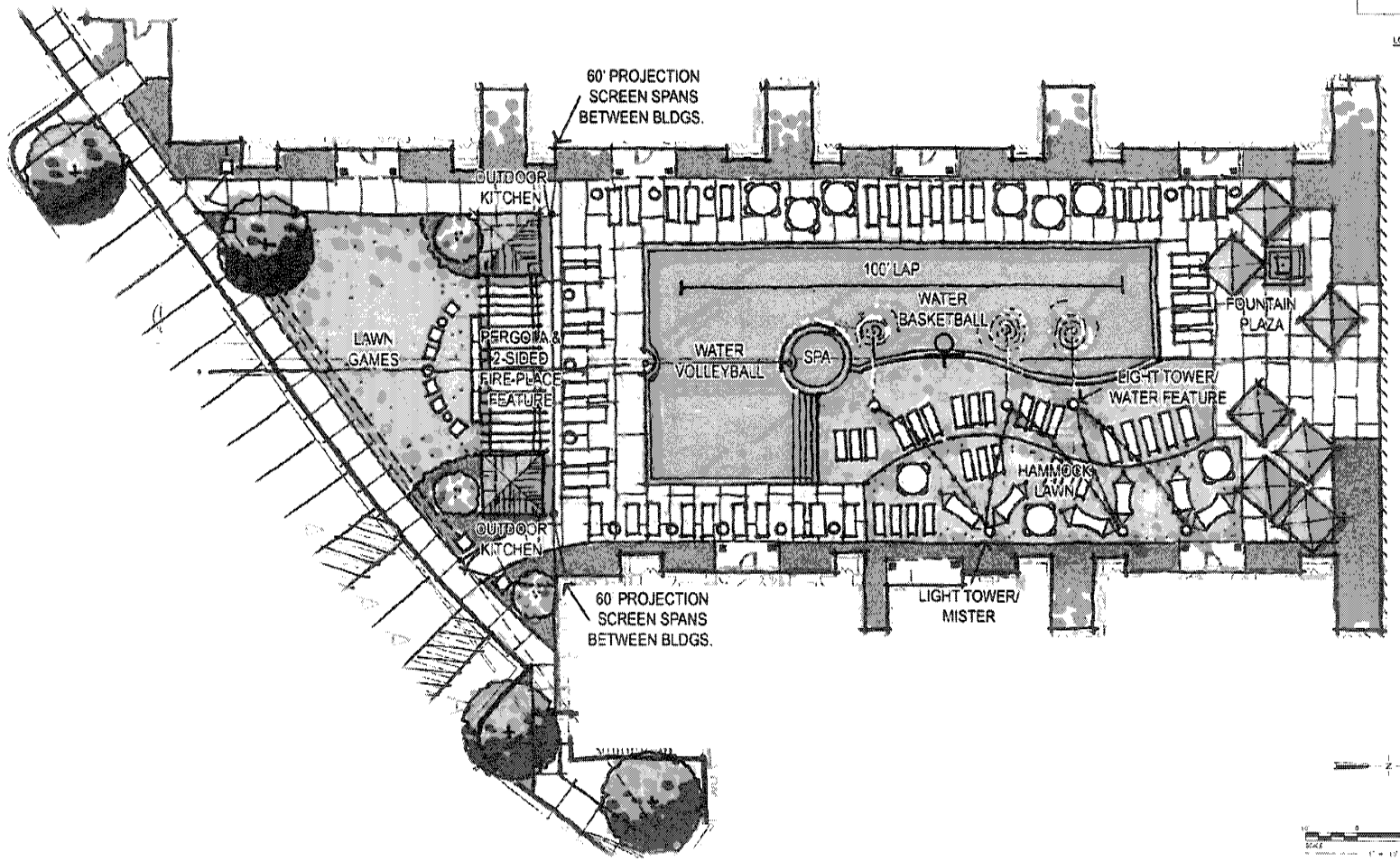
GREEN SPACE EXHIBIT

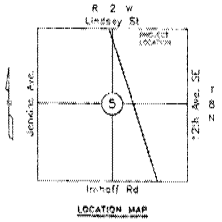
PP05

CARDINAL ENGINEERING

5-16

POOL AMENITY EXHIBIT FOR
THE MILLENNIUM
NORMAN, OK.





DRAFT
NOT FOR CONSTRUCTION OR BIDDING

THE MILLENNIUM

900 E. LINDSEY
NORMAN, OK

PARKGREEN LIVING, LLC
HOUSTON, TX

POOL AMENITY EXHIBIT

SEPTEMBER 2013

PP06

CARDINAL ENGINEERING

Location Map

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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

5-18

ORDINANCE NO. O-1314-18

ITEM NO. 5b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Parkgreen Living, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	C-2, General Commercial District RM-6, Medium Density Apartment District A-2, Rural Agricultural District
SURROUNDING ZONING	North: R-2, Two Family Dwelling District, R-1, Single Family District East: RM-6, Medium Density Apartment District, RM-2, Low Density Apartment District South: R-2, Two Family Dwelling District West: C-2, General Commercial District
LOCATION	Near the southeast corner of East Lindsey Street and Classen Boulevard
SIZE	6.85 acres, more or less
PURPOSE	Multi-Family Residential Community and Related Amenities
EXISTING LAND USE	Vacant on the west side, a single family home on the east portion
SURROUNDING LAND USE	North: Single Family and Two Family East: Apartments South: Single Family and Two Family West: Commercial

SYNOPSIS: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District to a PUD, Planned Unit Development for a student based housing project. The land under review was set aside on the Norman 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the property as High Density Residential.

ANALYSIS: The particulars of this PUD include:

1. **USE:** The development as proposed will consist of 197 units and 705 beds for a student housing development. With the close proximity to the University the project will be focused on the University population. The location will be best suited for students, faculty and staff to walk or ride bicycles to the University

2. **DESIGN:** This is a gated apartment community. The gates are designed to City standards. The structures may not exceed five stories of habitable space, plus the additional height needed for roof structure, any mechanical equipment and associated construction. Exterior materials will consist of eighty percent masonry on all elevations. The exterior material may include brick, stone, stucco or manufactured materials such as synthetic stone, panel stucco or cement board. There will be three access points for the development. There will be one access point on Lindsey Street, centered between Barkley Street and Virginia Street. The second and third access points will be off Classen Boulevard. There is an existing access point which flows into the commercial development to the west of this proposal; a small section of the development will be accessed from this point.

3. **OPEN SPACE:** In addition to the open spaces noted within the development there is a large open space area incorporated into the amenities/park area located along the southern portion of this development.

4. **PARKING:** There is a parking garage provided for this development. Some of the residents will be able to park in the parking garage and walk across the attached walkway to their building. In addition to the parking garage there is parking distributed throughout the development. The PUD states there will be 1/1 parking ratio, bed to parking ratio. There will be 731 parking spaces on-site. There will be 705 parking spaces for 705 beds. Proposed are twelve parking spaces for the clubhouse. The remaining parking is supplementary.

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

6. **SIGNAGE:** All signage shall be in conformance with the City of Norman's Sign Ordinance. The additional comment in the PUD stated "signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines."

7. **FENCING:** This development has included an area that was previously designated as parkland. That parkland was in a flood zone and also included a portion of a drainage system. Portions of that area were not adequately suited for a park. The western portion of the previous parkland not suitable for use as a park area will incorporate the needed detention for this site. With that said, this development has utilized this previous parkland for a new park area that the neighboring single-family and two-family, as well as adjacent multi-family developments can benefit. The area along the southern portion of the development abuts two-family homes with existing fences along the rear of their property. The Zoning Ordinances states these types of developments should screen/fence as a buffer between less intense zoning districts. In this case staff suggests the applicant not fence the south and east sides of the property as this will close off the proposed park/amenity area to adjacent residential developments. However, there is a wrought iron security fence, as shown on the site plan, which surrounds the development; this will secure the gated community from visitors at the park.

OTHER AGENCY COMMENTS

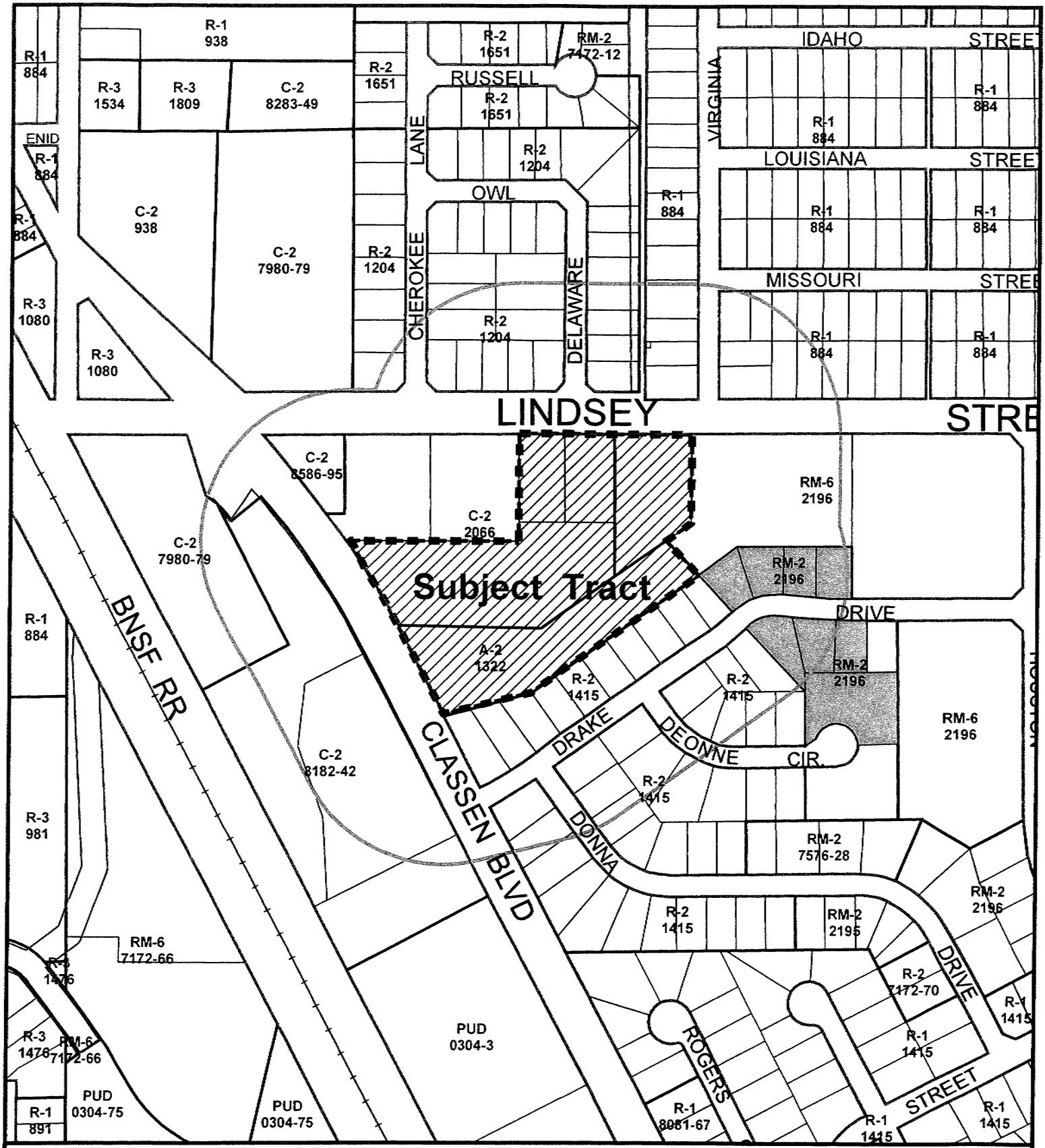
- **PARKS BOARD** In addition to the proposed park area on-site the developer has proposed a fee-in-lieu for parkland. However, the application is moving forward without a Parks Board decision as they meet after the printing of the Planning Commission Agenda. Staff will provide additional information at the Planning Commission meeting.

- **PUBLIC WORKS** Detention will be provided for storm water run-off. Water and sanitary sewer is available to the property. Interior sanitary sewer is private. Interior water lines will be installed per City standards to serve for fire protection. A portion of Classen Boulevard will be improved to City standards. Within that same location a five foot sidewalk will be installed adjacent to Classen Boulevard.

- **TRAFFIC** A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable.

STAFF RECOMMENDATION This proposed PUD provides adequate regulations and zoning requirements for a multi-family development. As well as providing a new park area for the adjacent properties.

Staff recommends approval of Ordinance No. O-1314-19.



Protest Map

6.3% 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

N
W E
S

Scale: 1" = 300'

Subject Tract
Protest
Notification Area

To: City of Norman Planning Commission, meeting October 10, 2013

Re: **Parkgreen Living, L.L.C. NOTICES OF REQUEST FOR NORMAN 2025 LAND USE AND TRANSPORTATION PLAN AMENDMENT AND REZONING, dated September 18, 2013**

Dear Commissioners:

I protest the proposed Land Use Plan amendment and rezoning. Norman does not need 700 additional student bedrooms now:

- In the last 10 years, OU student population has been flat: 2002 fall on-campus enrollment was 23,800 and 2012 was 24,100.
- 5,100 student bedrooms were built during this time: Reserve at Stinson, Edge, Campus Lodge, Traditions, Cottages, and Grove.
- On the first day of classes, there were 500 vacant beds at the student by-the-bed complexes.
- Since 2006, average annual rent rate increases of around 2% per year among the student complexes do not indicate an under-supply of this kind of housing.
- There is lots of uncertainty about the future size of the OU student population
    - OU Tuition and Fees increases (e.g. 7% in 2011/12) have dramatically outpaced inflation last several years
    - Massive Open Online Courses (MOOCs) and University-offered online-only degrees are gaining popularity.
- These and other by-the-bed student complexes are designed specifically as SROs (single room occupancy) for young students, typically sophomores. Once the demand from this group is met, it is unclear to whom these will be rented, as these are not clearly suitable for families, leaving low income renters as a likely option. This could alsolower the rents and occupancy at many of the east-side complexes and duplexes serving this group, for example Turnberry, Aston Place, Glen Oaks, and Sinclair Circle, discouraging investment to improve them and also encouraging an influx of less desirable renters throughout the metro area to relocate to Norman, as was the case in Norman during the late 80's.

Sincerely,

David H. Kinnard

Norman citizen and owner of Summer Pointe and Springfield Apartments

942 Chautauqua

FILED IN THE OFFICE OF THE CITY CLERK ON 10-7-2013 (JW)

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of October 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Jim Gasaway Andy Sherrer Cindy Gordon Dave Boeck Tom Knotts Chris Lewis
MEMBERS ABSENT	Curtis McCarty Roberta Pailes Sandy Bahan

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Ken Danner, Subdivision Development Manager David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

City of Norman, OK

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

Master

File Number: O-1314-19

File ID:	O-1314-19	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/11/2013
File Name:	Parkgreen UE Closure			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-19 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-19 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 6

Attachments: Text File O-1314-19, Memo Vacation, Petition to Close UE, Radius Map O-1314-19, O-1314-19, Location Map, Staff Report, 10-10-13 PC Minutes

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, seconded by Commissioner Boeck, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 10/22/2013. The motion carried by the following vote:

Text of Legislative File O-1314-19

body

BACKGROUND: The applicant has requested closure of the designated utility easements within the above stated developments. Boyd View Addition No. 2 was filed of record January 7, 1970 and University Plaza Addition was filed of record May 6, 1998.

DISCUSSION: This applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility easements are in conflict with the new proposal.

The applicant has submitted a new preliminary plat and site plan showing proposed utility and drainage easements with their respective improvements. The existing utilities and easements serving the existing commercial properties (Conoco and Braum's) will not be impacted by this request. Existing utilities within the proposed closures will be either relocated or abandoned at the cost of the applicant. This action will be the responsibility of the applicant to negotiate with the utility companies.

RECOMMENDATION: This request is running concurrently with the preliminary plat application for Millennium Addition, the proposed new subdivision. Staff is not opposed to the request. The developer is in the process of drafting and dedicating new easements to replace the easements to be closed. Those new easement dedications will be on the same Council agenda as second reading of this ordinance for Council consideration and acceptance. Planning Commission, at its meeting of October 10, 2013, recommended approval of the closure of utility easements.

office memorandum

DATE: September 9, 2013

TO: Jeff Bryant, City Attorney
Rone Tromble, Administrative Technician IV
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk

SUBJECT: Request to Vacate Public Utility Easements

I am in receipt of a request to vacate all public utility easements in Lots 3, 4, and 5, Block 1, Boyd View Addition, and Lot 3, Block 2, University Plaza Addition. The application fee has been paid. The applicant is submitting the request to vacate simultaneously with consideration of a Planned Unit Development and Preliminary plat of the area and is reconfiguring the easements.

In accordance with Resolution No. R-8182-66, I am forwarding the request; location map; radius map; and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

O-1314-19

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That, pursuant to Resolution Number R-8182-66, Parkgreen Living, L.L.C., has petitioned the City to have the platted utility easements within the subject property (detailed in § 4) closed; and,

§ 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and

§ 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and

§ 4. That, all utility easements of record in Lots 3, 4 and 5, in Block 1 of UNIVERSITY PLAZA, according to the recorded plat thereof, and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2 in Block 2 of BOYD VIEW ADDITION NO. 2, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof, and a part of the Northeast Quarter of Section 5, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, are hereby closed.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

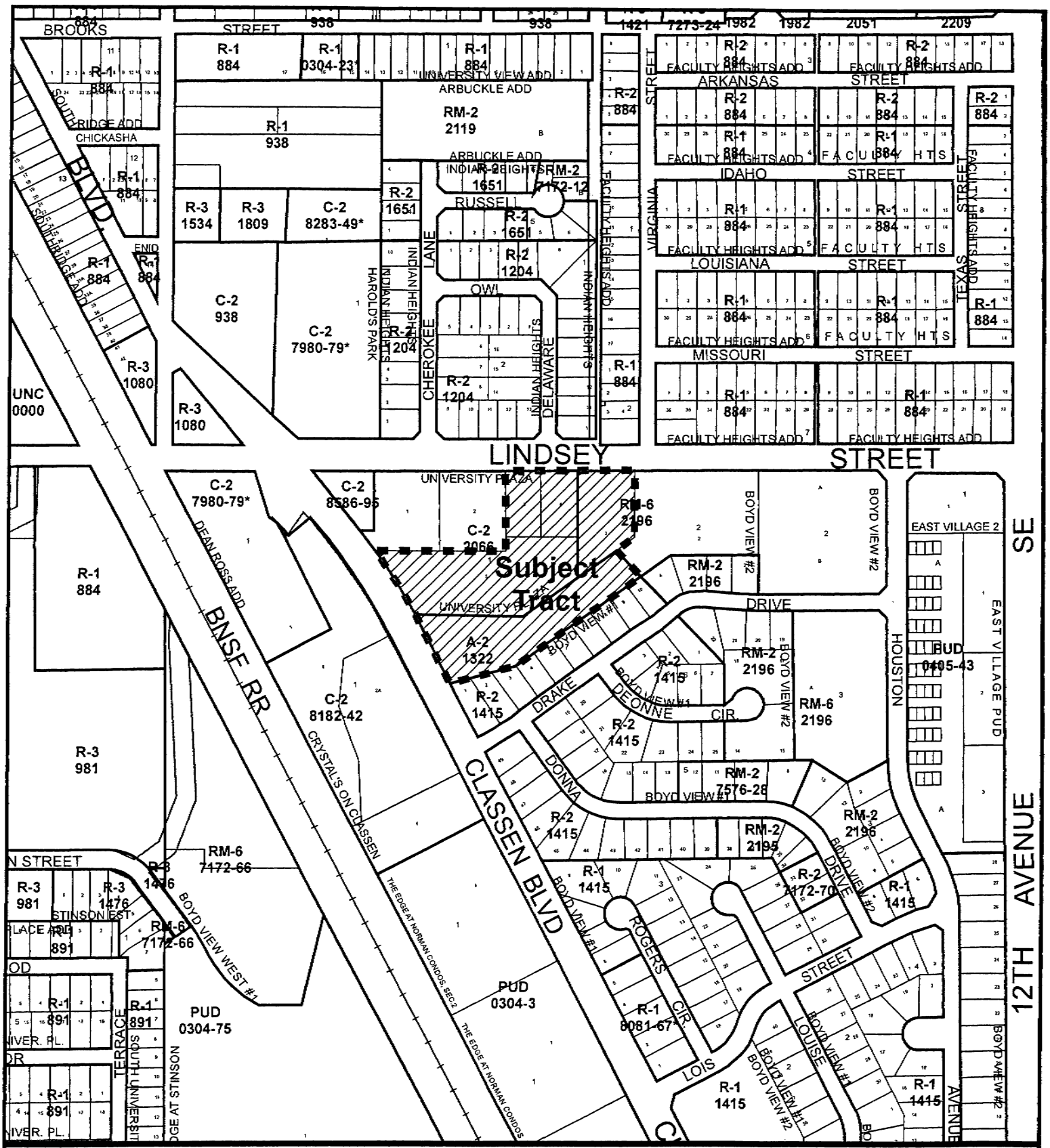
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

G:\ArcGIS10.MapTemplates\8x11_LocationMapArcMap10.mxd

SEAN PAUL RIEGER
ATTORNEY AT LAW • ARCHITECT
S.P. RIEGER PLLC
136 THOMPSON DRIVE
NORMAN, OKLAHOMA 73069-5245
E-MAIL: SP@RIEGERLLC.COM

TELEPHONE: 405.329.6070 FACSIMILE: 405.329.7103

9 September 2013

Ms. Brenda Hall, City Clerk
City of Norman
201 West Gray
Norman, OK 73069

RE: Requesting vacation of public easements

Dear Ms. Hall:

On behalf of PARKGREEN LIVING, LLC ("**Parkgreen**"), please accept this as our request for the City of Norman to take action to permanently close and vacate existing public utility easements that lie on Property in the general vicinity of East Lindsey Street and Classen Boulevard. The subject existing easements are more specifically shown on the attached **EXHIBIT A**.

The subject Property is being submitted simultaneously herewith for consideration of approval of a Planned Unit Development and Preliminary Plat. Through that process, Parkgreen intends to redevelop the Property into a multifamily housing complex. The redevelopment of the Property and new plat of the Property will reconfigure the public easements on the Property. Out of an abundance of caution for title purposes, we are moving for formal vacation of all prior public easements that will no longer align with the proposed development plans.

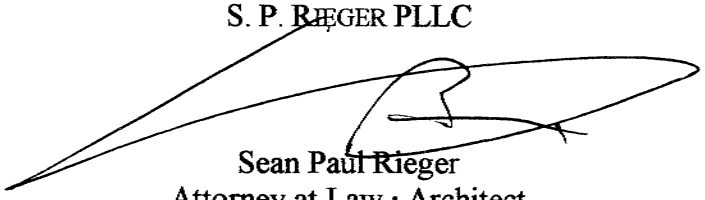
Any utilities that do lie within any of the proposed vacated easements will be relocated accordingly at Developer's cost and moved to locations that properly serve the development and any neighbors that utilize them.

Therefore, our request is for the City to permanently close and vacate the existing utility easements as they currently exist in their present location as shown on the attached **EXHIBIT A**. This request is contingent upon approval of the rezoning and preliminary plat.

In additon to this letter request, we hereby submit the filing fee, a certified owners list of all property owners within 300 feet, and descriptions of the easements to be vacated. Please let me know if you need any additional information from us in order to place this item on the agenda of City Council for their consideration. Thank you very much for your assitance and cooperation.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-9-13

Respectfully Submitted,
S. P. RIEGER PLLC

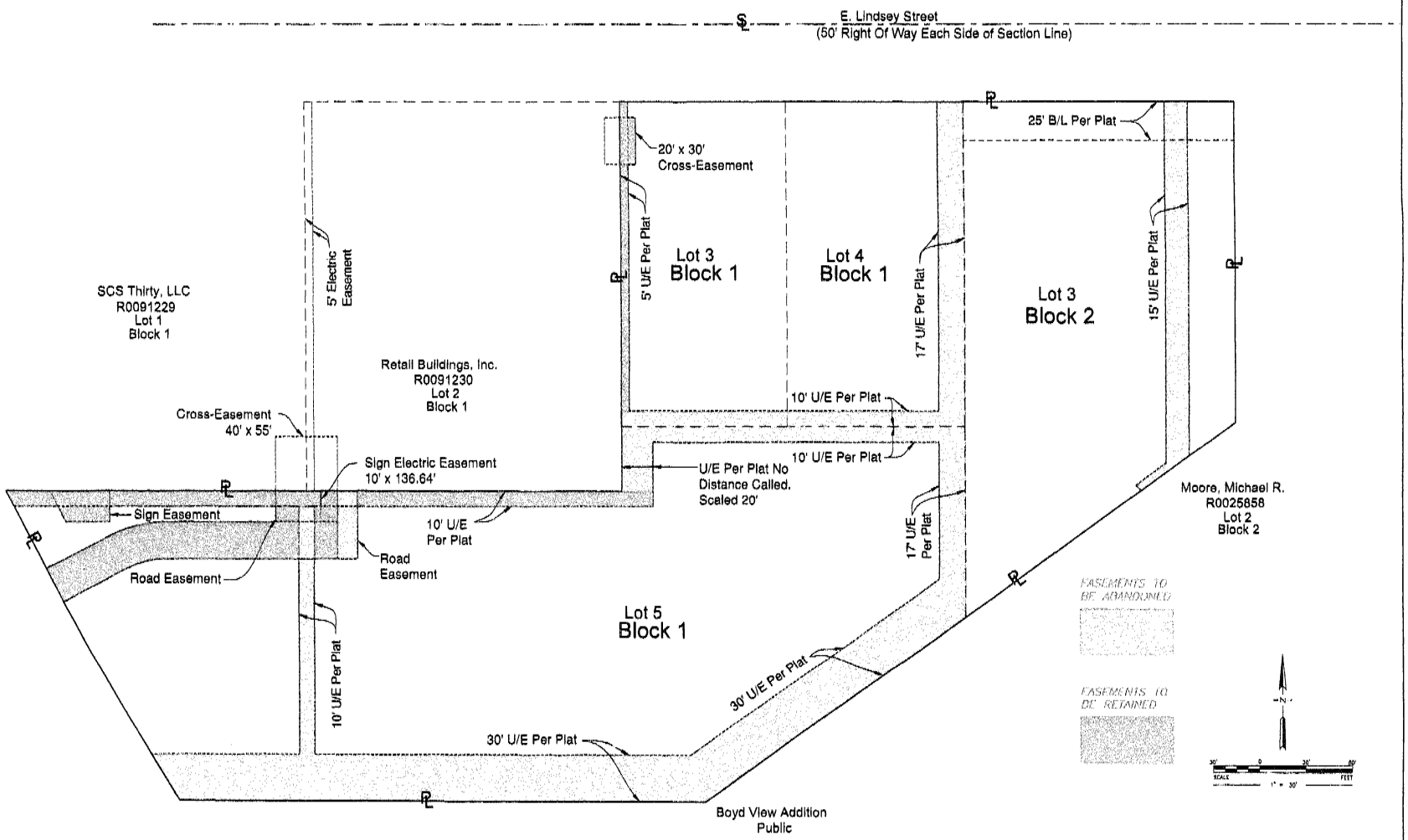


Sean Paul Rieger
Attorney at Law · Architect

Legal Description

All utility easements of record in Lots 3, 4 and 5, in Block 1 of University Plaza, according to the recorded plat thereof and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2 in Block 2 of Boyd View Addition No. 2, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof, and a part of the Northeast Quarter (NE ¼) of Section 5, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma.

EASEMENT EXHIBIT FOR
900 E. LINDSEY
NORMAN, OK.



DRAFT

STUDENT HOUSING

900 E. LINDSEY
NORMAN, OK

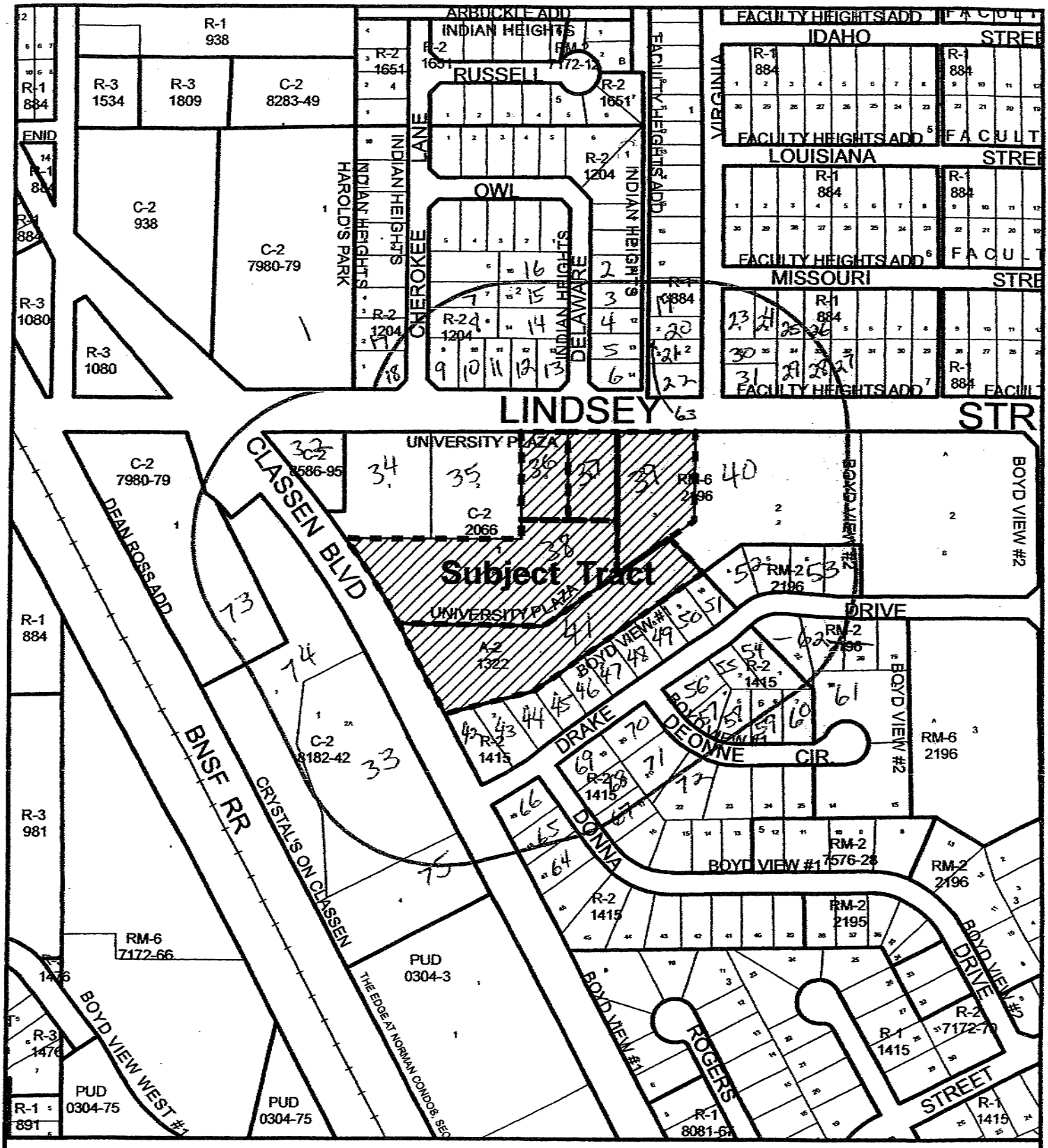
PARKGREEN LIVING, LLC
HOUSTON, TX

EASEMENT EXHIBIT

EXHIBIT

CARDINAL ENGINEERING
101 N. Broadway Ave., Suite 300
Oklahoma City, OK 73102
Phone 405.842.1066
Fax 405.843.4687

2324 Bart Conner Drive
Norman, OK 73071
Phone 405.879.0658
Fax 405.366.8340



Radius Map

350ft. Radius

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

0 150 300 Feet

August 5, 2013

- Subject Tract
- Radius
- Zoning
- Parcels
- Notification Area

d:\ArcGIS\10 Map Templates\Radius Map_ArcMap10\RadiusMap.mxd

ORDINANCE NO. O-1314-19 ITEM NO. 5c

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Parkgreen Living, LLC Attorney: Sean Rieger
REQUESTED ACTION	Closure of Certain Utility Easements Within University Plaza Addition and Boyd View Addition No. 2

BACKGROUND: This is a request for closing certain utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2 generally located 800 feet east of Classen Boulevard on the south side of East Lindsey Street. The final plat for University Plaza Addition was filed of record May 6, 1998 and Boyd View Addition No. 2 was filed of record January 7, 1970. The applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility easements are in conflict with the new proposal.

DISCUSSION: The applicant has submitted a new preliminary plat and site plan showing proposed utility and drainage easements with their respective improvements. The existing utilities and easements serving the existing commercial properties (Conoco and Braum's) will not be impacted by this request. Existing utilities within the proposed closures will be either relocated or abandoned. This action will be the responsibility of the applicant to negotiate with the utility companies.

RECOMMENDATION: Although this request is with the preliminary plat procedure, staff is not opposed to the request and supports the request. However, staff is recommending a condition with this action. The closing and vacation of the easements is conditioned on the utility relocations, new easements within a final plat (replat), and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION NEEDED: Recommend approval or disapproval of the request to close certain utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2; and, if approved condition the closing and vacation of the easements be on the utility relocations, new easements within a final plat (replat), and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION TAKEN: _____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of October 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Jim Gasaway Andy Sherrer Cindy Gordon Dave Boeck Tom Knotts Chris Lewis
MEMBERS ABSENT	Curtis McCarty Roberta Pailes Sandy Bahan

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Ken Danner, Subdivision Development Manager David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

City of Norman, OK

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

Master

File Number: O-1314-22

File ID:	O-1314-22	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 7	**In Control:**	Planning Commission
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	10/09/2013
File Name:	O-1314-22 IBC			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-22 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 7

Attachments: Text File O-1314-22, Attachment 1 State Code Amendments, Attachment 2 Proposed New Local amendments, O-1314-22, O-1314-22 annotated

Project Manager: Susan Connors, Director

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:

Text of Legislative File O-1314-22

Body

BACKGROUND: The Oklahoma Legislature, in May 2009, passed legislation creating the Oklahoma Uniform Building Code Commission (OUBCC). The Commission is composed of eleven members from different fields and is tasked with creating a statewide Uniform Building Code. The OUBCC completed the legislative process

in calendar year 2012 necessary for the state adoption, with amendments, of the 2009 International Building Code (IBC), International Fire Code (IFC), International Existing Building Code (IEBC), International Fuel Gas Code (IFGC), International Mechanical Code (IMC), International Plumbing Code (IPC), the 2006 edition of the International Energy Conservation Code (IECC) and the 2011 edition of the National Electrical Code (NEC) to be used as the minimum code standards governing the built environment throughout the state. These codes became effective November 1, 2012.

The 2009 edition of the International Residential Code (IRC) is omitted from the preceding list of codes because that code was adopted previously with an effective date within the City of June 2, 2012. Similarly, the 2006 Edition of the International Energy Conservation Code, although recently adopted by the state, was adopted previously by the City with an effective date of October 22, 2009.

Consistent with the legal authority granting state and local code administration and enforcement jurisdictions the power and discretion to administer the code, Planning and Community Development staff have reviewed the codes and amendments adopted by the state in view of taking steps to recommend formal adoption of those codes with local City amendments.

It is the understanding of staff that the cities of Oklahoma City, Edmond, and Moore have also engaged similar processes to formally adopt the state family of codes.

DISCUSSION: The new codes, if adopted, will result in amendments to Chapter 5 of the City of Norman Code of Ordinances.

The remainder of this memorandum presents information about the proposed amended codes. While public safety and health concerns are the primary focus of the codes used to govern the built environment, certain pragmatic and administrative concerns must also be considered. To this end state and local amendments are employed to address these concerns and provide greater clarity to users of the codes. The detailed state required amendments are included on Attachment 1 and the proposed new City amendments are included on Attachments 2.

In summary:

IBC

Chapter 1 amendments address administrative details necessary to dovetail the code with local ordinances and state amendments.
Chapter 12 amendments inform code users of plumbing code requirements pertinent to certain restroom design features.
Chapter 29 amendments seek to address concerns expressed by local designers and developers pertaining to certain plumbing code requirements.
Chapters 31, 32, and 33 amendments seek to address local procedures pertaining to consent for encroachment into the public right of way and permits required for work in the right of way.
Chapter 34 amendments clarify the prevailing state regulatory agency for private sewage disposal and provide local discretion to the building official with regard to materials and methods allowed to address technical issues that are sometimes encountered with existing buildings.

IMC

Chapter 3 amendment provides greater liberty to designers and installers seeking to place mechanical equipment in attic spaces.
Chapter 5 amendment provides an alternative solution to venting through the roof for clothes dryers installed in the interior spaces of buildings.

IPC

Chapter 2 amendment adds a definition for the term "service sink".
Chapter 3 amendment clarifies a test procedure for inspection services.
Chapter 4 amendments seek to address concerns expressed by local designers and developers pertaining to the supply of drinking water and toilet facilities in certain occupancies, cautions about the use of waterless urinals and provides uniformity of requirements of the IRC for tub/shower valves in residential occupancies.

NEC
Chapter 1 amendment continues the special concerns pertaining to the use of aluminum wires inside structures. Chapter 2 amendments continue a special exemption from ground fault protection for certain exterior receptacles, provides a fixed number of outlets in residential wiring to prevent circuit overloads and clarifies a measurement above grade to prevent water from entering electrical equipment enclosures and help ensure the safety of electrical workmen.

IFGC
Chapter 3 amendments clarify a measurement to be consistent with all relevant code sections and provide greater liberty to designers and installers seeking to place mechanical equipment in attic spaces.

IEBC
No local amendments are recommended for this code which is new to Norman. It is believed the adoption of this code will provide greater clarity for design and enforcement decisions pertaining to existing buildings.

IFC
Similar to the **IEBC** no local amendments are recommended for this code. It is believed this code will offer ICC perspectives to City fire code officials.

While many of the proposed local amendments are carryover from previous editions of the codes the following list depicts the most notable changes that were initiated by the International Code Council (ICC) in its 2009 code editions and by the National Fire Protection Association (NFPA) in its 2011 edition of the NEC.

IBC enhances information pertaining to ambulatory health care facilities, adult care facilities and high rise buildings. Greater clarity is provided for the design and construction of community storm shelters. Enhances fire protection of certain buildings by requiring greater levels of fire resistant construction. Addresses the construction of multiple buildings above a parking garage. Clarifies requirements for automatic fire protection (sprinkling) of certain education and mercantile buildings.

IMC, IPC, and IFGC incorporate minimal technical changes primarily to accommodate new equipment technologies.

NEC employs minimal changes to address energy management device wiring, expansion of arc fault protection (including certain existing equipment when replaced or modified), clarification of grounding electrode system rules, wiring LED's, solar photovoltaic systems, small wind generator electric systems and emergency power and/or alarm wiring systems.

RECOMMENDATION: Staff recommends adoption of the 2009 International Codes and the 2011 National Electrical Codes as amended.

Attachment 1

State code amendments

IBC

Chapter 2 definitions:

- The definition of the word "Repair" has been modified to further define a repair to include repair to any build or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: The reconstruction or renewal (restoration to good or sound condition) of any part of any building for the purpose of its maintenance.

Chapter 3 Use and Occupancy Classification:

- Section 310.1 Residential Group R has been modified to provide clarification between the IBC® 2009 and the International Residential Code® 2009 when R-1 and R-2 classifications are constructed as R-3 classification. The section has been modified to read:
  (1) R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature including: Boarding houses (transient), Hotels (transient), Motels (transient), Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.
  (2) R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature including: Apartment houses, Boarding houses (non-transient), Convents, Dormitories, Fraternities and sororities, Hotels (non-transient), Live/work units, Monasteries, Motels (non-transient), Vacation time share properties and Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.

Chapter 4 Special detailed Requirements Based on Use and Occupancy:

- Section 423.1 General has been revised to provide for alternative design and engineered methods without relying on jurisdictional interpretation. The section has been modified to read: Section 423.1 General. In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with ICC-500, FEMA 320, FEMA 361 or other equivalent approved engineered system.

- Section 423.2 Definitions has been revised to modify the definition of a Storm Shelter to remove the specific reference to ICC-500 and to allow for alternative design and engineered methods listed in Section 423.1. This section has been modified to read: STORM SHELTER. A building, structure, or portion(s) thereof,_constructed in accordance with the standards listed in Section 423.1 and designated for use during a severe wind storm event, such as a

hurricane or tornado.

Chapter 8 Interior Finishes:

- Section 803.1.4. Acceptance criteria for textile and expanded vinyl wall or ceiling coverings tested to ASTM E 84 or UL 723 has been modified to include the word "either" before the two types of standards to provide clarification and prevent a different interpretation other than the intent of the code. This section has been modified to read: Section 803.1.4. Acceptance criteria for textile and expanded vinyl wall or ceiling coverings tested to ASTM E 84 or UL 723. Textile wall and ceiling covering and expanded vinyl wall and ceiling covering shall have a Class A flame spread index in accordance with either ASTM E 84 or UL 723 and be protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 3.3.1.2. Test specimen preparation and mounting shall be in accordance with ASTM E 2404.

Chapter 9 Fire Protection Systems:

- Section 903.2.7 Group M has been modified to reword subsection 4 of this text to provide a reasonable limit for these occupancies and adequate protection without excessive burden on Group M occupancies with small areas of upholstered furniture and mattresses. This section has been modified to read: Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:
  (A) A Group M fire area exceeds 12,000 square feet (1115 square meters).
  (B) A Group M fire area is located more than three stories above grade plane.
  (C) The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 square meters).
  (D) A Group M occupancy where the cumulative area used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 square meters).

- Section 903.6 Pump and riser room size has been added to the code to provide the designer clarification for maintenance clearances needed for these rooms. This section has been added to read: Section 903.6 Pump and riser room size. Fire pump and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer with sufficient working room around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances shall be sufficient to allow inspection, service, repair, or replacement without removing such elements of permanent construction or disabling the function of a required fire resistance-rated assembly. Fire Pump and automatic sprinkler riser room shall be provided with a door(s) and unobstructed passageway large enough to allow removal of the largest piece of equipment.

- Section 911.1.3 Size was modified to include an exception to make the fire command center smaller when approved by the fire code official. This section was modified to read: Section 911.1.3. Size. The room shall be a minimum of 200 square feet (19 square meters) with a minimum dimension of 10 feet (3048 mm). Exception: When approved by the fire code official the fire command center can be reduced in size to not less than a minimum of 96 square feet (9 square meters) with a minimum dimension of 8 feet (2438 mm).

Chapter 10 Means of Egress:

- Section 1005.1 Minimum required egress width has been modified to include two more exceptions to modify egress width for all occupancies other than H and I-2 occupancies with sprinklers and a voice evacuation system. This section has been modified to read: Section 1005.1 Minimum required egress width. The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inch (7.62 mm) per occupant for stairways and by 0.2 inch (5.08 mm) per occupant for other egress components. The width shall not be less than specified elsewhere in this code. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress. Exceptions:
  (A) Means of egress complying with Section 1028;
  (B) For other than H and I-2 occupancies, the capacity, in inches, of means of egress stairways shall be calculated multiplying the occupant load served by such stairway by a means of egress capacity factor of 0.2 inches (5.1 mm) per occupant in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.
  (C) For other than H and I-2 occupancies, the capacity, in inches, of means of egress components other than stairways shall be calculated multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inches (3.8 mm) per occupant in building equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

- Section 1022.1 Enclosures required has been modified to add an eighth exception to the code that will direct users to the correct reference for exemptions to allowances for open stairs. This section has been modified to read: Section 1022.1 Enclosures required. Interior exit stairways and interior exit ramps shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. Exit enclosures shall have a fire-resistance rating of not less than 2 hours where connecting four stories or more and not less than 1 hour when connecting less than four stories. The number of stories connected by the exit enclosure shall include any basements but not any mezzanines. Exit enclosures shall have a fire-resistance rating not less than the floor assembly penetrated, but need not exceed 2 hours. Exit enclosures shall lead directly to the exterior of the building or shall be extended to the exterior of the building with an exit passageway conforming to the requirements of Section 1023, except as permitted in Section 1027.1. An exit enclosure shall not be used for any purpose other than means of egress. Exceptions:
  (A) In all occupancies, other than Group H and I occupancies, a stairway is not required to be enclosed when the stairway serves an occupant load of less than 10 and the stairway complies with either Item 1.1 or 1.2. In all cases, the maximum number of connecting opening stories shall not exceed two.
  (i) 1.1. The stairway is open to not more than one story above its level of exit discharge; or

(ii) 1.2. The stairway is open to not more than one story below its level of exit discharge.
(B) Exits in buildings of Group A-5 where all portions of the means of egress are essentially open to the outside need not be enclosed.
(C) Stairways serving and contained within a single residential dwelling unit or sleeping unit in Group R-1, R-2 or R-3 occupancies are not required to be enclosed.
(D) Stairways in open parking structures that serve only the parking structure are not required to be enclosed.
(E) Stairways in Group I-3 occupancies, as provided for in Section 408.3.8, are not required to be enclosed.
(F) Means of egress stairways as required by Sections 410.5.3 and 1015.6.1 are not required to be enclosed.
(G) Means of egress stairways from balconies, galleries or press boxes as provided for in Section 1028.5.1 are not required to be enclosed.
(H) Stairways complying with exception 3 or 4 of Section 1016.1 are not required to be enclosed.

Chapter 16 Structural Design:

- Section 1611.1 Design rain loads. This section has been modified to increase secondary drain size for short duration intensities. This section has been modified to read: 1611.1 Design rain loads. Each portion of a roof shall be designed to sustain the load of rainwater that will accumulate on it if the primary drainage system for that portion is blocked plus the uniform load caused by water that rises above the inlet of the secondary drainage system at its design flow. The design rainfall shall be based on two conditions: 1) the 100-year hourly rainfall rate indicated in Figure 1611.1; and 2) the 100-year, 5-minute duration rainfall rate of 10.2 inches per hour. Alternately, the 100-year, one-hour and 100-year, 5-minute duration rainfall rates may be determined from approved local weather data.

- Section 1612.2 Definitions. This section has been modified to change the definition of an Existing Structure to correlate with the changed definition in the IEBC® 2009. This section has been modified to read: EXISTING BUILDING OR EXISTING STRUCTURE see "Existing construction" for reference connotation and requirements related to a jurisdiction's flood plain management code, ordinance, or standard. Refer to 3402.1 for reference connotation related to the application of existing building code provisions as provided in Chapter 34, notwithstanding other flood plain management requirements within this code, such as but not limited to "substantial improvement."

Chapter 18 Soils and Foundations:

- Section 1809.4 Depth and width of footings has been modified to provide an exception to the code for minor buildings such as small storage buildings to be constructed without expensive foundations and be mounted on skids and would apply to light gage metal or similar carports provided they are adequately anchored. This section has been modified to read: Section 1809.4 Depth and width of footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm). Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be 12 inches (305 mm). Exception: Single story free-standing building meeting all of the following conditions shall be permitted without footings:
(1) Assigned to Occupancy Category 1, in accordance with Section 1604.5;

(2) Light-frame wood or metal construction;
(3) Area of 400 square feet (37 square meters) or less;
(4) Eave height of 10 feet (3048 mm) or less; and
(5) Building height of 15 feet (4575 mm) or less.
Such buildings shall have an approved wooden floor, or shall be placed on a concrete slab having a minimum thickness of 3 1/2 inches (89 mm). Buildings shall be anchored to resist uplift as required by Section 1609.

Chapter 29 Plumbing Systems:

- Table [P] 2902.1 Minimum number of required plumbing fixtures has been modified. It has been modified to add footnote "g" to number 2 (classification of business) and number 6 (classification of mercantile). The footnote will be added to the Other column of the table at the end of the service sink requirement. This section has been modified to read: [P] 2902.1 Minimum number of required plumbing fixtures. Footnote "g". For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.

- Section 2902.2 Separate facilities. This section has been modified to change the occupant load in the third exception from 50 to 100 occupants. This section has been modified to read: Section [P] 2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exceptions:
(A) Separate facilities shall not be required for dwelling units and sleeping units.
(B) Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
(C) Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

IMC

Chapter 2 Definitions:

- The definition of a Commercial Cooking Appliance has been modified to further define a commercial cooking appliance. The definition has been modified to read: Appliances used in a commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local ventilation system. Such appliances include deep fat fryers; upright broilers; griddles; broilers; steam-jacketed kettles; hot-top ranges; under-fired broilers (charbroilers); ovens; barbeques; rotisseries; and similar appliances. For the purpose of this definition, a food service establishment shall include any building or a portion thereof used for the preparation and serving of food that is not a kitchen in a single-family dwelling unit or apartment.

Chapter 3 General Regulations:

- Section 301.12 Wind resistance. This section has been modified to allow design and installation of equipment and appliances that are exposed to wind to be built in accordance with SMACNA HVAC Duct Construction Standards - Metal or Flexible or other approved methods. This section has been modified to read: Mechanical equipment, appliances and supports that are exposed to wind shall be designed and installed to resist the wind pressures

determined in accordance with the International Building Code, SMACNA HVAC Duct Construction Standards - Metal and Flexible, or other approved methods.

- Section 304.11 Guards. This section has been modified to require guards around components requiring routine service and unprotected skylight openings. This section has been modified to read: Guards or parapet walls shall be provided where appliances, equipment, fans (or other components that require routine service) or roof hatches are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the adjacent surface or grade below. The guards or parapet walls shall extend not less than 30 inches (762 mm) beyond each end of such appliances, equipment, fans, components, and roof hatch openings; and the top of the guard or parapet wall shall be located not less than 42 inches (1067 mm) above the adjacent surface. Guards shall be constructed to prevent the passage of a 21-inch diameter (533 mm) sphere and shall comply with the loading requirements for guards as specified in the International Building Code®. Guards shall also be provided where appliances, equipment, fans (or other components that require routine service) are located within 10 feet (3048 mm) of a roof hatch or unprotected skylight. Skylights shall be considered protected if the level of the lowest edge of the skylight is on a raised curb 42 inches (1067 mm) above the roof level, or if the skylight is protected by some other approved means to prevent personnel from falling through the opening.

Chapter 5 Exhaust Systems:

- Section 507.1 General. This section has been modified to add Section 507.9 to exception number one. This section shall now read: Commercial kitchen exhaust hoods shall comply with the requirements of this section. Hoods shall be Type I or II and shall be designed to capture and confine cooking vapors and residues. Commercial kitchen exhaust hood systems shall operate during the cooking operation. Exceptions:
  (A) Factory-built commercial exhaust hoods which are tested in accordance with UL 710 listed, labeled and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.4, 507.7, 507.9, 507.11, 507.12, 507.13, 507.14 and 507.15. (B) Factory-built commercial cooking recirculating systems which are tested in accordance with UL 710B, listed, labeled, and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.4, 507.5, 507.7, 507.12, 507.13, 507.14, and 507.15. Spaces in which such systems are located shall be considered to be kitchens and shall be ventilated in accordance with Table 403.3. For the purpose of determining the floor area required to be ventilated, each individual appliance shall be considered as occupying not less than 100 square feet (9.3 meters squared).
  (C) Net exhaust volumes for hoods shall be permitted to be reduced during part-load cooking conditions, where engineered or listed multispeed or variable-speed controls automatically operate the exhaust system to maintain capture and removal of cooking effluents as required by this section. Reduced volumes shall not be below that required to maintain capture and removal of effluents from the idle cooking appliances that are operating in standby mode.
- Section 507.2.1 Type I hoods. This section has been modified to add an exception for installation of Type II hoods when specific conditions are met. This section has been modified to read: Type I hoods shall be installed where cooking appliances produce grease or smoke. Type I hoods shall be installed over medium-duty, heavy-duty, and extra-heavy-duty cooking appliances. Type I hoods shall be installed over light-duty cooking appliances that produce grease or smoke. Exception: Type II hoods shall be permitted to be installed over

medium-duty cooking appliances, ranges and ovens that the code official has determined will not produce appreciable amounts of grease and/or smoke. Where cooking appliances, ranges and/or ovens have been approved by the code official for installation under a Type II hood, a sign shall be placed on the wall in close proximity to the hood that reads, "Absolutely No Frying or Grease-Type Cooking Permitted."

Chapter 6 Duct Systems:

- Section 603.4 Metallic ducts. The exception to this section has been stricken.
- Section 604.1 General. This section was modified to add a requirement to duct insulation to conform to SMACNA HVAC Duct Construction Standards - Metal and Flexible. This section has been modified to read: Duct insulation shall conform to the requirements of Sections 604.2 through 604.13, the International Energy Conservation Code and SMACNA HVAC Duct Construction Standards - Metal and Flexible.

IPC
Chapter 2 Definitions:

- The definition of a Grease Interceptor has been modified to delete the original definition and add definitions for hydromechanical and gravity grease interceptors. This section has been modified to read:
  (1) Hydromechanical. Plumbing appurtenances that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from waste water discharge. Continuous separation is accomplished by air entrainment, buoyancy and interior baffling.
  (2) Gravity. Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes.

Chapter 3 General Regulations:

- Section 305.6.1 Sewer depth. This section has been modified to include a depth for the septic tank connection unless otherwise approved by the authority having jurisdiction. This section has been modified to read: Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (305 mm) or as approved by the authority having jurisdiction below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade.
- Section 312.1 Required tests. This section has been modified to allow the authority having jurisdiction to determine if the tests will be done using water or air and if a final test of the entire system will be required. This section has been modified to read: The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air as approved. After the plumbing fixtures have been set and their traps filled with water, the entire drainage

system shall be submitted to final tests when required by the authority having jurisdiction. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

- Section 312.2 Drainage and vent water test. This section has been modified to allow the authority having jurisdiction to specify the test may be done with less than a 10 foot (3048 mm) head of water. This section has been modified to read: A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10-foot (3048 mm) head of water or as required. In testing successive sections, at least the upper 10 feet (3048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3048 mm) of the system, shall have been submitted to a test of less than a 10-foot (3048 mm) head of water or as required. This pressure shall be held for at least 15 minutes. The system shall then be tight at all points.
- Section 312.3 Drainage air test. This section has been modified to remove the words "and vent" to the section title.
- Section 312.4 Drainage and vent final test. This section has been modified to allow the authority having jurisdiction to determine if the test is required. It has been modified to read: The final test of the completed drainage and vent systems where required shall be visual and in sufficient detail to determine compliance with the provisions of this code. Where a smoke test is utilized, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When the smoke appears to stack openings on the roof, the stack openings shall be closed a pressure equivalent to a 1-inch water column (248.8 Pa) shall be held for a test period of not less than 15 minutes.
- Section 312.5 Water supply system test. This section has been modified to allow the authority having jurisdiction to determine another approved system for testing. This section has been modified to read: Upon completion of a section of or the entire water supply system, or portion completed, shall be tested and proved tight under a water pressure not less than the working pressure of the system; or, for piping systems other than plastic or as approved, by an air test of not less than 50 psi (344 kPa). This pressure shall be held for at least 15 minutes. The water utilized for tests shall be obtained from a potable source of supply. The required tests shall be performed in accordance with this section and Section 107.
- Section 312.6 Gravity sewer test. This section has been modified to allow the authority having jurisdiction to determine if this test is required. This section has been modified to read: Where required, gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the building sewer with water, testing with not less than a 10-foot (3048 mm) head of water and maintaining such pressure for 15 minutes.
- Section 312.9 Shower liner test. This section has been modified to allow the authority having jurisdiction to determine if this test is required. This section has been modified to read: Where shower floors and receptors are made water-tight by the application of materials required by Section 417.5.2, the completed liner installation, where required by the authority having jurisdiction, shall be tested. The pipe from the shower drain shall be plugged water tight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of at least 2

inches (51 mm) high does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches (51 mm) deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes, and there shall not be evidence of leakage.

- Section 314.1 General. This section has been modified to delete the original section and add a requirement to reference the International Mechanical Code for work with condensate disposal. This section has been modified to read: Condensate disposal shall be in accordance with the International Mechanical Code.
- Section 314.2 Evaporators and cooling coils. This section has been stricken from the code.
- Section 314.2.1 Condensate disposal. This section has been stricken from the code.
- Section 314.2.2 Drain pipe materials and sizes. This section has been stricken from the code.
- Table 314.2.2 Condensate drain sizing. This table has been stricken from the code.
- Section 314.2.3 Auxiliary and secondary drain system. This section has been stricken from the code.
- Section 314.2.3.1 Water-level monitoring devices. This section has been stricken from the code.
- Section 314.2.3.2 Appliance, equipment and insulation in pans. This section has been stricken from the code.
- Section 314.2.4 Traps. This section has been stricken from the code.

Chapter 4 Fixtures, Faucets and Fixture Fittings:

- Table 403.1 Minimum number of required plumbing fixtures. This table has been modified to include a footnote "g" in the Other column of the table at the end of the service sink requirement to number 2 (classification of business), and number 6 (classification of mercantile).The footnote "g" shall read: For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.
- Section 403.2 Separate facilities. This section was modified to change the maximum occupant load in exception three from 50 to 100. This section shall now read: Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exception:
  (A) Separate facilities shall not be required for dwelling units and sleeping units.
  (B) Separate facilities shall not be required in structures or tenant spaces with a total occupancy load, including both employees and customers, of 15 or less.
  (C) Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.
- Section 403.3.1.1 Toilet room ingress and egress. This section was added to the code to restrict toilet rooms from opening directly into a room used for the preparation of food for service to the public. This section shall read: Toilet rooms shall not open directly into a room used for the preparation of food for service to the public.
- Section 405.8 Slip joint connections. This section has been modified to allow installation of slip joints anywhere between the fixture and trap outlet. It has been modified to read: Slip joints shall be made with an approved elastomeric gasket and shall be installed from fixture outlet to trap outlet seal. Fixtures with concealed slip-joint connections shall be provided with an access panel or utility space at least 12 inches (305 mm) in its smallest dimension or other approved arrangement so as to provide access to the slip joint connections for inspection and repair.
- Section 417.5.2.6 Liquid type, trowel applied, load bearing, bonded water proof materials.

This section has been added to allow for new technology in the market. This section shall read: Liquid type, trowel applied, load bearing, bonded waterproof materials shall meet the requirements of ANSI A118.10 and shall be applied in accordance with the manufacturer's installation instructions.

Chapter 5 Water Heaters:

- Section 504.4.1 Installation. This section has been modified to provide for pressure relief on storage tanks that have an ability to heat water. This section has been modified to read: Such valves shall be installed in the shell of the water heater tank. Temperature relief valves shall be so located in the tank as to be actuated by the water in the top 6 inches (152 mm) of the tank served. For installations with separate storage tanks, the approved, self-closing (levered) pressure relief valve and the temperature relief valve or combination thereof conforming to ANSI Z21.22 valves shall be installed on both the storage water heater and storage tank. There shall not be a check valve or shutoff valve between a relief valve and the heater or tank served.
- Section 504.6 Requirements for discharge piping. This section has been modified to include an additional requirement where discharging to outdoor areas subject to freezing. This section has been modified to read: The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:
  (A) Not be directly connected to the drainage system.
  (B) Discharge through an air gap located in the same room as the water heater.
  (C) Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
  (D) Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
  (E) Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors.
  (F) Discharge in a manner that does not cause personal injury or structural damage.
  (G) Discharge to a termination point that is readily observable by the building occupants. (H) Not be trapped.
  (I) Be installed so as to flow by gravity.
  (J) Not terminate more than 6 inches (152 mm) above the floor or waste receptor.
  (K) Not have a threaded connection at the end of such piping.
  (L) Not have valves or tee fittings.
  (M) Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1
  (N) Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.

Chapter 6 Water Supply and Distribution:

- Section 605.3 Water service pipe. This section has been modified to require piping materials not third-party certified for water distribution to terminate a minimum of 30 inches outside the structure. This section has been modified to read: Water service pipe shall conform to NSF 61 and shall conform to one of the standards listed Table 605.3. All water service pipe or tubing, installed underground and outside of the structure, shall have a minimum working pressure rating of 160 pounds per square inch (1100 kPa) at 73.4 degrees Fahrenheit (23

degrees Celsius). Where the water pressure exceeds 160 pounds per square inch, (1100 kPa), piping materials shall have a minimum rated working pressure equal to the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate a minimum of 30 inches (762 mm) outside the structure at or before the full open valve located at the entrance to the structure. All ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

- Section 606.1 Location of full-open valves. This section has been modified to delete a requirement to install full open-valves on the discharge side of every water meter. This section has been modified to read: Full open-valves shall be installed in the following locations:
  (A) On the building water service pipe from the public water supply near the curb.
  (B) On the water distribution supply pipe at the entrance into the structure.
  (C) On the base of every water riser pipe in occupancies other than multiple-family residential occupancies that are two stories or less in height and in one-and two-family residential occupancies.
  (D) On the top of every water down-feed pipe in occupancies other than one- and two-family residential occupancies.
  (E) On the entrance to every water supply pipe to a dwelling unit, except where supplying a single fixture equipped with individual stops.
  (F) On the water supply pipe to a gravity or pressurized water tank.
  (G) On the water supply pipe to every water heater.
- Section 607.1.1 Temperature limiting means. This section was added to restrict a thermostat control for a water heater to serve as the temperature limiting means for the purpose of complying with the requirements of the code for maximum allowable hot or tempered water delivery temperatures at fixtures. This section shall read: A thermostat control for a water heater shall not serve as the temperature-limiting means for the purposes of complying with the requirements of this code for maximum allowable hot or tempered water delivery temperatures at fixtures.
- Section 608.16.5 Connections to lawn irrigation systems. This section has been modified to add a spill resistant backflow preventer as an option for protection. This section has been modified to read: The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a spill resistant backflow preventer or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

Chapter 7 Sanitary Drainage:

- Section 707.1 Prohibited joints. This section has been modified to include an exception for saddle-type fittings to be used for connecting a building sewer to a public sewer. This section has been modified to read: The following types of joints and connections shall be prohibited:
  (A) Cement or concrete joints.
  (B) Mastic or hot-pour bituminous joints.
  (C) Joints made with fittings not approved for the specific installation.
  (D) Joints between different diameter pipes and made with elastomeric rolling O-rings.
  (E) Solvent-cement joints between different types of plastic pipe.

(F) Saddle type fittings. Exception: Saddle-type fittings may be used to connect the building sewer to a public sewer.

- Section 715.1 Sewage backflow. This section has been modified by striking the requirements of plumbing fixtures having flood level rims above the elevation of the next upstream manhole cover in the public sewer system. It has been modified to read: Where plumbing fixtures are installed on a floor with a finished floor elevation below the elevation of the manhole cover of the next upstream manhole in the public sewer, the fixtures shall be protected by a backwater valve installed in the building drain or horizontal branch servicing such fixtures.

Chapter 8 Indirect/Special Waste:

- Section 802.1.8 Food utensils, dishes, pots and pans sinks. This section was modified to remove the option for a direct connection to the drainage system. This section has been modified to read: Sinks used for the washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break to the drainage system.

Chapter 9 Vents:

- Section 904.1 Roof extension. This section has been modified to specify the number of inches where the open vent pipes that extend through the roof shall be terminated. This section has been modified to read: All open vent pipes that extend through a roof shall be terminated at least 6 inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Chapter 10 Traps, Interceptors, and Separators:

- Section 1002.4 Trap seals. This section has been modified to allow for new technology to be utilized for installation when approved by the authority having jurisdiction. This section has been modified to read: Each fixture trap shall have a liquid seal of not less than 2 inches (51 mm) and not more than 4 inches (102 mm), or deeper for special designs relating to accessible fixtures. Where a trap seal is subject to loss by evaporation, a trap seal primer valve or other approved trap seal device shall be installed. Trap seal primer valves shall connect to the trap at a point above the level of the trap seal. A trap seal primer valve shall conform to ASSE 1018 or ASSE 1044.
- Section 1003.3.1 Grease interceptors and automatic grease removal devices required. This section has been modified to allow for installation of grease interceptors on or above the floor when there is a lack of space or other constraints that prevent the installation of a replacement grease interceptor. This section has been modified to read: A grease interceptor or automatic grease removal device shall be required to receive the drainage from fixtures and equipment with grease-laden waste located in food preparation areas, such as in restaurants, hotel kitchens, hospitals, school kitchens, bars, factory cafeterias and clubs. Fixtures and equipment shall include pot sinks, prerinse sinks; soup kettles or similar devices; wok stations; floor drains or sinks into which kettles are drained; automatic hood washing units and dishwashers without prerinse sinks. Grease interceptors and automatic grease removal devices shall receive waste only from fixtures and equipment that allow fats, oils or grease to

be discharged. Where lack of space or other constraints prevent the installation or replacement of a grease interceptor, one or more grease interceptors shall be permitted to be installed on or above the floor.

- Section 1003.3.4 Hydromechanical grease interceptors and automatic grease removal devices. This section has been modified to reference only hydromechanical grease interceptors provide standards for hydromechanical grease interceptors and removes the exception to locate grease interceptors over 500 gallons outdoors. This section has been modified to read: Hydromechanical grease interceptors and automatic grease removal devices shall be sized in accordance with ASME A112.14.3 Appendix A, or ASME A112.14.4, CSA B481.3, or PDI G101. Hydromechanical grease interceptors and automatic grease removal devices shall be designed and tested in accordance with ASME 112.14.3 or ASME 112.14.4, CSA B481.1, PDI G101 or PDI G102. Hydromechanical grease interceptors and automatic grease removal devices shall be installed in accordance with the manufacturer's instructions. Where manufacturer's instructions are not provided, hydromechanical grease interceptors and grease removal devices shall be installed in compliance with ASME A112.14.3, ASME A112.14.4, CSA B481.3 or PDI G101. This section shall not apply to gravity grease interceptors.

Chapter 11 Storm Drainage:

- Section 1107.3 Sizing of secondary drains. This section has been modified to include the use of scuppers or increase the sizing of secondary drains to accommodate rainfalls of 10.2 inches per hour for a 5-minute duration and includes minimum design loads. This section has been modified to read: Secondary (emergency) roof drain systems or scuppers shall be sized in accordance with Section 1106 based on a rainfall rate of 10.2 inches per hour for a 5-minute duration. In sizing secondary roof drain systems using Tables 1106.2, 1106.3 and 1106.6, the Horizontally Projected Roof Area shall be determined by dividing the Horizontally Projected Roof Area for 1-inch rain fall per hour rate by 10.2 inches per hour. Secondary roof scuppers shall by designed in accordance with ASCE/SEI 7-05 Minimum Design Loads for Buildings and Other Structures, Chapter 8 C8-RAIN LOADS published by the American Society of Civil Engineers and Structural Engineering Institute. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system or scuppers.

IFGC

Chapter 3 General Regulations:

- Section 307.2.1 Condensate drains. This section has been added to the code to require condensate drains to be protected from freezing. This section shall read: Where condensing appliances are in locations subject to freezing conditions, the condensate drain line must be protected from freezing in an approved manner and in accordance with manufacturer installation instructions.
- Section 308.1 Scope. This section has been modified to include gypsum board as a combustible material. This section has been modified to read: This section shall govern the

reduction in required clearances to combustible materials, including gypsum board, and combustible assemblies for chimneys, vents, appliances, devices and equipment. Clearance requirements for air-conditioning equipment and central heating boilers and furnaces shall comply with Section 308.3 and 308.4.

- Section 310.1.1 CSST. This section has been modified to add an exception to allow for installation when using new special CSST. This exception shall read: Exception: Special corrugated stainless steel gas products or systems that have been designed, manufactured and listed for installation without direct bonding shall be permitted to be installed in accordance with the manufacturer's installation instructions.

Chapter 4 Gas Piping Installations:

- Tables 402.4(6), 402.4(7), 402.4(8), 402.4(9), 402.4(10), 402.4(11), and 402.4(12). These tables have been stricken from the code.
- Section 404.8.1 Insulated union on building riser. This section has been added to the code as a means to isolate the gas piping from the grounding. It shall read: All underground gas piping systems shall have an insulated union installed above ground level before the service enters the building.
- Section 404.10. Minimum burial depth. This section has been modified to change the minimum burial depth from 12 inches (305 mm) to 18 inches (457 mm) and to allow for an exception when there is no ability to meet that minimum depth. This section has been modified to read: Underground piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade, except as provided for in Section 404.10.1. Exception: Where a minimum depth of 18 inches (457 mm) of cover cannot be provided, the pipe shall be installed in conduit or bridged (shielded).
- Section 404.10.2. Separation of gas piping from other piping systems. This section has been added to the code as a means to prevent damage to other systems that may have been buried in the same ditch. This section shall read: Gas pipe and any other piping systems shall be separated by 18 inches (457 mm) of undisturbed or compacted earth.
- Section 404.16 Prohibited devices. This section was modified to add a second exception to allow for new technology to be utilized. The second exception shall read: An approved fitting or device where the gas piping system has been sized to accommodate the pressure drop of the fitting or device.
- The International Code Council Emergency Amendment dated September 27, 2010 has been adopted. This amendment replaces in its entirety Sections 406.7 through Section 406.7.3 of the IFGC®. These sections shall now read:
  (A) Section 406.7 Purging: The purging of piping shall be in accordance with Sections 406.7.1 through 406.7.3
  (B) Section 406.7.1 Piping systems required to be purged outdoors. The purging of piping systems shall be in accordance with the provisions of Sections 406.7.1.1 through 406.7.1.4 where the piping system meets either of the following:
    (i) The design operating gas pressure is greater than 2 psig (13.79 kPa).
    (ii) The piping being purged contains one or more sections of pipe or tubing meeting the size and length criteria of Table 406.7.1.1
  (C) Section 406.7.1.1 Removal from service. Where existing gas piping is opened, the section that is opened shall be isolated from the gas supply and the line pressure vented in accordance with Section 406.7.1.3. Where gas piping meeting the criteria of Table 406.7.1.1 is removed from service, the residual fuel gas in the piping shall be displaced with an inert

gas.

(D) Table 406.7.1.1 Size and length of piping. The following measurements for table 406.7.1.1 were added. Footnote "a" in relation to Nominal Pipe Size (inches) states CSST EHD size of 62 is equivalent to nominal 2-inch pipe or tubing size.

(i) When nominal pipe size (inches) is greater than or equal to 2 ½ but less than 3, the length of piping (feet) is greater than 50.

(ii) When nominal pipe size (inches) is greater than or equal to 3 but less than 4, the length of piping (feet) is greater than 30

(iii) When nominal pipe size (inches) is greater than or equal to 4 but less than 6, the length of piping (feet) is greater than 15.

(iv) When nominal pipe size (inches) is greater than or equal to 6 but less than 8, the length of piping (feet) is greater than 10.

(v) When nominal pipe size (inches) is greater than 8, the length of piping (feet) is any length. For SI: 1 inch is equal to 25.4 mm; 1 foot is equal to 304.8 mm.

(E) Section 406.7.1.2 Placing in operation. Where gas piping contains air and meeting the criteria of Table 406.7.1.1 is placed in operation, the air in the piping shall first be displaced with an inert gas. The inert gas shall then be displaced with fuel gas in accordance with Section 406.7.1.3.

(F) Section 406.7.1.3. Outdoor discharge of purged gases. The open end of a piping system being pressure vented or purged shall discharge directly to an outdoor location. Purging operations shall comply with all of the following requirements:

(i) The point of discharge shall be controlled with a shutoff valve.

(ii) The point of discharge shall be located at least 10 feet (3048 mm) from sources of ignition, at least 10 feet (3048 mm) from building openings and at least 25 feet (7620 mm) from mechanical air intake openings.

(iii) During discharge, the open point of discharge shall be continuously attended and monitored with a combustion gas indicator that complies with Section 406.7.1.4.

(iv) Purging operations introducing fuel gas shall be stopped when 90 percent fuel gas by volume is detected within the pipe.

(v) Persons not involved in the purging operations shall be evacuated from all areas within 10 feet (3048 mm) of point of discharge.

(G) Section 406.7.1.4. Combustion gas indicator. Combustion gas indicators shall be listed and shall be calibrated in accordance with the manufacturer's instructions. Combustion gas indicators shall numerically display a volume scale from zero percent to 100 percent in 1 percent or smaller increments.

(H) Section 406.7.2 Piping systems allowed to be purged indoors or outdoors. The purging of piping systems shall be in accordance with the provisions of Section 406.7.2.1 where the piping system meets both of the following:

(i) The design operating gas pressure is 2 psig (13.79 kPa) or less.

(ii) The piping being purged is constructed entirely from pipe or tubing not meeting the size and length criteria of Table 406.7.1.1

(I) Section 406.7.2.1 Purging Procedure. The piping system shall be purged in accordance with one or more of the following:

(i) The piping shall be purged with fuel gas and shall discharge to the outdoors.

(ii) The piping shall be purged with fuel gas and shall discharge to the indoors or outdoors through an appliance burner not located in a combustion chamber. Such burner shall be provided with a continuous source of ignition.

(iii) The piping shall be purged with fuel gas and shall discharge to the indoors or

outdoors through a burner that has a continuous source of ignition and that is designed for such purpose.
(iv) The piping shall be purged with fuel gas that is discharged to the indoor or outdoors, and the point of discharge shall be monitored with a listed combustible gas detector in accordance with Section 406.7.2.2. Purging shall be stopped when fuel gas is detected.
(v) The piping shall be purged by the gas supplier in accordance with written procedures.
(J) Section 406.7.2.2 Combustible gas detector. Combustible gas detectors shall be listed and shall be calibrated or tested in accordance with the manufacturer's instructions. Combustible gas detectors shall be capable of indicating the presence of fuel gas.
(K) Section 406.7.3 Purging appliances and equipment. After the piping system has been placed in operation, appliances and equipment shall be purged before being placed into operation. (7) Section 410.4 Excess flow valve. This section has been added to allow for new technologies in use in the field. This section shall read: Where automatic excess flow valves are installed, they shall be listed for the application and shall be sized and installed in accordance with the manufacturer's instructions.

Chapter 6 Specific Appliances:

- Section 621.4 Prohibited locations. This section has been modified to provide definitions for Groups A, E and I. This section has been modified to read: Unvented room heaters shall not be installed within occupancies in Groups A, E, and I. The location of unvented room heaters shall also comply with Section 303.3 (Use Groups A = Assembly, E = Educational and I = Institutional.

IEBC

Chapter 2 Definitions:

- The definition of an Existing Building has been modified to further define an existing building to include a default date of 10 years from the date of construction, but still allowing for a jurisdiction with the legal authority to select a different date and to remove the words "appropriate" and "legal building permit" from the definition. A reference to code applicability was added to the definition. The definition has been modified to read: EXISTING BUILDING OR EXISTING STRUCTURE. A building or structure on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma (or any date may be inserted by a jurisdiction that has the legal right to do so, such as but not limited to 3 counties and municipalities). For code applicability, refer to IEBC® Section 101.4 and Section 1301.2, including associated subparagraphs with each.
- The definition of a Repair has been modified to further define a repair to include repair to any build or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: The restoration to good or sound condition of any part of any building for the purpose of its maintenance.

Chapter 13 Performance Compliance Methods:

- Section [B] 1301.2 Applicability. This section has been modified to clarify the application of the definition of an existing building. This section has been modified to read: Existing buildings or existing structures on which construction was begun at least ten (10) years prior

to the date of adoption of this code by the State of Oklahoma (or any date may be inserted by a jurisdiction that has the legal right to do so, such as but not limited to counties and municipalities) in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

Chapter 15 Referenced Standards:

- The reference to the International Building Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IBC-09 International Building Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Energy Conservation Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma by the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission". This section has been modified to read: IECC-06 International Energy Conservation Code® as adopted and modified by the State of Oklahoma through the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission.
- The reference to the International Fire Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IFC-09 International Fire Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Fuel Gas Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IFGC-09 International Fuel Gas Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Mechanical Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IMC-09 International Mechanical Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Plumbing Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IPC-09 International Plumbing 4 Code as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Residential Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IRC-09 International Residential Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.

- The referenced standard for NFPA 70® National Electrical Code® has been modified to change the edition year from 2005 to 2011 and add after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section shall now read: 70-11 National Electrical Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.

IFC

Chapter 2 Definitions:

- The definition for Residential Group R-1 has been modified to clarify the International Residential Code® 2009 can be utilized so long as the facilities have a fire sprinkler system. This definition has been modified to read: R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature including: Boarding houses (transient), Hotels (transient), Motels (transient), Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.
- The definition for Residential Group R-2 has been modified to clarify the International Residential Code® 2009 can be utilized so long as the facilities have a fire sprinkler system. This definition has been modified to read: R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including Apartment houses, Boarding houses (non-transient), Convents, Dormitories, Fraternities and sororities, Hotels (non-transient), Live/Work units, Monasteries, Motels (non-transient), Vacation timeshare and Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.

Chapter 5 Fire Service Features:

- Section 508.1.3 Size has been modified to include an exception to make the fire command center smaller when approved by the fire code official. This section has been modified to read: Section 508.1.3 Size. The fire command center shall be a minimum of 200 square feet (19 square meters) in area with a minimum dimension of 10 feet (3048 mm). Exception: When approved by the fire code official the fire command center can be reduced in size to not less than a minimum of 96 square feet (9 square meters) with a minimum dimension of 8 feet (2438 mm).

Chapter 6 Building Services and Systems:

- Section 604.5 Supervision of maintenance and testing has been modified to change the section number to Section 604.6 to allow a new section to be inserted before this section. The section number has been modified to read: Section 604.6 Supervision of maintenance and testing. Routine maintenance, inspection and operational testing shall be overseen by a properly instructed individual.
- Section 604.5 Emergency lighting equipment has been added to the code to outline a

procedure for testing emergency lighting equipment. This section has been added to read: Section 604.5 Emergency lighting equipment. Emergency lighting shall be inspected and tested in accordance with Sections 604.5.1 through 604.5.2.1

- Section 604.5.1 Activation test has been added to the code to outline the activation testing requirement for testing emergency lighting. This section has been added to read: Section 604.5.1 Activation test. An activation test of emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.
- Section 604.5.1.1 Activation test record has been added to the code to outline the requirements for record keeping of the monthly activation test. This section has been added to read: Section 604.5.1.1 Activation test record. Records shall be maintained on the premises for a minimum of three years and submitted to the fire code official upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.
- Section 604.5.2 Power test has been added to the code to outline a procedure for testing battery powered emergency lighting equipment. This section has been added to read: Section 604.5.2 Power test. For battery powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test.
- Section 604.5.2.1 Power test record has been added to the code to outline the requirements for record keeping of the annual power test. This section has been added to read: Section 604.5.2.1

Attachment 2

Proposed new local amendments

IBC

Chapter 29, PLUMBING SYSTEMS

- Section 2902.1 Minimum number of fixtures - add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."
- Section 2902.2 Separate facilities - add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

IPC

Chapter 2 DEFINITIONS

- Section 202 GENERAL DEFINITIONS - add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance."

Chapter 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS

- Section 403.1 Minimum number of fixtures - add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."
- Section 403.2 Separate facilities -add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Sections 5-101 and 5-101-1 of Article I of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended as follows:

* * * * *

CHAPTER 5
ARTICLE I. GENERAL ADMINISTRATION

Sec. 5-101. Application of the 2009 International Building Code.

Except as otherwise provided in this article, the provisions of the 2009 International Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall apply to all construction, extension or remodeling of buildings or structures except one- and two-family dwellings which shall be governed by the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and subsequent amendments listed in Sec. 5-212 of the Code of the City of Norman:

* * *

Sec. 5-101.1. Effect of conflicting provisions.

When any provision of this chapter conflicts with any other provision of this chapter, that provision which is the more specific or detailed shall control. When any provision of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 needs clarification or elaboration, the provisions of the 2009 International Building Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the 2011 National Electric Code, the 2009 International Fuel Gas Code, and the 2009 International Energy Conservation Codes as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall prevail.

Sec. 5-102. Inspections.

(a) When the framing of any building or structure is completed, when any rough electrical wiring or electrical installation work is completed, when any rough plumbing is completed, or when any air conditioning, heating or refrigeration system is initially installed, an inspection of that work shall be given by the Department of Planning and Community Development.

(b) No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.

(c) All work found to be faulty or incorrectly or defectively installed shall be corrected before any rough or final approval shall be given by an inspector, and when such has been corrected, notification for a reinspection shall then be given to the Department of Planning and Community Development.

(d) All inspections shall be made by the Department of Planning and Community Development within two (2) working days from the receipt of the notification for the inspection or reinspection.

(e) No work which is required to be inspected shall be covered over or covered up prior to that particular inspection, and any covering in place shall be removed upon the order of the inspector.

* * *

Sec. 5-103. Permits required; exceptions.

(a) Except as otherwise provided in subsection (b) of this section, no person shall engage in the following acts without having first obtained the necessary permits from the Department of Planning and Community Development:

(1) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances;

(2) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure;

(3) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk;

(4) The construction or repair of any off-site improvement within that area defined by the 2020 Plan;

(5) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.

(b) No permit is required under the following circumstances:

(1) (a) Where a public utility corporation installs electrical conductors or equipment in the generation, transmission, sale, or use of electrical energy as outlined in their franchises with the City.

(b) Where electrical equipment or apparatus is manufactured, tested, serviced, or repaired.

(2) (a) Where the ordinary interior alterations or repairs of buildings or structures do not exceed five hundred dollars ($500.00), such alterations or repairs do not include the removal of any portion of a stone, concrete, or brick wall, such alterations or repairs do not include the removal, change, or closing of any stairway or opening in an exterior wall, and such alterations or repairs do not include the alteration or removal of any house sewer, drainage system, soil waste or vent pipe, light or power wiring, or other structural change for which a permit is otherwise required.

(b) Where a storage building is constructed which does not exceed one hundred eight (108) square feet of area (measured by outside dimensions), such building is not constructed on or attached to a concrete slab, foundation or permanent base, and such building has no electric, plumbing or gas service connection.

(c) Where a building or other structure is moved which is less than thirteen and one-half (13½) feet in height when loaded, twelve (12) feet in width, and an overall of fifty (50) feet in length.

(3) (a) Where the construction, alteration, cutting, and changing of a portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley is under the direct supervision of the City Manager or his designee.

(b) Where such cutting or changing of a sidewalk is only for the repair of that sidewalk.

(4) Where an emergency construction or repair of an off-site improvement is necessary to protect the health and safety of the City inhabitants, and such construction or repair is made by a public utility or public service company; however, a permit is required after the commencement of that work.

* * *

Sec. 5-104. Permit fee schedule.

All fees within this section shall be doubled if the work is commenced before a permit is issued.

(a) The following building permit fees shall be charged:

(1) Demolition permit: First floor $20.00
Additional floors 12.50

(2) Storm or fallout shelter, swimming pools 25.00

(3) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings and parking structures, per square foot of project area 0.14

(4) One- and two-family dwellings, move-ins and mobile homes, per square foot of project area 0.14

(5) Newly constructed and additions or alterations to multifamily buildings, fraternities, sororities, per square foot of project area 0.14

(6) Newly constructed and additions or alterations to warehouses, industrial and manufacturing buildings, per square foot 0.14

(7) Newly constructed and additions or alterations to commercial buildings, office buildings, institutional per square Foot.....0.14

(8) Newly constructed and additions or alterations to parking lots per square foot 0.14

(9) Foundation only permits .....50 percent of full permit or $1,000.00, whichever is less

(10) Minimum fee for subsections (3), (4), (5), (6), (7), (8), and (9) Above 20.00

(11) Water well permit 10.00

(12) Minimum fee for each extra inspection or re-inspection 25.00

(13) Plan examination fee: Included in permit fee, collected at time of submittal as twenty (20) percent of full permit fee, but in no case less than fifty dollars ($50.00) nor more than four thousand dollars ($4,000.00). Plan examination fee is non-refundable.

(14) Earth change permit: (From Section 1005.2 of the City of Norman *Engineering Design Criteria*) 100.00
plus $10.00per acre

(15) Retaining wall permit fees:

(a) Retaining walls from two (2) feet in height to less than three (3) feet in height.....50.00

(b) Retaining walls three (3) feet in height or more 75.00

(c) If the Builder/Contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a penalty of fifty dollars ($50.00) for each missed inspection will be incurred. Additionally, the Builder/Contractor will be required to provide documentation that the retaining wall was constructed per the permit. (From Section 1008.2 and 1008.3 of the City of Norman *Engineering Design Criteria*)

(b) The following air-conditioning, heating and refrigeration fees shall be charged:

(1) Class A refrigeration units per unit 185.00

(2) Class B refrigeration units per ton or hp 1.80
Minimum fee 57.50

(3) Class C refrigeration units per ton or hp 2.50
Minimum fee 17.50

(4) Class D refrigeration units, per unit 17.50

(5) Class E refrigeration units .....No charge

(6) Class WA-1 direct-fired system, per unit.....17.00

(7) Class WA-2 direct-fire system, per unit 16.50

(8) Class WA-3 direct-fired system, per unit 23.00

(9) Class HW-1 Hot water-heated air system, per unit 17.00

(10) Class HW-2 Hot water-heated air system, per unit 23.00

(11) Class EH-1 electric-heated air system, per unit 17.00

(12) Class EH-2 electric-heated air system, per unit.....16.50

(13) Class EH-3 electric-heated air system, per unit.....23.00

(14) Class EH-4 electric-heated air system, per unit 41.00

(15) Additions, alterations or repair of existing mechanical systems, per inspection 15.00
Minimum fee 25.00

(16) Minimum fee, each extra inspection or re-inspection 25.00

(c) The following electric permit fees shall be charged:

(1) Service size, general wiring:
a. 125 amps or less 35.00
b. Over 125 amps, per 100 amps or fraction thereof 23.00

(2) Mobile homes:
a. 100 amps 35.00
b. 200 amps 53.00

(3) Oil wells:
a. 100 amps or less 35.00
b. Over 100 amps 53.00

(4) Additional charges for commercial building only:
a. Motors up to one (1) hp 1.00
b. Motors one (1) hp and over 2.00
c. Apparatus, such as air conditioners, electric ranges, X-ray machines, hot-water heaters, elevators and other equipment requiring special heavy-duty circuits 1.00

(5) Additions, alterations or repair of existing electrical systemsper inspection 15.00
Minimum fee 25.00

(6) Minimum fee for each extra inspection or re-inspection 25.00

(d) The following plumbing permit fees shall be charged:
(1) Service size, general plumbing:
¾ inch.....35.00
1 inch 65.00
1 ½ inch 125.00
2 inch 215.00
3 inch 485.00
4 inch 725.00
6 inch 845.00

(2) Gas service size, general gas piping:
0—2-inch 17.50
2—3-inch 22.50
Over 3-inch 32.50

(3) Water service line, sewer service line or gas service line repair or replacement 15.00

(4) Additions, alterations, or repair of existing plumbing systems per inspection 15.00
Minimum fee.....25.00

(5) Minimum fee, each extra inspection or re-inspection 25.00

(e) The following off-site improvement fees shall be charged:

(1) The fee shall be either the minimum or the sum of all inspection fees, whichever is the greater amount:
a. The minimum charge 15.00

b.Cost of construction:

1. Up to $2,000.00 ..... 4.24%
   84.00

2. Next $3,000.00 ($2,001.00 to $5,000.00) 3.6%
   108.00

3. Next $5,000.00 ($5,001.00 to $10,000.00)..... 3.03%
   $151.50

4. Next $15,000.00 ($10,001.00 to $25,000.00) 2.42%
   363.00

5. Next $25,000.00 ($25,001.00 to $50,000.00) 1.82%
   455.00

6. Over $50,000.00 ..... 1.21%

c. Installation of a new sidewalk and drive entrance for a single-family lot 15.00

d. Replacement of driveway or sidewalk 15.00

*There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.

e. Minimum fee for each extra inspection or additional re-inspection 25.00

(2) Franchised public utility companies, public service companies, all governmental entities, and the City shall be exempt from permit fees but not from acquiring permits and not from the responsibility for the repair and replacement of existing improvements in compliance with the then-in-force-and-effect standards and specifications of the Code of the City.

(f) Certificate of occupancy fees:

(1) Normal certificate of occupancy fees are included in permit fees and collected when permit is issued.

(2) Temporary certificate of occupancy fees are as follows:
a. $100.00 for each certificate for each residential unit; and
b. $250.00 for any permit other than residential permits.

(g) (1) An erosion control fee of eighty dollars ($80.00) shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than five hundred (500) square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than five hundred (500) square feet of new, additional impervious area; except that no fee shall be charged for residential building permits on lots larger than two (2) acres when the additional impervious area is less than five thousand (5,000) square feet. No fee shall be charged for any permit when no new, additional impervious area is created.

(2) Earth change permit fee is one hundred dollars ($100.00) plus ten dollars ($10.00) per acre for administration and inspection.

(h) Reinspection fees: If a builder or property owner requests assistance from a City of Norman Construction Inspector or Engineer in determining the following:

(1)Building pad elevation inspection;
(2) Sidewalk or driveway approach design inspection;
(3) Final Grading Design inspection;
(4) Retaining Wall Design inspection; or
(5) Any other similar activity that requires an on-site inspection, an inspection fee of $25.00 per inspection will be charged, which is due and payable before the "certificate of

* * *

Sec. 5-105. Permit fee waiver.

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State of Oklahoma and/or by the Mayor of the City of Norman, all building permit fees associated with such construction shall be waived according to the following limitations:

(a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
(b) The applicant must have been the owner of the structure(s) proposed to be rebuilt, at the time of the damage or destruction;
(c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without building permits and which has been cited as being in violation of building codes;
(d) The permits must be applied for within one (1) year of the natural disaster to be eligible for this fee waiver;
(e) All applicable fees required to be collected by the Oklahoma Uniform Building Code Commission are not waived.

* * *

Sec. 5-106. Penalties.

(a) Any person convicted of violating any provision of this chapter or of failing to comply with the rules and regulations enacted pursuant to this chapter shall be punished by a monetary fine of not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00), or by imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment.

(b) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense, and any one (1) or more of such offenses may be set out in any complaint or information filed.

* * *

Secs. 5-107—5-200. Reserved.

* * *

§ 2. That Sections 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, and 5-210 of Article II of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended and Sections 5-213 and 5-214 shall be added as follows:

* * * * *

ARTICLE II. BUILDING CODE

Sec. 5-201. Adoption of the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and all amendments, additions, and deletions thereto as identified below:

(a) Except as otherwise provided in this article, the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2 (hereinafter referred to as the Building Code) is hereby incorporated into the Code of the City with the same force and effect as if fully set out in this subsection.

(b) The Building Code shall not become effective until at least three (3) copies thereof have been filed in the office of the City Clerk for examination by the public.

* * *

Sec. 5-202. Appendices to the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

Adoption includes ONLY the following Appendix:

(1) Appendix G regarding Flood-Resistant Construction.

* * *

Sec. 5-203. Amendments to the Building Code.

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-1-6 from the International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

(2) Chapter 1, Section 103, DEPARTMENT OF BUILDING SAFETY and Section 103.1, Creation of enforcement agency – Replace "*Department of Building Safety*" with "*Development Services Division*";

(3) Chapter 1, Section 105.2 Building 1. - Replace "*120 square feet*" with "*108 square feet*" and delete reference to meters;

(4) Chapter 1, Section 105.2 Building 2. - Replace "*6 feet high*" with "*8 feet high*";

(5) Chapter 1, Section 105.2 Building 4.- Delete retaining wall reference and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";

(6) Chapter 1, Section 110.3.5 Delete "*Lath and gypsum board inspection*" and accompanying text and replace with "*Insulation inspection*";. Insulation Inspections shall occur after Framing, Mechanical, Electrical, and Plumbing Rough In inspections are approved and before the installation of any wall coverings.";

(7) Chapter 12, INTERIOR ENVIRONMENT, – Add new "Section 1208.5 Urinal partitions. Each urinal utilized by the public or employees shall occupy a separate area with walls or partitions to provide privacy. The construction of such walls or partitions shall incorporate waterproof, smooth readily cleanable and nonabsorbent finish surfaces. The walls or partitions shall begin at a height not more than 12 inches from and extend not less than 60 inches above the finished floor surface. The walls or partitions shall extend from the wall surface at each side of the urinal a minimum of 18 inches or to a point not less than 6 inches beyond the outermost front lip of the urinal measure from the finished back wall surface, whichever is greater. Exceptions: 1. urinal partitions shall not be required in a single occupant or unisex toilet room with a lockable door. 2. Toilet rooms located in day care and child care facilities and containing two or more urinals shall be permitted to have one urinal without partitions.";

(8) Chapter 12, INTERIOR ENVIRONMENT, – Add new "**Section 1208.6 Water closets, urinals, lavatories and bidets.** A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches center-to-center between adjacent fixtures. There shall be at least a 21-inch clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches wide and 60 inches deep. (see Figure 405.3.1 of the IPC).";

(9) Chapter 29, PLUMBING SYSTEMS, Section 2901.1 Scope – Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(10) Chapter 29, PLUMBING SYSTEMS, Section 2902.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."

(11) Chapter 29, PLUMBING SYSTEMS, Section 2902.2 Separate facilities – add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

(12) Chapter 31, Section 3106 MARQUEES, Section 3106.1 General- Add "All marquees shall require a Consent to Encroach approval by the City Council";

(13) Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, Section 3202.3 Encroachments 8 feet or more above grade- Add "Except for awnings and canopies, no encroachment shall be allowed without a Consent to Encroach approval by the City Council.";

(14) Chapter 33, SAFEGUARDS DURING CONSTRUCTION, Section 3306 Protection of Pedestrians, Section 3306.2 Walkways – Add "A permit must be obtained for all such walkways from the Department of Public Works."

(15) Chapter 34, EXISTING STRUCTURES, [EB] Section 3401 General, Section 3401.3 Compliance with other Codes- Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(16) Chapter 34, EXISTING STRUCTURES, [EB] Section 3403 Additions, Alterations or Repairs- Add at end of Section 3403.1 "The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability,

dimensional stability, safety and sanitation. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding the proposed alternative."; and

(17) Chapter 34, EXISTING STRUCTURES, Section 3412.2 Applicability – Delete "on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma [OR, ANY DATE MAY BE INSERTED BY A JURISDICTION THAT HAS THE LEGAL RIGHT TO DO SO, SUCH AS BUT NOT LIMITED TO COUNTIES AND MUNICIPALITIES]"

* * *

Sec. 5-204, 5-205. Reserved.

* * *

Sec. 5-206. Reserved.

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Sec. 5-207. Adoption of the 2009 International Mechanical Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY Appendix A regarding Combustion Air Openings and Chimney Connector Pass-Throughs;

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-13-6 from the International Mechanical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2) Chapter 3, Section 306.3 Appliances in attics. Exception 2 Delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(3) Chapter 5, Section 504.6.1 Domestic clothes dryer ducts – After 504.6.1 insert "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

(a) The duct shall be installed under a concrete slab poured on grade;

(b) The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel;

(c) The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface;

(d) The PVC duct shall extend not greater than 1 inch above grade outside of the building; or

(e) The PVC ducts shall be solvent cemented".

* * *

Sec. 5-208. Adoption of the 2009 International Plumbing Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY the following Appendices:

(1) Appendix B regarding Rates of Rainfall for Various Cities;

(2) Appendix C regarding Gray Water Recycling Systems;

(3) Appendix D regarding Degree Day and Design Temperatures;

(4) Appendix E regarding Sizing of Water Piping System;

(5) Appendix F regarding Structural Safety; and

(6) Appendix G regarding Vacuum Drainage System.

(b) Amend delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-15-6 from the International Plumbing Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 2, DEFINITIONS, Section 202 GENERAL DEFINITIONS – add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance.";

(3) Chapter 3, GENERAL REGULATIONS, Section 312, Section 312.6 Gravity sewer test – Replace "public sewer" with "location of the building clean out.";

(4) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a

means other than a drinking fountain when the code calculated occupant load is 50 persons or less.";

(5) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.2 Separate facilities –add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less.";

(6) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 419 URINALS, Section 419.1 After CSA B45.5. Add "When a waterless urinal is installed, the installer is obligated to install a properly sized water line to each urinal location which could later be used for a water supplied urinal.":

(7) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 424 FAUCETS AND OTHER FIXTURE FITTINGS, Section 424.5 after "tub/shower valve in accordance with Section 424.3" add "Exception: One and Two-Family Dwellings".

* * *

Sec. 5-209. Adoption of the 2011 National Electric Code –NFPA 70 as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-9-6 Article 90 from the National Electrical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 1, General, Article 110.5 Conductors – Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.";

(3) Chapter 2, Wiring and Protection, Article 210.4(B) Disconnecting Means. Delete all text in the section and replace with "Where a multi-wire branch circuit supplies more than one device or equipment on the same yoke, a means shall be provided to disconnect simultaneously all ungrounded conductors supplying those devices or equipment at the point where the branch circuit originates;

(4) Chapter 2, Wiring and Protection, Article 210.8(A)(3) Outdoors - expand exception provided in Article 426 by adding "as well as, exterior receptacles for outside holiday lighting, so long as the minimum height above adjoining ground area is 7 feet";

(5) Chapter 2, Wiring and Protection, Article 210.23 (A) 15- and 20 Ampere Branch Circuits- add section "(A) (3) Dwelling Occupancies. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52 (B)(3) and 210.52 (C) shall not exceed 5.;

(6) Chapter 2, Wiring and Protection, Article 230.70 (A)(1) Location. Add "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(7) Chapter 3, Wiring Methods and Materials, Article 312 Add "312.8(4) Mounting Height. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.";

(8) Chapter 3, Wiring Methods and Materials, Article 334.10 Uses Permitted – delete all of (3) and (4).

* * *

Sec.5-210. Adoption of the 2009 International Fuel Gas Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes all of the Appendices, which are:

(1) Appendix A regarding Sizing and Capacities of Gas Piping;

(2) Appendix B regarding Sizing of Venting Systems serving Appliances equipped with Draft Hoods, Category 1 Appliances, and Appliances listed for Use and Type B Vents; and

(3) Appendix C regarding Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-11-6 from the International Fuel Gas Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2) Chapter 3, GENERAL REGULATIONS, Section 305 INSTALLATION, Section 305.3 Elevation of ignition source. After "above the floor" add "surface on which the equipment or appliance rest";

(3) Chapter 3, GENERAL REGULATIONS, Section 306 ACCESS AND SERVICE SPACE, Section 306.3 Appliances in attics. Exception: 2 delete "the passageway

shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

* * *

Sec. 5-211. Adoption of the 2006 International Energy Conservation Code and the Appendix.

* * *

Sec. 5-212. Adoption of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.

(a) Adoption includes ONLY the following Appendices:
  (1) Appendix E regarding Manufactured Housing used as Dwellings;
  (2) Appendix G regarding Swimming Pools, Spas and Hot Tubs; and
  (3) Appendix K regarding Sound Transmission.

(b) Amend, delete or substitute within the following sections as indicated:
  (1) Delete the preamble referenced in Title 748:20-5-5 from the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.
  (2) Chapter 1, Section R102.7 Existing Structures Delete *"International Fire Code" and* all subsequent references and replace with *"1997 1 NFPA Fire Prevention Code"*;
  (3) Chapter 1, Section R103 DEPARTMENT OF BUILDING SAFETY and Section R103.1, Creation of enforcement agency—Replace *"Department of Building Safety"* with *"Development Services Division"*;
  (4) Chapter 1, Section R104.10.1 Areas prone to flooding—Delete "granting of a variance to such provisions by the board of appeals" and replace with "prior issuance of a Flood Plain Permit by the City of Norman Flood Plain Committee.";
  (5) Chapter 1, Section R105.2 Building: 1-Replace *"200 square feet"* with *"108 square feet"* and delete reference to meters;
  (6) Chapter 1, Section R105.2 Building: 2—Replace *"6 feet high"* with *"8 feet high."*;
  (7) Chapter 1, Section R105.2 Building: 3—Delete retaining wall sentence and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";
  (8) Chapter 1, Section R105.2 Building 5—Delete this section, Sidewalks and driveways.

(9) Chapter 1, Section R105.3.1.1—Substantially improved or Substantially damaged existing buildings in areas prone to flooding—Delete reference to "Table R301.2(1)" and replace with "the City of Norman adopted flood hazard maps" and delete the reference to the "board of appeals" and replace with "the City of Norman Flood Plain Committee";

(10) Chapter 1, Section R105.7 Placement of permit—Add at the beginning of sentence "For additions and alterations only";

(11) Chapter 1, add new R106.2.1 Landscape Requirements for One- and Two-Family Dwellings.

(a) As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, at least one tree must be planted on each lot designated for single-family or two-family use before a Certificate of Occupancy is issued.

(b) For lots larger than 10,000 square feet, two trees are required. One tree must be planted within the designated planting location and the other tree may be placed at any location on the lot. (Refer to Exhibits A—Traditional Utility Layout or B—Optional Utility Layout.) In no case will more than two trees be required.

(c) Corner lots require one tree per street frontage in accordance with the sight triangle specifications (refer to Exhibit C—Tree Location for Typical Corner Lot). If all of either street frontage is eliminated by the site triangle restrictions, the tree for that frontage may be placed at any location on the lot.

(d) Trees must be selected from a list approved by the City Forester (Refer to Exhibit D—City of Norman Approved Street Tree List) and be at least 2" caliper (diameter measured 6" above ground level). Species identification tags shall remain on the tree(s). As indicated in (b) above, there are two utility layouts that may be utilized to design a subdivision. It is the developer's option to choose either alternative. In subdivisions where utilities are designed in accordance with Exhibit A (no trees between sidewalk and street), the tree must be planted in the front yard of the lot within five feet of the sidewalk. In subdivisions where utilities are designed in accordance with Exhibit B (allows for trees between sidewalk and street), the preferred location for tree planting is midway between the curb and sidewalk. Said Exhibits are incorporated herein and made a part hereof and are on file in the office of the City Clerk.

(e) If planting conditions or weather would adversely affect the health of the tree(s), a paid receipt from the installer indicating the type of tree(s) purchased and projected planting date shall be provided to the City of Norman and a permanent Certificate of Occupancy can be issued.

(f) Trees that are planted within the right-of-way or front yard can be replaced if dead or diseased by the Property Owners/Homeowners Association if appropriate covenants have been enacted that grant maintenance responsibility to the association. Otherwise the trees are the responsibility of the property owner. Dead or diseased trees in poor condition should be replaced by the property owner.

(12) Chapter 1, Section R106.5—Retention of construction documents—Replace "construction documents" with "floor and site plans";

(13) Chapter 1, Section R109.1.4 Frame and masonry inspection—Delete "masonry" in title and text;

(14) Chapter 1—Add new "R109.1.5.2 Insulation inspection. Insulation inspection shall be made after the framing inspection but prior to installing wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.";

(15) Chapter 1, Section 109.3 Inspection requests—Add "safe" in front of "access.";

(16) Chapter 1, Section R110.1 Use and occupancy—Delete Exception 2. "Accessory buildings and structures.";

(17) Chapter 1, Section R112 Board of Appeals—Delete Sections R112.2.1 and R112.2.2;

(18) Chapter 2, DEFINITIONS, Section R202 FIRE SEPARATION DISTANCE add—"Permanent "No Build" easements, which identify an area relative to adjoining property lines and are filed as permanent easements with the Cleveland County Clerk, may be considered when determining the fire separation distance.";

(19) Chapter 3, BUILDING PLANNING, Table R301.2(1) fill in blanks for Norman as "Ground Snow Load 10, Wind Speed 90 miles per hour, Topographic effects No, Seismic Design Category C, Weathering moderate, Frost Depth 12 inches, Termite moderate to heavy, Winter Design Temperature 13 degrees Fahrenheit, Ice barrier underlayment required No, Flood Hazard see FIRM maps, Air freezing Index 300, Mean Annual Temperature 61.3 degrees Fahrenheit", Add after footnote k "1. Bottom of footing to be at 18" below grade." place "1" after Frost Line depth in the table';

(20) Chapter 3, Section R301 Design Criteria, Table R301.5 footnote b. After "the plane of the truss." Add ", or the space is more than 10 feet from the point of entry to the attic space and no provision for attic storage is installed.";

(21) Chapter 3, Section R302 Fire-Resistant Construction, Replace Table R302.1 with the following Amended R302.1 Table.

"AMENDED TABLE R302.1 EXTERIOR WALLS"

EXTERIOR WALL ELEMENT		**MINIMUM FIRE RESISTANCE RATING**	**MINIMUM FIRE** SEPARATION **DISTANCE**
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Projections	(Fire-resistance rated)	1 hour on the underside	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Openings	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	> 3 feet
Penetration	ALL	Comply with Section R302.4	< 3 feet
		None Required	> 3 feet

(22) Chapter 3, Section R302 Exterior Wall Location, R302.1 "Exceptions" add "Exception 6—Open metal carport structures may be constructed within zero (0) feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.";

(23) Chapter 3, Section R303.3 Bathrooms—Add at end of paragraph, "Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces." ALSO, at end of Exception, add "Attic spaces are not considered outside for purposes of ventilation.";

(24) Chapter 3, Section R311.7.4.3 Delete entire Section and replace with the following. "Open risers. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter sphere. Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches or less.";

(25) Chapter 3, Section R314.3.1 Alterations, repairs and additions. Exception 2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section. Add the word "electrical" after "repairs of."

(26) Chapter 4, Section R403 Footings, Section R403.1 General—Add "Exception: Temporary buildings and unoccupied buildings not exceeding one story in height and 400 square feet in area shall be exempt from these requirements.";

(27) Chapter 4, Section R403 Footings Amend Figure R403.1(1) to require a minimum of 2, #4 steel bars in all footings;

(28) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.1.2.2 Add at end of section "In all cases Concrete and Masonry Foundation Walls or slabs, if placed directly to the footing, are to be attached to its footing with a minimum #3 vertical steel bar imbedded a minimum 12" into both the footing and the foundation wall and placed 6' o.c. and at every corner.";

(29) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.4 Delete Entire Section;

(30) Chapter 6 Wall Construction, Table R602.3.1, Delete text in footnote b. and Replace with "Studs to be laterally braced by a minimum ceiling joists, floor joists, or a ledger or beam holding ceiling or floor members."

(31) Chapter 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS, Section M1305 APPLIANCE ACCESS, M1305.1 Appliance access for inspection service, repair and replacement—After "30 inches deep and 30 inches wide" add "and at least the height of the front of the appliance";

(32) Chapter 13 General Mechanical System Requirements, Section M1305 Appliance Access, M1305.1.3 Appliances in attics. Exception: 2 delete "the passageway shall be not more than 50 feet (1520 mm) in length." And replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(33) Chapter 15, Section M1502 CLOTHES DRYER EXHAUST, M1502.4.1 add "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

i. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.

ii. The underfloor trench in which the duct is installed shall be completely backfilled with sand or gravel.

iii. The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface.

iv. The PVC duct shall extend not greater than 1 inch above grade outside of the building.

v. The PVC ducts shall be solvent cemented";

(34) Chapter 24, Fuel Gas, Section G2408 INSTALLATION, Section G2408.2 Elevation of ignition source. After "above the floor" Add "surface on which the equipment or appliance rest";

(35) Chapter 24, Fuel Gas, Section G2415 PIPING SYSTEM INSTALLATION, Section G2415.10 Minimal burial depth—Replace "12 inches" with "18 inches";

(36) Chapter 25 Plumbing Administration, Section P2503 Inspection and Tests, Section P2503.4 Building sewer testing—Delete "When required by local authority having jurisdiction," and Replace "public sewer" with "location of the building clean out,";

(37) Chapter 27 PLUMBING FIXTURES, Section P2713 BATHTUBS, delete Section P2713.3 Bathtub and whirlpool bathtub valves;

(38) Chapter 28 WATER HEATERS, Section P2803.6.1 Item 5. Replace text in Item 5 with "Discharge to an approved waste receptor or to the outdoors."

(39) Chapter 34, Electrical General Requirements, Section E3406 Electrical Conductors and Connections, Section E3406.2 Conductor material—Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes.";

(40) Chapter 36 Services, Section E3601 General Services, Section E3601.6.2 Service disconnect location - Add at the end of paragraph "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(41) Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, Section E3702 BRANCH CIRCUIT RATINGS, Section E3702.3 Fifteen- and 20-ampere branch circuits—Add at the end of the paragraph "Dwelling unit receptacle outlets installed in accordance with E3901.1 and lighting outlets installed in accordance with E3903.1 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed 5.";

(42) Chapter 39 Section E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection, Section E3902.3 Outdoor receptacles - expand exception provided in Section E4101.7 by adding "as well as, exterior receptacles for outside holiday lighting so long as the minimum height above adjoining ground area is 7 feet.";

(43) Chapter 39, Section E3902 GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION, Section E3902.7 Laundry, utility, and bar sink receptacles. Add "Exception: A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord and plug connected.";

(44) Chapter 39 Section E3907 CABINETS AND PANELBOARDS, Add Section 3907.9 Mounting Height. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.;

(45) Chapter 42 SWIMMING POOLS, Section 4206 EQUIPMENT INSTALLATION, Section 4206.5.1 Servicing. After "other maintenance" Add "unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches.";

(46) Appendix G Section AG105 BARRIER REQUIREMENTS, Replace the text in Section AG105.2 Outdoor swimming pool -4. with "Where the barrier is composed of horizontal and vertical members and the distance between the tops of the two lowest horizontal members is less than 45 inches (1143 mm), then spacing between vertical members shall not exceed 1¾ inches (44 mm) in width, and any horizontal members shall have a nominal depth of no more than 1¾ inches (44mm) so as not to create a foothold. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches (44 mm) in width.

* * *

Sec.5-213 Adoption of the 2009 International Existing Building Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-7-6 from the International Existing Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

* * *

Sec.5-214 Adoption of the 2009 International Fire Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-3-6 from the International Fire Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

* * * * *

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

ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Sections 5-101 and 5-101-1 of Article I of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended as follows:

* * * * *

CHAPTER 5
ARTICLE I. GENERAL ADMINISTRATION

Sec. 5-101. Application of the ~~2006~~ 2009 International Building Code.

Except as otherwise provided in this article, the provisions of the ~~2006~~ 2009 International Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall apply to all construction, extension or remodeling of buildings or structures except one- and two-family dwellings which shall be governed by the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and subsequent amendments listed in Sec. 5-212 of the Code of the City of Norman:

* * *

Sec. 5-101.1. Effect of conflicting provisions.

When any provision of this chapter conflicts with any other provision of this chapter, that provision which is the more specific or detailed shall control. When any provision of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 needs clarification or elaboration, the provisions of the 2009 International Building Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the ~~2008~~ 2011 National Electric Code, the 2009 International Fuel Gas Code, and the 2009 International Energy Conservation Codes as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall prevail.

* * *

Sec. 5-102. Inspections.

(a) When the framing of any building or structure is completed, when any rough electrical wiring or electrical installation work is completed, when any rough plumbing is completed, or when any air conditioning, heating or refrigeration system is initially installed, an inspection of that work shall be given by the Department of Planning and Community Development.

(b) No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.

(c) All work found to be faulty or incorrectly or defectively installed shall be corrected before any rough or final approval shall be given by an inspector, and when such has been corrected, notification for a reinspection shall then be given to the Department of Planning and Community Development.

(d) All inspections shall be made by the Department of Planning and Community Development within two (2) working days from the receipt of the notification for the inspection or reinspection.

(e) No work which is required to be inspected shall be covered over or covered up prior to that particular inspection, and any covering in place shall be removed upon the order of the inspector.

Sec. 5-103. Permits required; exceptions.

(a) Except as otherwise provided in subsection (b) of this section, no person shall engage in the following acts without having first obtained the necessary permits from the Department of Planning and Community Development:

(1) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances;

(2) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure;

(3) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk;

(4) The construction or repair of any off-site improvement within that area defined by the 2020 Plan;

(5) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.

(b) No permit is required under the following circumstances:

(1) (a) Where a public utility corporation installs electrical conductors or equipment in the generation, transmission, sale, or use of electrical energy as outlined in their franchises with the City.

(b) Where electrical equipment or apparatus is manufactured, tested, serviced, or repaired.

(2) (a) Where the ordinary interior alterations or repairs of buildings or structures do not exceed five hundred dollars ($500.00), such alterations or repairs do not include the removal of any portion of a stone, concrete, or brick wall, such alterations or repairs do not include the removal, change, or closing of any stairway or opening in an exterior wall, and such alterations or repairs do not include the alteration or removal of any house sewer, drainage system, soil waste or vent pipe, light or power wiring, or other structural change for which a permit is otherwise required.

(b) Where a storage building is constructed which does not exceed one hundred eight (108) square feet of area (measured by outside dimensions), such building is not constructed on or attached to a concrete slab, foundation or permanent base, and such building has no electric, plumbing or gas service connection.

(c) Where a building or other structure is moved which is less than thirteen and one-half (13½) feet in height when loaded, twelve (12) feet in width, and an overall of fifty (50) feet in length.

(3)(a)Where the construction, alteration, cutting, and changing of a portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley is under the direct supervision of the City Manager or his designee.

(b) Where such cutting or changing of a sidewalk is only for the repair of that sidewalk.

(4) Where an emergency construction or repair of an off-site improvement is necessary to protect the health and safety of the City inhabitants, and such construction or repair is made by a public utility or public service company; however, a permit is required after the commencement of that work.

* * *

Sec. 5-104. Permit fee schedule.

All fees within this section shall be doubled if the work is commenced before a permit is issued.

(a) The following building permit fees shall be charged:

(1) Demolition permit: First floor.....$20.00
Additional floors 12.50

(2) Storm or fallout shelter, swimming pools 25.00

(3) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings and parking structures, per square foot of project area 0.14

(4) One- and two-family dwellings, move-ins and mobile homes, per square foot of project area 0.14

(5) Newly constructed and additions or alterations to multifamily buildings, fraternities, sororities, per square foot of project area 0.14

(6) Newly constructed and additions or alterations to warehouses, industrial and manufacturing buildings, per square foot 0.14

(7) Newly constructed and additions or alterations to commercial buildings, office buildings, institutional per square foot.....0.14

(8) Newly constructed and additions or alterations to parking lots per square foot 0.14

(9) Foundation only permits .....50 percent of full permit or $1,000.00, whichever is less

(10)Minimum fee for subsections (3), (4), (5), (6), (7), (8), and (9) Above 20.00

(11)Water well permit 10.00

(12)Minimum fee for each extra inspection
or re-inspection 25.00

(13)Plan examination fee: Included in permit fee, collected at time of submittal as twenty (20) percent of full permit fee, but in no case less than fifty dollars ($50.00) nor more than four thousand dollars ($4,000.00). Plan examination fee is non-refundable.

(14)Earth change permit: (From Section 1005.2
of the City of Norman
Engineering Design Criteria).....100.00
plus $10.00 per acre

(15)Retaining wall permit fees:

(a) Retaining walls from two (2) feet in height
to less than three (3) feet in height 50.00

(b)Retaining walls three (3) feet in height
or more 75.00

(c) If the Builder/Contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a penalty of fifty dollars ($50.00) for each missed inspection will be incurred. Additionally, the Builder/Contractor will be required to provide documentation that the retaining wall was constructed per the permit. (From Section 1008.2 and 1008.3 of the City of Norman *Engineering Design Criteria*)

(b) The following air-conditioning, heating and refrigeration fees shall be charged:

(1) Class A refrigeration units per unit 185.00

(2) Class B refrigeration units per ton or hp 1.80

Minimum fee 57.50

(3) Class C refrigeration units per ton or hp 2.50

Minimum fee 17.50

(4) Class D refrigeration units, per unit 17.50

(5) Class E refrigeration units .....No charge

(6) Class WA-1 direct-fired system, per unit.....17.00

(7) Class WA-2 direct-fire system, per unit 16.50

(8) Class WA-3 direct-fired system, per unit 23.00

(9) Class HW-1 Hot water-heated air system, per unit 17.00

(10)Class HW-2 Hot water-heated air system, per unit 23.00

(11)Class EH-1 electric-heated air system, per unit 17.00

(12)Class EH-2 electric-heated air system, per unit.....16.50

(13)Class EH-3 electric-heated air system, per unit.....23.00

(14)Class EH-4 electric-heated air system, per unit 41.00

(15)Additions, alterations or repair of existing mechanical systems, per inspection 15.00
Minimum fee 25.00

(16)Minimum fee, each extra inspection or re-inspection 25.00

(c) The following electric permit fees shall be charged:
(1) Service size, general wiring:
a.125 amps or less 35.00
b.Over 125 amps, per 100 amps or fraction thereof 23.00
a. Mobile homes:
b. 100 amps 35.00
c.200 amps 53.00
(2) Mobile homes:
a. 100 amps 35.00
b. 200 amps 53.00
(3) Oil wells:
a.100 amps or less 35.00
b.Over 100 amps 53.00
(4) Additional charges for commercial building only:
a.Motors up to one (1) hp 1.00
b.Motors one (1) hp and over 2.00
c.Apparatus, such as air conditioners,

electric ranges, X-ray machines,
hot-water heaters, elevators and
other equipment requiring
special heavy-duty circuits 1.00
(5) Additions, alterations or repair
of existing electrical systems
per inspection 15.00
Minimum fee 25.00
Minimum fee for each extra inspection or
re-inspection 25.00

(d) The following plumbing permit fees shall be charged:
(1) Service size, general plumbing:
¾ inch.....35.00
1 inch 65.00
1 ½ inch 125.00
2 inch 215.00
3 inch 485.00
4 inch 725.00
2 inch 845.00
(2) Gas service size, general gas piping:
0—2-inch 17.50
2—3-inch 22.50
Over 3-inch 32.50
(2) Water service line, sewer service line
or gas service line repair or replacement 15.00
(3) Additions, alterations, or repair of existing
(4) plumbing systems per inspection 15.00
Minimum fee.....25.00
(5) Minimum fee, each extra inspection or
re-inspection 25.00

(e) The following off-site improvement fees shall be charged:
(1)The fee shall be either the minimum or
the sum of all inspection fees, whichever
is the greater amount:
a.The minimum charge 15.00
b.Cost of construction:
1.Up to $2,000.00 ..... 4.24%
84.00
2. Next $3,000.00 ($2,001.00 to
$5,000.00)..... 3.6%
108.00
3. Next $5,000.00 ($5,001.00 to
$10,000.00)..... 3.03%
$151.50

4. Next $15,000.00 ($10,001.00 to $25,000.00)..... 2.42%
363.00
5. Next $25,000.00 ($25,001.00 to $50,000.00) 1.82%
455.00
6. Over $50,000.00..... 1.21%

c. Installation of a new sidewalk and drive entrance for a single-family lot 15.00
d. Replacement of driveway or sidewalk 15.00
*There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.

e. Minimum fee for each extra inspection or additional re-inspection 25.00

(2) Franchised public utility companies, public service companies, all governmental entities, and the City shall be exempt from permit fees but not from acquiring permits and not from the responsibility for the repair and replacement of existing improvements in compliance with the then-in-force-and-effect standards and specifications of the Code of the City.

(f) Certificate of occupancy fees:

(1) Normal certificate of occupancy fees are included in permit fees and collected when permit is issued.

(2) Temporary certificate of occupancy fees are as follows:
a. $100.00 for each certificate for each residential unit; and
b. $250.00 for any permit other than residential permits.

(g) (1) An erosion control fee of eighty dollars ($80.00) shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than five hundred (500) square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than five hundred (500) square feet of new, additional impervious area; except that no fee shall be charged for residential building permits on lots larger than two (2) acres when the additional impervious area is less than five thousand (5,000) square feet. No fee shall be charged for any permit when no new, additional impervious area is created.

(2) Earth change permit fee is one hundred dollars ($100.00) plus ten dollars ($10.00) per acre for administration and inspection.

(h) Reinspection fees: If a builder or property owner requests assistance from a City of Norman Construction Inspector or Engineer in determining the following:

(1)Building pad elevation inspection;
(2) Sidewalk or driveway approach design inspection;
(3) Final Grading Design inspection;
(4) Retaining Wall Design inspection; or
(5) Any other similar activity that requires an on-site inspection, an inspection fee of $25.00 per inspection will be charged, which is due and payable before the "certificate of

Sec. 5-105. Permit fee waiver.

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State of Oklahoma and/or by the Mayor of the City of Norman, all building permit fees associated with such construction shall be waived according to the following limitations:

(a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
(b) The applicant must have been the owner of the structure(s) proposed to be rebuilt, at the time of the damage or destruction;
(c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without building permits and which has been cited as being in violation of building codes;
(d) The permits must be applied for within one (1) year of the natural disaster to be eligible for this fee waiver;
(e) All applicable fees required to be collected by the Oklahoma Uniform Building Code Commission are not waived.

Sec. 5-106. Penalties.

(a) Any person convicted of violating any provision of this chapter or of failing to comply with the rules and regulations enacted pursuant to this chapter shall be punished by a monetary fine of not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00), or by imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment.

(b) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense, and any one (1) or more of such offenses may be set out in any complaint or information filed.

Secs. 5-107—5-200. Reserved.

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§ 2. That Sections 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, and 5-210 of Article II of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended and Sections 5-213 and 5-214 shall be added as follows:

ARTICLE II. BUILDING CODE

Sec. 5-201. Adoption of the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and all amendments, additions, and deletions thereto as identified below:

(a) Except as otherwise provided in this article, the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2 (hereinafter referred to as the Building Code) is hereby incorporated into the Code of the City with the same force and effect as if fully set out in this subsection.

(b) The Building Code shall not become effective until at least three (3) copies thereof have been filed in the office of the City Clerk for examination by the public.

Sec. 5-202. Appendices to the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

Adoption includes ONLY the following Appendix:

~~(1) Appendix D regarding Fire Districts; and~~

(1)~~(2)~~ Appendix G regarding Flood-Resistant Construction.

Sec. 5-203. Amendments to the Building Code.

(a) Amend, delete or substitute within the following sections as indicated:

~~(1) Chapter 1 Add new "Section 101.2.2 Alternate materials, methods and equipment. The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation. The building official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations; interpret and implement the provisions of this code; secure the intent thereof and designate requirements applicable because of local climatic or other conditions. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding a proposed alternative";~~

~~(2) Chapter 1, Section 101.4.1, Electrical and all subsequent references replace *"ICC Electrical Code"* with *"2008 National Electrical Code"*;~~

~~(3) Chapter 1, Section 101.4.6 Fire prevention and all subsequent references – Replace *"International Fire Code"* with the *"1997 NFPA 1 Fire Prevention Code"*;~~

(1) Delete the Preamble referenced in Title 748:20-1-6 from the International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

(2)~~(4)~~Chapter 1, Section 103, DEPARTMENT OF BUILDING SAFETY and Section 103.1, Creation of enforcement agency – Replace "*Department of Building Safety*" with "*Development Services Division*";

(3)~~(5)~~ Chapter 1, Section 105.2 Building 1.- Replace "*120 square feet*" with "*108 square feet*" and delete reference to meters;

(4) ~~(6)~~ Chapter 1, Section 105.2 Building 2.- Replace "*6 feet high*" with *"8 feet high"*;

(5)~~(7)~~Chapter 1, Section 105.2 Building 4.- Delete retaining wall reference and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";

(6)~~(8)~~ Chapter 1, Section 110.3.5 ~~109.3.5~~ Delete "*Lath and gypsum board inspection"* and accompanying text and replace with *"Insulation inspection"*~~:~~. Insulation Inspections shall occur after Framing, Mechanical, Electrical, and Plumbing Rough In inspections are approved and before the installation of any wall coverings.";

(7)~~(9)~~ Chapter 12, INTERIOR ENVIRONMENT, – Add new "Section 1208.5 Urinal partitions. Each urinal utilized by the public or employees shall occupy a separate area with walls or partitions to provide privacy. The construction of such walls or partitions shall incorporate waterproof, smooth readily cleanable and nonabsorbent finish surfaces. The walls or partitions shall begin at a height not more than 12 inches from and extend not less than 60 inches above the finished floor surface. The walls or partitions shall extend from the wall surface at each side of the urinal a minimum of 18 inches or to a point not less than 6 inches beyond the outermost front lip of the urinal measure from the finished back wall surface, whichever is greater. Exceptions: 1. urinal partitions shall not be required in a single occupant or unisex toilet room with a lockable door. 2. Toilet rooms located in day care and child care facilities and containing two or more urinals shall be permitted to have one urinal without partitions.";

(8)~~(10)~~Chapter 12, INTERIOR ENVIRONMENT, – Add new "**Section 1208.6 Water closets, urinals, lavatories and bidets.** A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches from its center to any

side wall, partition, vanity or other obstruction, or closer than 30 inches center-to-center between adjacent fixtures. There shall be at least a 21-inch clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches wide and 60 inches deep. (see Figure 405.3.1 of the IPC).";

~~(11) Chapter 27, ELECTRICAL Sections 2701 General through Section 2702.3 Maintenance – Replace all instances of *ICC Electrical Code"* with *"2002 2008 National Electrical Code"* and replace all instances of *International Fire Code* with *1997 NFPA 1 Fire Prevention Code;*~~

(9)~~(12)~~ Chapter 29, PLUMBING SYSTEMS, Section 2901.1 Scope – Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(10) Chapter 29, PLUMBING SYSTEMS, Section 2902.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."

~~(13) Chapter 29, PLUMBING SYSTEMS, Table 2902.1 "Minimum Number of Required Plumbing Fixtures". After footnote "d", add, " e. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a drinking fountain is not required, so long as some means is documented to provide drinking water to the occupants" and add " f. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a service sink is not required, so long as an alternative sink is provided with both a bowl size of at least 16" x 16" x 9" deep and a goose neck, swiveling faucet.";~~

(11) Chapter 29, PLUMBING SYSTEMS, Section 2902.2 Separate facilities – add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

~~(14) Chapter 31 and Chapter 9 – Replace all references to *"International Fire Code"* with *"1997 NFPA 1 Fire Prevention Code";~~

(12)~~(15)~~Chapter 31, Section 3106 MARQUEES, Section 3106.1 General- Add "All marquees shall require a Consent to Encroach approval by the City Council";

(13)~~(16)~~Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, Section 3202.3 Encroachments 8 feet or more above grade- Add "Except for awnings and canopies, no encroachment shall be allowed without a Consent to Encroach approval by the City Council.";

(14)~~(17)~~Chapter 33, SAFEGUARDS DURING CONSTRUCTION, Section 3306 Protection of Pedestrians, Section 3306.2 Walkways – Add "A permit must be obtained for all such walkways from the Department of Public Works."

(15)~~(18)~~Chapter 34, EXISTING STRUCTURES, [EB] Section 3401 General, Section 3401.3 Compliance with other Codes- Replace ~~*"International Fire Code"* with the *"1997 NFPA 1 Fire Prevention Code"* and~~ *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality"* ~~and *"ICC Electrical Code"* with *"2008 National Electrical Code"*;~~

(16)~~(19)~~Chapter 34, EXISTING STRUCTURES, [EB] Section 3403 Additions, Alterations or Repairs- Add at end of Section 3403.1 "The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding the proposed alternative."; and

(17)~~(20)~~Chapter 34, EXISTING STRUCTURES, Section 3412.2 ~~3410.2~~ Applicability –Delete "on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma [OR, ANY DATE MAY BE INSERTED BY A JURISDICTION THAT HAS THE LEGAL RIGHT TO DO SO, SUCH AS BUT NOT LIMITED TO COUNTIES AND MUNICIPALITIES] " ~~Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION], and add "Existing structures, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407."~~

Sec. 5-204, 5-205. Reserved.

Sec. 5-206. Reserved.

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Sec. 5-207. Adoption of the ~~2006~~ 2009 International Mechanical Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY Appendix A regarding Combustion Air Openings and Chimney Connector Pass-Throughs;

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-13-6 from the International Mechanical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2)~~(1)~~ Chapter 3, Section 306.3 Appliances in attics. Exception 2 Delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(3)~~(2)~~ Chapter 5, Section 504.6.1 Domestic clothes dryer ducts – After 504.6.1 ~~"Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish."~~ insert "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

(a) The duct shall be installed under a concrete slab poured on grade;

(b) The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel;

(c) The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface;

(d) The PVC duct shall extend not greater than 1 inch above grade outside of the building; or

(e) The PVC ducts shall be solvent cemented".

Sec. 5-208. Adoption of the ~~2006~~ 2009 International Plumbing Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY the following Appendices:

(1) Appendix B regarding Rates of Rainfall for Various Cities;

(2) Appendix C regarding Gray Water Recycling Systems;

(3) Appendix D regarding Degree Day and Design Temperatures;

(4) Appendix E regarding Sizing of Water Piping System;

(5) Appendix F regarding Structural Safety; and

(6) Appendix G regarding Vacuum Drainage System.

(b) Amend~~:~~ delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-15-6 from the International Plumbing Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 2, DEFINITIONS, Section 202 GENERAL DEFINITIONS – add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance.";

(3)~~(1)~~ Chapter 3, GENERAL REGULATIONS, Section 312, Section 312.6 Gravity sewer test – Replace "public sewer" with "location of the building clean out.";

(4) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less.";

~~(2) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403, Table 403.1 "Minimum Number of Required Plumbing Fixtures". After footnote "d", add, " e. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a drinking fountain is not required, so long as some means is documented to provide drinking water to the occupants" and add " f. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a service sink is not required, so long as an alternative sink is provided with both a bowl size of at least 16" x 16" x 9" deep and a goose neck, swiveling faucet." ;~~

(5) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.2 Separate facilities –add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less.";

(6)~~(3)~~ Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 419 URINALS, Section 419.1 After CSA B45.5. Add "When a waterless urinal is installed, the installer is obligated to install a properly sized water line to each urinal location which could later be used for a water supplied urinal.":

(7)~~(4)~~Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 424 FAUCETS AND OTHER FIXTURE FITTINGS, Section

424.5 after "tub/shower valve in accordance with Section 424.3" add "Exception: One and Two-Family Dwellings".

Sec. 5-209. Adoption of the ~~2008~~ 2011 National Electric Code –NFPA 70 as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-9-6 Article 90 from the National Electrical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) ~~(1)~~Chapter 1, General, Article 110.5 Conductors – Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.";

(3)~~(2)~~ Chapter 2, Wiring and Protection, Article 210.4(B) Disconnecting Means. Delete all text in the section and replace with "Where a multi-wire branch circuit supplies more than one device or equipment on the same yoke, a means shall be provided to disconnect simultaneously all ungrounded conductors supplying those devices or equipment at the point where the branch circuit originates;

(4)~~(3)~~Chapter 2, Wiring and Protection, Article 210.8(A)(3) Outdoors - expand exception provided in Article 426 by adding "as well as, exterior receptacles for outside holiday lighting, so long as the minimum height above adjoining ground area is 7 feet";

~~(4) Chapter 2, Wiring and Protection, Article 210.12 Arc-Fault Circuit Interrupter Protection. (B) All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms, shall be protected by a listed arc-fault circuit interrupter, combination-type, installation to provide protection of the branch circuit.;~~

(5) Chapter 2, Wiring and Protection, Article 210.23 (A) 15- and 20 Ampere Branch Circuits- add section "(A) (3) Dwelling Occupancies. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52 (B)(3) and 210.52 (C) shall not exceed 5.;

(6) Chapter 2, Wiring and Protection, Article 230.70 (A)(1) Location. Add "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(7) Chapter 3, Wiring Methods and Materials, Article 312 Add "312.8~~(A)~~ (4) Mounting Height. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.";

(8) Chapter 3, Wiring Methods and Materials, Article 334.10 Uses Permitted ~~In (1), after "One- and two-family dwellings" add "and their accessory structures" and~~ delete all of (3) and (4).

~~(9) Chapter 4, Equipment for General Use, Delete Article 406.11.~~

Sec.5-210. Adoption of the ~~2006~~ 2009 International Fuel Gas Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes all of the Appendices, which are:

(1) Appendix A regarding Sizing and Capacities of Gas Piping;

(2) Appendix B regarding Sizing of Venting Systems serving Appliances equipped with Draft Hoods, Category 1 Appliances, and Appliances listed for Use and Type B Vents; and

(3) Appendix C regarding Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-11-6 from the International Fuel Gas Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2)~~(1)~~Chapter 3, GENERAL REGULATIONS, Section 305 INSTALLATION, Section 305.3 Elevation of ignition source. After "above the floor" add "surface on which the equipment or appliance rest";

(3)~~(2)~~Chapter 3, GENERAL REGULATIONS, Section 306 ACCESS AND SERVICE SPACE, Section 306.3 Appliances in attics. Exception: 2 delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

~~(3) Chapter 4, GAS PIPING INSTALLATIONS, Section 404 PIPING SYSTEM INSTALLATION, Section 404.9 Minimum burial depth – Replace "12 inches" with "18 inches".~~

Sec. 5-211. Adoption of the 2006 International Energy Conservation Code and the Appendix.

Sec. 5-212. Adoption of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.

(a) Adoption includes ONLY the following Appendices:
  (1) Appendix E regarding Manufactured Housing used as Dwellings;
  (2) Appendix G regarding Swimming Pools, Spas and Hot Tubs; and
  (3) Appendix K regarding Sound Transmission.

(b) Amend, delete or substitute within the following sections as indicated:
  (1) Delete the preamble referenced in Title 748:20-5-5 from the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.
  (2) Chapter 1, Section R102.7 Existing Structures Delete *"International Fire Code" and* all subsequent references and replace with *"1997 1 NFPA Fire Prevention Code"*;
  (3) Chapter 1, Section R103 DEPARTMENT OF BUILDING SAFETY and Section R103.1, Creation of enforcement agency—Replace *"Department of Building Safety"* with *"Development Services Division"*;
  (4) Chapter 1, Section R104.10.1 Areas prone to flooding—Delete "granting of a variance to such provisions by the board of appeals" and replace with "prior issuance of a Flood Plain Permit by the City of Norman Flood Plain Committee.";
  (5) Chapter 1, Section R105.2 Building: 1-Replace *"200 square feet"* with *"108 square feet"* and delete reference to meters;
  (6) Chapter 1, Section R105.2 Building: 2—Replace *"6 feet high"* with *"8 feet high."*;
  (7) Chapter 1, Section R105.2 Building: 3—Delete retaining wall sentence and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";
  (8) Chapter 1, Section R105.2 Building 5—Delete this section, Sidewalks and driveways.
  (9) Chapter 1, Section R105.3.1.1—Substantially improved or Substantially damaged existing buildings in areas prone to flooding—Delete reference to "Table R301.2(1)" and replace with "the City of Norman adopted flood hazard maps" and delete the reference to the "board of appeals" and replace with "the City of Norman Flood Plain Committee";
  (10) Chapter 1, Section R105.7 Placement of permit—Add at the beginning of sentence "For additions and alterations only";

(11)Chapter 1, add new R106.2.1 Landscape Requirements for One- and Two-Family Dwellings.

(a) As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, at least one tree must be planted on each lot designated for single-family or two-family use before a Certificate of Occupancy is issued.

(b) For lots larger than 10,000 square feet, two trees are required. One tree must be planted within the designated planting location and the other tree may be placed at any location on the lot. (Refer to Exhibits A—Traditional Utility Layout or B—Optional Utility Layout.) In no case will more than two trees be required.

(c) Corner lots require one tree per street frontage in accordance with the sight triangle specifications (refer to Exhibit C—Tree Location for Typical Corner Lot). If all of either street frontage is eliminated by the site triangle restrictions, the tree for that frontage may be placed at any location on the lot.

(d)Trees must be selected from a list approved by the City Forester (Refer to Exhibit D—City of Norman Approved Street Tree List) and be at least 2" caliper (diameter measured 6" above ground level). Species identification tags shall remain on the tree(s). As indicated in (b) above, there are two utility layouts that may be utilized to design a subdivision. It is the developer's option to choose either alternative. In subdivisions where utilities are designed in accordance with Exhibit A (no trees between sidewalk and street), the tree must be planted in the front yard of the lot within five feet of the sidewalk. In subdivisions where utilities are designed in accordance with Exhibit B (allows for trees between sidewalk and street), the preferred location for tree planting is midway between the curb and sidewalk. Said Exhibits are incorporated herein and made a part hereof and are on file in the office of the City Clerk.

(e) If planting conditions or weather would adversely affect the health of the tree(s), a paid receipt from the installer indicating the type of tree(s) purchased and projected planting date shall be provided to the City of Norman and a permanent Certificate of Occupancy can be issued.

(f) Trees that are planted within the right-of-way or front yard can be replaced if dead or diseased by the Property Owners/Homeowners Association if appropriate covenants have been enacted that grant maintenance responsibility to the association. Otherwise the trees are the responsibility of the property owner. Dead or diseased trees in poor condition should be replaced by the property owner.

(12) Chapter 1, Section R106.5—Retention of construction documents—Replace "construction documents" with "floor and site plans";

(13) Chapter 1, Section R109.1.4 Frame and masonry inspection—Delete "masonry" in title and text;

(14) Chapter 1—Add new "R109.1.5.2 Insulation inspection. Insulation inspection shall be made after the framing inspection but prior to installing wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.";

(15) Chapter 1, Section 109.3 Inspection requests—Add "safe" in front of "access.";

(16) Chapter 1, Section R110.1 Use and occupancy—Delete Exception 2. "Accessory buildings and structures.";

(17) Chapter 1, Section R112 Board of Appeals—Delete Sections R112.2.1 and R112.2.2;

(18) Chapter 2, DEFINITIONS, Section R202 FIRE SEPARATION DISTANCE add—"Permanent "No Build" easements, which identify an area relative to adjoining property lines and are filed as permanent easements with the Cleveland County Clerk, may be considered when determining the fire separation distance.";

(19) Chapter 3, BUILDING PLANNING, Table R301.2(1) fill in blanks for Norman as "Ground Snow Load 10, Wind Speed 90 miles per hour, Topographic effects No, Seismic Design Category C, Weathering moderate, Frost Depth 12 inches, Termite moderate to heavy, Winter Design Temperature 13 degrees Fahrenheit, Ice barrier underlayment required No, Flood Hazard see FIRM maps, Air freezing Index 300, Mean Annual Temperature 61.3 degrees Fahrenheit", Add after footnote k "1. Bottom of footing to be at 18" below grade." place "1" after Frost Line depth in the table';

(20) Chapter 3, Section R301 Design Criteria, Table R301.5 footnote b. After "the plane of the truss." Add ", or the space is more than 10 feet from the point of entry to the attic space and no provision for attic storage is installed.";

(21) Chapter 3, Section R302 Fire-Resistant Construction, Replace Table R302.1 with the following Amended R302.1 Table.

"AMENDED TABLE R302.1 EXTERIOR WALLS"

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	0 feet
	(Not fire-resistance	0 hours	> 3 feet

	rated)		
Projections	(Fire-resistance rated)	1 hour on the underside	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Openings	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	> 3 feet
Penetration	ALL	Comply with Section R302.4	< 3 feet
		None Required	> 3 feet

(22) Chapter 3, Section R302 Exterior Wall Location, R302.1 "Exceptions" add "Exception 6—Open metal carport structures may be constructed within zero (0) feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.";

(23) Chapter 3, Section R303.3 Bathrooms—Add at end of paragraph, "Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces." ALSO, at end of Exception, add "Attic spaces are not considered outside for purposes of ventilation.";

(24) Chapter 3, Section R311.7.4.3 Delete entire Section and replace with the following. "Open risers. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter sphere. Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches or less.";

(25) Chapter 3, Section R314.3.1 Alterations, repairs and additions. Exception 2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section. Add the word "electrical" after "repairs of."

(26) Chapter 4, Section R403 Footings, Section R403.1 General—Add "Exception: Temporary buildings and unoccupied buildings not exceeding one story in height and 400 square feet in area shall be exempt from these requirements.";

(27) Chapter 4, Section R403 Footings Amend Figure R403.1(1) to require a minimum of 2, #4 steel bars in all footings;

(28) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.1.2.2 Add at end of section "In all cases Concrete and Masonry Foundation Walls or slabs, if placed directly to the footing, are to be attached to its footing with a minimum #3 vertical steel bar imbedded a minimum 12" into both the footing and the foundation wall and placed 6' o.c. and at every corner.";

(29) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.4 Delete Entire Section;

(30) Chapter 6 Wall Construction, Table R602.3.1, Delete text in footnote b. and Replace with "Studs to be laterally braced by a minimum ceiling joists, floor joists, or a ledger or beam holding ceiling or floor members."

(31) Chapter 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS, Section M1305 APPLIANCE ACCESS, M1305.1 Appliance access for inspection service, repair and replacement—After "30 inches deep and 30 inches wide" add "and at least the height of the front of the appliance";

(32) Chapter 13 General Mechanical System Requirements, Section M1305 Appliance Access, M1305.1.3 Appliances in attics. Exception: 2 delete "the passageway shall be not more than 50 feet (1520 mm) in length." And replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(33) Chapter 15, Section M1502 CLOTHES DRYER EXHAUST, M1502.4.1 add "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

i. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.

ii. The underfloor trench in which the duct is installed shall be completely backfilled with sand or gravel.

iii. The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface.

iv. The PVC duct shall extend not greater thant 1 inch above grade outside of the building.

v. The PVC ducts shall be solvent cemented";

(34) Chapter 24, Fuel Gas, Section G2408 INSTALLATION, Section G2408.2 Elevation of ignition source. After "above the floor" Add "surface on which the equipment or appliance rest";

(35) Chapter 24, Fuel Gas, Section G2415 PIPING SYSTEM INSTALLATION, Section G2415.10 Minimal burial depth—Replace "12 inches" with "18 inches";

(36) Chapter 25 Plumbing Administration, Section P2503 Inspection and Tests, Section P2503.4 Building sewer testing—Delete "When required by local authority having jurisdiction," and Replace "public sewer" with "location of the building clean out,";

(37) Chapter 27 PLUMBING FIXTURES, Section P2713 BATHTUBS, delete Section P2713.3 Bathtub and whirlpool bathtub valves;

(38) Chapter 28 WATER HEATERS, Section P2803.6.1 Item 5. Replace text in Item 5 with "Discharge to an approved waste receptor or to the outdoors."

(39) Chapter 34, Electrical General Requirements, Section E3406 Electrical Conductors and Connections, Section E3406.2 Conductor material—Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes.";

(40) Chapter 36 Services, Section E3601 General Services, Section E3601.6.2 Service disconnect location - Add at the end of paragraph "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(41) Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, Section E3702 BRANCH CIRCUIT RATINGS, Section E3702.3 Fifteen- and 20-ampere branch circuits—Add at the end of the paragraph "Dwelling unit receptacle outlets installed in accordance with E3901.1 and lighting outlets installed in accordance with E3903.1 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed 5.";

(42) Chapter 39 Section E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection, Section E3902.3 Outdoor receptacles - expand exception provided in Section E4101.7 by adding "as well as, exterior receptacles for outside holiday lighting so long as the minimum height above adjoining ground area is 7 feet.";

(43) Chapter 39, Section E3902 GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION, Section E3902.7 Laundry, utility, and bar sink receptacles. Add "Exception: A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord and plug connected.";

(44) Chapter 39 Section E3907 CABINETS AND PANELBOARDS, Add Section 3907.9 Mounting Height. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.;

(45) Chapter 42 SWIMMING POOLS, Section 4206 EQUIPMENT INSTALLATION, Section 4206.5.1 Servicing. After "other maintenance" Add "unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches.";

(46) Appendix G Section AG105 BARRIER REQUIREMENTS, Replace the text in Section AG105.2 Outdoor swimming pool -4. with "Where the barrier is composed of horizontal and vertical members and the distance between the tops of the two lowest horizontal members is less than 45

inches (1143 mm), then spacing between vertical members shall not exceed 1¾ inches (44 mm) in width, and any horizontal members shall have a nominal depth of no more than 1¾ inches (44mm) so as not to create a foothold. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches (44 mm) in width.

Sec.5-213 Adoption of the 2009 International Existing Building Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-7-6 from the International Existing Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Sec.5-214 Adoption of the 2009 International Fire Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-3-6 from the International Fire Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

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

ADOPTED this _____day of

_____, 2013.

_____

(Mayor)

NOT ADOPTED this _____day of

_____, 2013.

_____

(Mayor)

ATTEST:

_____

(City Clerk

City of Norman, OK

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

Master

File Number: AP-1314-10

File ID:	AP-1314-10	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/04/2013
File Name:	appointments			**Final Action:**	

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

BOARD OF ADJUSTMENT
TERM: 10-22-13 TO 12-22-14: TODD MARPLE, 412 FLINT RIDGE COURT

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 10-27-13 TO 10-27-16: CORSON HIRSCHFELD, 8301 EAST CEDAR LANE
TERM: 10-27-13 TO 10-27-16: LINDA GOERINGER, 824 SOUTH FLOOD AVENUE
TERM: 10-27-13 TO 10-27-16: AARON PILAT, 1624 CRESTMONT AVENUE

HISTORIC DISTRICT COMMISSION
TERM: 10-26-13 TO 10-26-16: CHESLEY POTTS, 1201 WOODLAND DRIVE
TERM: 10-26-13 TO 10-26-16: LOY MACARI, 507 CHAUTAUQUA AVENUE
TERM: 10-26-13 TO 10-26-16: SCOTT WILLIAMS, 614 SOUTH LAHOMA AVENUE

PUBLIC ARTS BOARD
TERM: 10-23-13 TO 10-23-16: JONATHAN FOWLER, 422 PARK DRIVE

Notes: ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 8

Attachments: Text File Appointments

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-1314-10

Body

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Todd Marple will fill the unexpired vacancy left by Margaret Farmer who has resigned; Corson Hirschfeld will replace Charles Sever; and Linda Goeringer, Aaron Pilat, Chelsey Potts, Loy Macari, Scott Williams, and Jonathan Fowler are reappointments.

City of Norman, OK

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

Master

File Number: RPT-1314-13

File ID:	RPT-1314-13	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	09/30/2013
File Name:	Finance Director's Investment Report			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2013, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 9

Attachments: Text File Finance Report, Finance Director's Investment Report September 2013

Project Manager: Anthony Francisco, Finance Director

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-13

DATE: 02-Oct-13

TO: City Council

FROM: Anthony Francisco, Director of Finance
REVIEWED BY: Clint Mercer, Chief Accountant
PREPARED BY: Debbie Whitaker, Municipal Accountant III

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE14	MONTHLY INTEREST EARNINGS September 2013	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE14	INTEREST EARNINGS YTD FYE14	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$3,333	$1,238	-62.87%	3.24%	$40,000	$2,612	-93.47%	2.13%
NET REVENUE STABILIZATION	N/A	$640	100.00%	1.68%	N/A	$1,816	100.00%	1.48%
PUBLIC SAFETY SALES TAX FUND	$4,167	$3,444	100.00%	9.02%	$50,000	$10,644	100.00%	8.69%
ROOM TAX FUND	$125	$143	14.18%	0.37%	$1,500	$428	-71.47%	0.35%
CAPITAL PROJECTS FUND	$12,500	$8,650	-30.80%	22.65%	$37,500	$25,771	-31.28%	21.04%
SINKING FUND	$2,083	$2,653	27.32%	6.95%	$6,250	$8,511	36.18%	6.95%
G.O. BOND FUND	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
WESTWOOD FUND	$625	-$4,229	-776.69%	-11.08%	$1,875	-$4,118	-319.61%	-3.36%
WATER FUND	$10,000	$6,773	-32.27%	17.74%	$30,000	$20,229	-32.57%	16.52%
WASTEWATER FUND	$4,167	$3,362	-19.31%	8.80%	$50,000	$10,213	-79.57%	8.34%
DEVELOPMENT EXCISE	$16,667	$5,225	-68.65%	13.68%	$50,000	$15,611	-68.78%	12.75%
SEWER SALES TAX	N/A	$2,542	100.00%	6.66%	N/A	$7,608	100.00%	6.21%
SANITATION FUND	$2,500	$2,293	-8.26%	6.01%	$7,500	$6,381	-14.93%	5.21%
PARKLAND FUND	$1,250	$432	-65.47%	1.13%	$3,750	$1,281	-65.84%	1.05%
RISK MANAGEMENT FUND	N/A	$488	100.00%	1.28%	N/A	$1,464	100.00%	1.20%
TRUST & AGENCY FUNDS	N/A	$2	100.00%	0.01%	N/A	$6	100.00%	0.01%
TAX INCREMENT DISTRICT	$1,458	$3,487	139.11%	9.13%	$17,500	$10,793	100.00%	8.81%
SPECIAL GRANTS FUND	N/A	$583	100.00%	1.53%	N/A	$1,836	100.00%	1.50%
CLEET FUND	N/A	$7	100.00%	0.02%	N/A	$24	100.00%	0.02%
HOUSING	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$17	100.00%	0.04%	N/A	$50	100.00%	0.04%
ARTERIAL ROAD FUND	N/A	$189	100.00%	0.50%	N/A	$564	100.00%	0.46%
SEIZURES	$42	$248	494.43%	0.65%	$125	$762	509.42%	0.62%
	$58,917	$38,186	-35.19%	100.00%	$296,000	122,488	-58.62%	100.00%

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of $161.55 million as of 09/30/13 are represented by working capital cash balances of all City funds of approximately $77.88 million, outstanding encumbrances of $33.26 million, General Obligation Bond proceeds of $33.87 million, NUA revenue bond proceeds of $8.18 million, NMA bond proceeds of $804 thousand, and UNP TIF reserve amounts of $7.56 million.

INVESTMENT BY TYPE

September 30, 2013

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	GEN'L DEP.			0.20%	$40.68	$247,536.11	$247,536.11
BANK OF OKLAHOMA	GEN'L DEP.			0.15%	$2,847.92	$35,547,254.54	$35,547,254.54
BANK OF OKLAHOMA	WARRANTS PAYABLE					($2,169,098.55)	($2,169,098.55)
BANK OF OKLAHOMA	PAYROLL					($2,399,855.57)	($2,399,855.57)
BANK OF OKLAHOMA	COURT BOND REFUNDS					$221,806.76	$221,806.76
BANK OF OKLAHOMA	INSURANCE CLAIMS					($305,087.48)	($305,087.48)
BANK OF OKLAHOMA	LOCK BOX					$1,740,153.91	$1,740,153.91
BANK OF OKLAHOMA	FLEXIBLE SPENDING					$9,289.66	$9,289.66
**Subtotal					$2,888.60	$32,891,999.38	$32,891,999.38
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$4.15	$1,042,834.50	$1,042,834.50
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$17.05	$520,547.82	$520,547.82
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	($4,296.22)	$283,635.61	$283,635.61
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$37.73	$7,137,733.80	$7,137,733.80
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	$12.89	$7,155,074.67	$7,155,074.67
REPUBLIC BANK UNP TIF	MONEY MKT.			0.30%	$94.19	$409,379.85	$409,379.85
FIRST FIDELITY	MONEY MKT.			0.25%	$66.88	$0.00	$0.00
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$1.26	$14,944.94	$14,944.94
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$25.89	$262,048.91	$262,048.91
BANK OF OKLAHOMA- 2008A	MONEY MKT.			0.15%	$47.96	$583,591.54	$583,591.54
BANK OF OKLAHOMA-2008B	MONEY MKT.			0.15%	$59.22	$669,161.11	$669,161.11
BANK OF OKLAHOMA-2012A	MONEY MKT.			0.15%	$22.93	$278,941.73	$278,941.73
BANK OF OKLAHOMA-2012B	MONEY MKT.			0.15%	$1,115.02	$13,413,946.26	$13,413,946.26
BANK OF OKLAHOMA-2012C	MONEY MKT.			0.15%	$224.95	$2,737,104.84	$2,737,104.84
BANK OF OKLAHOMA-2012D	MONEY MKT.			0.15%	$633.66	$16,184,751.28	$16,184,751.28
**Subtotal					($1,932.44)	$50,693,696.86	$50,693,696.86
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$498,469.12	$498,469.12
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/12	09/30/13	0.30%	$62.50	$250,000.00	$250,000.00
GREAT NATIONS BANK	CD	09/30/12	09/30/13	0.65%	$135.42	$250,000.00	$250,000.00
VALLIANCE BANK	CD	11/30/12	11/30/13	0.45%	$93.54	$250,000.00	$250,000.00
**Subtotal					$291.46	$750,000.00	$750,000.00
**U.S. Treasury Securities/Agency Securities							
FFCB	31331KET3	05/20/11	09/23/13	0.80%	2,561.29		
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,111.68	7,500,000.00	$7,507,275.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	951.79	2,000,000.00	$2,012,520.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,299.34	3,500,000.00	$3,549,910.00
FHLB	313379SK6	08/31/12	07/02/14	0.40%	1,123.21	4,500,000.00	$4,508,775.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,345.11	3,000,000.00	$3,033,540.00
FFCB	3133EC5G5	11/29/12	11/26/14	0.25%	572.48	2,500,000.00	$2,501,325.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	476.67	1,000,000.00	$1,014,940.00
US T-Note	912828SK7	03/28/13	03/15/15	0.25%	1,357.51	6,500,000.00	$6,515,470.00
FFCB	3133EANJ3	05/31/12	05/01/15	0.50%	2,248.29	5,500,000.00	$5,517,215.00
FHLB	3133XWNB1	08/30/12	06/12/15	2.70%	1,154.22	3,170,000.00	$3,304,820.10
FNMA	3135G0LN1	05/31/12	07/02/15	0.50%	2,660.25	5,500,000.00	$5,514,850.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,077.50	2,500,000.00	$2,573,950.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,729.16	2,000,000.00	$2,062,660.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	1,822.92	3,500,000.00	$3,510,675.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	1,742.57	3,000,000.00	$3,097,680.00
US T-Note	912833KG4	06/27/13	02/15/16	0.61%	996.88	2,000,000.00	$1,978,860.00
FHLB	313771AA5	03/28/13	06/13/16	0.52%	1,316.83	2,500,000.00	$2,814,300.00
FNMA	3135G0ES8	05/31/12	11/15/16	1.30%	3,014.82	4,250,000.00	$4,320,805.00
FNMA	31359M2D4	12/24/12	12/15/16	4.88%	1,550.78	2,800,000.00	$3,154,256.00
FFCB	3133ECFN9	06/27/13	02/21/17	1.11%	1,838.25	2,000,000.00	$1,988,820.00
FFCB	3133ECT79	06/27/13	03/01/17	1.10%	1,845.55	2,000,000.00	$2,002,900.00
FNMA	3136G0VZ1	09/30/13	08/17/17	1.39%	41.67	2,000,000.00	$1,990,840.00
FNMA	3135G0NR0	09/30/13	08/28/17	1.37%	61.11	2,000,000.00	$1,983,740.00
FHLMC	3134G3C40	09/30/13	08/28/17	1.31%	38.18	1,500,000.00	$1,472,865.00
**Subtotal					36,938.06	76,720,000.00	$77,932,991.10
TOTAL					38,185.68	161,554,165.36	$162,767,156.46

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

City of Norman, OK

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

Master

File Number: RPT-1314-23

File ID:	RPT-1314-23	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	09/30/2013
File Name:	Monthly Dept Report September 2013			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2013, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 10

Attachments: Text File Monthly Report, Monthly Report September 2013

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-23

City of Norman, OK

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

Master

File Number: RPT-1314-24

File ID:	RPT-1314-24	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**	$19,334.00	**File Created:**	10/01/2013
File Name:	City Manager's Change Order Report			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 11

Attachments: Text File Change Order Report, Memo Change Order, Change Order Urban Contractors

Project Manager: Brenda Hall, City Clerk

Entered by: Elien.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-24

Body

INFORMATION: City Council, in its meeting of November, 8, 2011, adopted Resolution No. R-1112-55 delegating administrative authority to the City Manager or his designee, at his discretion, to approve change order requests that result in adjustments up to forty thousand dollars ($40,000) or 10% of any contract, whichever is less.. The resolution also required that the administrative approvals of change orders be reported to the City Council with the City Manager's Weekly Report and at the next regularly scheduled Council meeting and then filed with the original contract in the permanent records of the City Clerk. The Norman Utilities Authority (NUA) approved Contract No. K-1213-88 with Urban Contractors, L.L.C., in the amount of $2,774,200 on June 11, 2013, for the Sewer Maintenance Project FYE 2011. During pipe bursting operations, a failed storm sewer was discovered under the parking lot of Bishops Landing Apartments located at 333 East Brooks Street and on the same sewer line, an eight-inch water main was found that conflicted with the required alignment of the proposed sewer main replacement. Materials were furnished by the Line Maintenance Division. Upon initiating the water line excavation, existing damage to the water line was discovered which required more excavation for sufficient water line replacement. Change Order No. One to Contract No. K-1213-88 increases the contract amount by $19,334 for a revised contract amount of $2,793,534 has been approved by the City Manager to pay for these unforeseen cost.

office memorandum

DATE: September 9, 2013

TO: Steve Lewis, City Manager

THROUGH: Kenneth Komiske, Director of Utilities

FROM: Charlie Thomas, Capital Projects Engineer

SUBJECT: Sewer Maintenance Project FYE 2011, Proposed Change Order #1

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. On June 11, 2013, the Norman Utilities Authority (NUA) approved Contract Number K-1213-88 with Urban Contractors, LLC (Urban) in the amount of $2,774,200 to provide construction services for the line replacements.

DISCUSSION: Construction began July 1, 2013, in the vicinity of Page and Brooks, just east of the University of Oklahoma (OU). As with any project of this scope, field adjustments and modifications were necessary. At Bishops Landing Apartments on Brooks Street, during pipe bursting operations, we discovered a large void adjacent to the work. See photo as Attachment A

Further investigation revealed a failed storm sewer under the parking lot and dangerously close to one of the apartment buildings. In consultation with Public Works, staff asked and Urban agreed to assist in repair of the damage.

Using Urban's video unit for visual reference and guidance, about seven (7) cubic yards of flowable fill were pumped into the void, and Urban grouted the joints of the storm sewer. The price shown for flowable fill in proposed Change Order No. 1 (CO1) includes use of Urban's TV/Video truck and labor to enter the line for grouting of pipe joints. Upon completion of the sanitary sewer replacement and the storm sewer repair, the surface damage was restored to an equivalent pre-construction condition, including paving cost as shown in CO1.

On the same sewer line, we discovered an existing eight inch (8") water main which directly conflicted with the required alignment of our proposed sewer main replacement. Again staff asked, and Urban agreed to assist us with relocating the conflicting water line. The materials were furnished by Line Maintenance Division. Upon initiating the water line excavation, existing damage to the line was discovered, which required more excavation for sufficient water line replacement. The CO1 lump sum amount of $5,390 includes almost a week of unforeseen labor and equipment. The location of the relocation and repair, on Brooks Street, required Traffic control, plus the remaining items, sidewalk, curb and street restoration and replacement.

Staff believes that the proposed change order in the amount of $19,334 is reasonable and recommends approval for the additional work. The proposed time increase of eighteen (18) days for the extra work includes a few days of delays awaiting City decisions and direction. Approximately $138,319 is available in Sewer Maintenance Project FYE11 construction account 321-9338-432.61-01 (WW0064), which is sufficient to fund the change order.

Attachments: Picture and Change Order No. 1

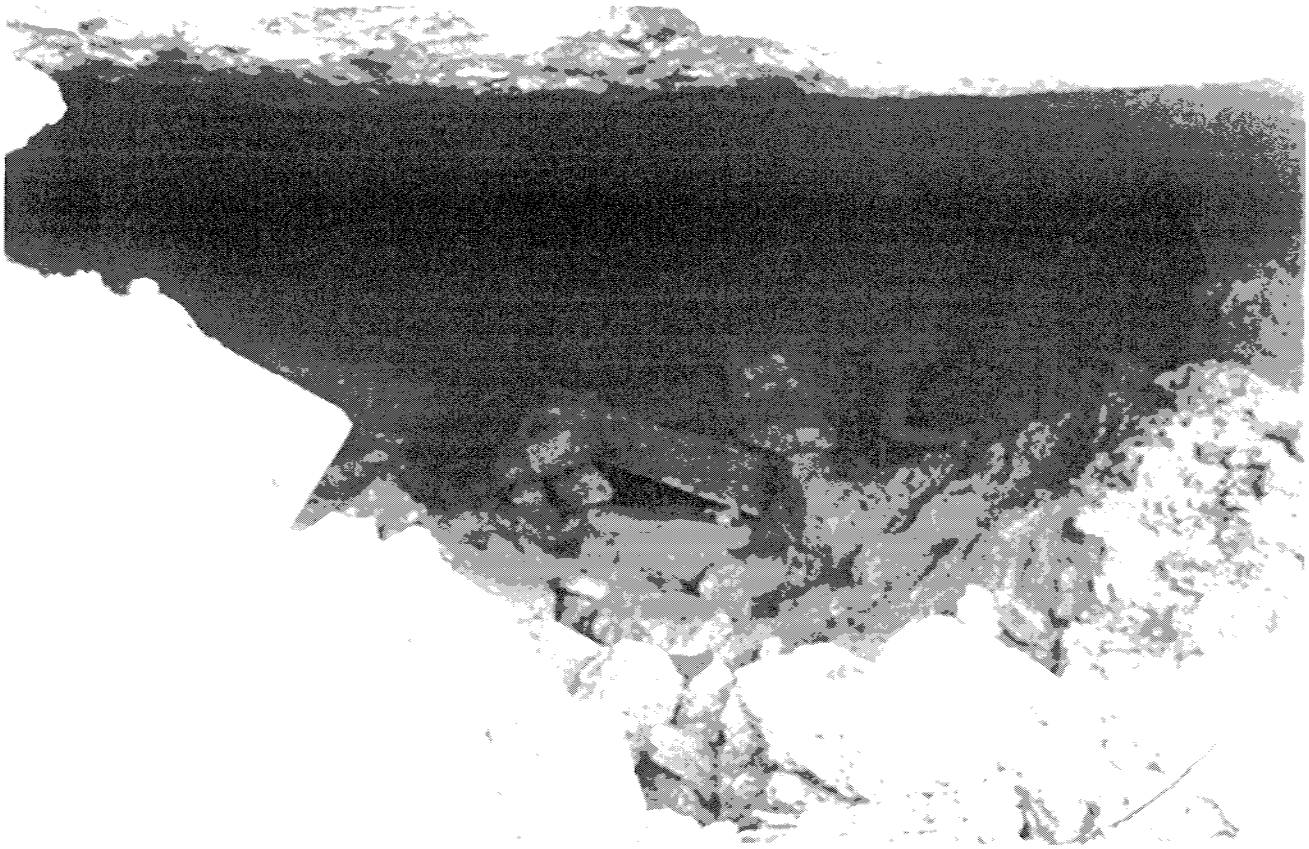
Reviewed By: Clint Mercer, Chief Accountant

Reviewed By: Anthony Francisco, Finance Director

Reviewed By: Kathryn Walker, Assistant City Attorney

APPROVE: _____ Date: 10ct.'13

DISAPPROVE: _____ Date: _____



NORMAN UTILITIES AUTHORITY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

DATE: September 9, 2013

CHANGE ORDER NO.: 1

CONTRACT NO.: Contract K-1213-88

PROJECT: Sewer Maintenance Project FYE 2011

CONTRACTOR: Urban Contractors, LLC

7113 No. Bryant

Oklahoma City, OK 73121

	Contract Time	Contract Amount
ORIGINAL:	440 calendar days	$2,774,200.00
PREVIOUS CHANGE ORDERS:	0 calendar days	$0.00
THIS CHANGE ORDER:	18 calendar days	$19,334.00
REVISED AMOUNT:	458 calendar days	$2,793,534.00

ORIGINAL START DATE: July 1, 2013

ORIGINAL COMPLETION DATE: September 14, 2014

PREVIOUS COMPLETION DATE: September 14, 2014

NEW COMPLETION DATE: October 2, 2014

Replace/re-locate existing sewer between Berry Rd. and Imhoff Creek

Description	Unit	Quantity	Unit Price	Total Price
6" Paving of parking lot	SY	150	$50.00	$7,500.00
Flowable Fill w/Installation Labor	CY	7.5	$338.00	$2,535.00
Traffic Control	LS	1	$570.00	$570.00
Relocate 6" water line	LS	1	$5,390.00	$5,390.00
4" sidewalk	SY	27	$45.00	$1,215.00
8" street repair	SY	27	$60.00	$1,620.00
Curb	SY	63	$8.00	$504.00
Total Increase				$19,334.00

SUBMITTED BY CONTRACTOR: James Parrish — Urban Contractors, LLC — Date: 9/20/13

RECOMMENDED BY STAFF ENGINEER: Norman Utilities Authority — Date: 9/20/13

APPROVED AS TO FORM AND LEGALITY: City Attorney — Date: 9/30/13

ACCEPTED BY NORMAN UTILITIES AUTHORITY: Steve Lewis, City Manager — Date: 10 Oct 13

City of Norman, OK

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

Master

File Number: BID-1314-7

File ID:	BID-1314-7	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/25/2013
File Name:	AGGREGATE AND STONE			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1314-7 FOR THE PURCHASE OF AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

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

Notes: ACTION NEEDED: Motion to accept or reject all bids meeting specifications on 1, 2, 3, 5, 8, 9, and 14 to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder
ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Bernie Mathes Trucking as the alternate bidder.

ACTION TAKEN: _____

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

ACTION TAKEN: _____

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

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 10, 11,

and 12; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 13b; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 12

Attachments: Text File Aggregate and Stone, Bid Tab Aggregate and Stone

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov **Effective Date:**

History of Legislative File

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

Text of Legislative File BID-1314-7

Body

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

Section 1. Class B Bedding Material are used as bedding material and backfill for storm sewer pipe.

Section 2. Aggregate size #1 Washed Chips are used as the cover aggregate for bituminous surface treatments (i.e., chip sealing). This is the base course for a double bituminous application.

Section 3. Fine Aggregate for concrete, Concrete Sand is used in the snow and ice control program.

Section 4. Aggregate Base, Type A is used as base material for pavement construction. It is also used to stabilize an unimproved section line road.

Section 5. Traffic Bound Surface Course; Type A is used as the surface course of a gravel roadway. It provides a suitable gradation or blend of coarse, medium and fine aggregates for the construction of a gravel roadway surface.

Section 6. Cement Kiln Dust is used in subgrade stabilization operations.

Section 7. Select borrow Subgrade material is used as embankment and causeway fill in roadway reconstruction operations.

Section 8. Aggregate Base Type B is used to stabilize unimproved rural section line roads comprised of sand and fine silt. It is also used as a component of a filter blanket beneath riprap for stream bank and channel erosion control.

Section 9. 3-inch Surge Rock is used to stabilize unimproved rural section line roads comprised of sand and fine silt. It is also used as a component of a filter blanket beneath riprap for stream bank and channel erosion control.

Section 10, 8-inch Riprap *

Section 11, 12-inch Riprap*

Section 12, 18-inch Riprap *

* Riprap is used for stream bank stabilization, erosion control in drainage ways and flood damage control. It is purchased in 8-inch, 12-inch, and 18-inch diameters.

Section 13. Manufactured Sand is coarse sand for winter ice control and job site concrete mixing. Section 13a is for pickup Section 13b is for delivery.

Section 14. Topsoil is used when the right-of-way is damaged during construction and grass replacement is required.

Quantities of aggregate materials purchased annually will vary depending on individual project scope, unscheduled repairs and maintenance activities. A total of 2,288 tons of a combination of these products were purchased with the FYE 2013 bid prices.

DISCUSSION: Bid No. 1314-7 was opened on September 12, 2013, with six (6) vendor bids received for aggregate and stone. Of the bids received, two (2) vendor bids did not meet specifications. The average unit price of these materials increased over the 2013 bid price by 6.4% reportedly due to the increased manufacturing and fuel related costs. If approved, the purchase contract for these materials is effective through October 31, 2014. Funding for the purchase of the various aggregate and stone materials is provided in various accounts in the General Fund for maintenance and operations uses and the Capital Fund for scheduled capital projects.

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

Street Maintenance Division
010-5021-431.32-17 Weatherization -$ 36,290
010-5021-431.33-03 Rock/Sand Materials -$ 28,600

Storm Water Division
010-5022-431.33-03 Rock/Sand Materials - $ 15,000

Capital Improvement Projects FYE 2014
050-9906-451.63-01 Force Account Drainage Materials -$95,000
050-9696-431.63-01 Rural Road Improvement -$ 367,500

RECOMMENDATION: Staff recommends Bid No. 1314-07 be awarded to the low bidder as follows:

Section 1, 2, 3, 5, 8, 9, and 14 Bernie Mathes Trucking, Inc., (Wheatland) lowest bidder, Dale Brown, Inc., (Ardmore), alternate bidder
Section 4, T.J. Campbell Construction Company (OKC) lowest bidder, Bernie Mathes Trucking, Inc., Alternate bidder
Section 6, Silver Star Construction Company (Moore)- only bidder
Section 7, .T.J. Campbell Construction Company, Inc., lowest bidder, Dale Brown Inc., alternate bidder
Section 10, 11, and 12, Dale Brown, Inc., lowest bidder, Bernie Mathes Trucking, Inc., alternate bidder
Section 13a. No Bid Submitted
Section 13b. Dale Brown, Inc. only bid

We further recommend that the bid also be awarded to an alternate bidder so that the materials will be available in the event the primary bidder cannot deliver it.

STREETS DIVISION -- AGGREGATE AND STONE - BID NO.1314-07
BID OPENING SEPTEMBER 12. 2013 BID TABULATION

BID TABULATION		Bernie Mathes Trucking, Wheatland, OK	Dale Brown, Inc. Ardmore, OK	T.J. Campbell Construction Co., Oklahoma City, OK	Silver Star Construction Co., Moore, OK
SECTION	DESCRIPTION	$ Per Ton	$ Per Ton	$ Per Ton	$ Per Ton
SECTION I	703.08 B, Class B Bedding Material				
	Delivered	$ 14.95	$ 21.25	No Bid	No Bid
SECTION II	703.04, Aggregate size #1 Washed Chips				
	Delivered	$ 19.00	$ 21.25	No Bid	No Bid
SECTION III	701.05 Fine Aggregate for concrete				
	Delivered	$ 14.50	$ 18.10	No Bid	No Bid
SECTION IV	703.01, Aggregate Base, Type A				
	Delivered	$ 16.95	$ 19.00	$ 15.24	No Bid
SECTION V	703-05, Traffic Bound Surface Course, Type A				
	Delivered	$ 17.50	$ 20.30	No Bid	No Bid
SECTION VI	702.3, Cement Kiln Dust				
	Delivered	No Bid	No Bid	No Bid	$ 49.02
SECTION VII	705.01, Select Borrow Subgrade Material				
	Delivered	No Bid	$ 11.00	$ 6.24	No Bid
SECTION VIII	703.01, Aggregate Base, Type B				
	Delivered	$ 14.95	$ 19.60	No Bid	No Bid
SECTION IX	3-Inch Surge Rock, minimum fines				
	Delivered	$ 18.25	$ 19.50	No Bid	No Bid
SECTION X	713.01, 8-inch Riprap				
	Delivered	$ 33.00	$ 32.00	No Bid	No Bid
SECTION XI	713.01, 12-inch Riprap				
	Delivered	$ 33.00	$ 28.50	No Bid	No Bid
SECTION XII	713.01, 18-inch Riprap				
	Delivered	$ 32.00	$ 28.50	No Bid	No Bid
SECTION XIII	Topsoil				
a.)	Pickup	No Bid	No Bid	No Bid	No Bid
b.)	Delivered	No Bid	$ 15.00	No Bid	No Bid
SECTION XIV	Manufactured Sand, course				
	Delivered	$ 15.95	$ 18.50	No Bid	No Bid

STREETS DIVISION -- AGGREGATE AND STONE - BID NO.1314-07
BID OPENING SEPTEMBER 12. 2013 BID TABULATION

BID TABULATION	Bernie Mathes Trucking, Wheatland, OK	Dale Brown, Inc. Ardmore, OK	T.J. Campbell Construction Co., Oklahoma City, OK	Silver Star Construction Co., Moore, OK
VENDOR:	Dolese Bros Co & Martin Marietta Materials	Bid F.O.B. at Davis, OK Quarry	Does not meet specifications	
RECOMMENDATION - Bid Number 1314-07 be awarded as follows:				
SECTION I, II, III	Bernie Mathes,Trucking Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder	
SECTION IV	T. J. Campbell Construction Co., Lowest bidder		Bernie Mathes, Trucking Inc., Alternate bidder	
SECTION V	Bernie Mathes,Trucking Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder	
SECTION VI	Silver Star Construction Co., Only bidder			
SECTION VII	T. J. Campbell Construction Co., Lowest bidder		Dale Brown, Inc., Alternate bidder	
SECTION VIII, IX	Bernie Mathes,Trucking Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder	
SECTION X, XI, XII	Dale Brown, Inc., Lowest bidder		Bernie Mathes, Trucking Inc., Alternate bidder	
SECTION XIII A	No Bid		No Bid	
SECTION XIII B	Dale Brown, Inc., Only bidder			
SECTION XIV	Bernie Mathes,Trucking Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder	

City of Norman, OK

Municipal Building Council
Chambers
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Norman, OK 73069

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File Number: BID-1314-8

File ID:	BID-1314-8	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/25/2013
File Name:	INLET FRAMES, GRATES AND CURB HOODS			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1314-8 FOR THE PURCHASE OF INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAMES
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAMES WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON RIBBED DRAIN GRATES
5. HEAVY-DUTY CAST IRON VANE GRATES
6. A - 6-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
   B - 8-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

Notes: ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 2, 3, and 6A; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Waterworks Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4 and 5; and, if accepted, award the bid to Ferguson Waterworks as the lowest and best bidder meeting specifications and Oklahoma Contractors Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 6B and 7; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Ferguson Waterworks as the alternate bidder.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 13

Attachments: Text File Curb Hoods, Bid Tabulation Inlet Frames

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File BID-1314-8

Body

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

DISCUSSION: Bids were sent to eleven vendors and Bid No. 1314-8 was opened on September 12, 2013 with three (3) vendor bids received for inlet frames, grates and curb hoods. The average unit price of the materials has remained the same as 2013 bid price. If approved, the purchase contract for the materials is effective through October 31, 2014. Funding for inlet frames, grates and curb hoods is provided in General Fund accounts for regular maintenance and operation and in capital Fund accounts for capital projects.

Funding for the materials is available in Account Numbers:
Street Division
010-5021-431.33-99 -Other Construction Materials - $53,000

Storm Water Division
010-5022-431.33-99 - Other Construction Materials - $29,000

Capital Improvement Projects FYE 2014
050-9906-451.63-01 - Force Account Drainage - $95,000

RECOMMENDATION: Staff recommends Bid No. 1314-8 be awarded as follows:

Sections 1, 2, and 3 and 6A - Oklahoma Contractor's Supply (OKC), lowest bidder; HD Waterworks Supply (OKC), alternate
Sections 4 and 5, Ferguson Waterworks (OKC), lowest bidder; Oklahoma Contractor's Supply, alternate
Sections 6B and 7, Oklahoma Contractor's Supply, lowest bidder, Ferguson Waterworks, alternate

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

STREET DIVISION
INLET, FRAMES, GRATES AND CURB HOODS -- BID NUMBER 1314-08
Bid Opening: September 12, 2013
BID TABULATION

	BID TABULATION	OKLAHOMA CONTRACTORS SUPPLY Oklahoma City, OK	FERGUSON WATER WORKS Oklahoma City, OK	HD WATER WORKS Oklahoma City, OK
SECTION I	ODOT Design 1 inlet, Heavy-duty cast iron 3 flange inlet frame.	$ 125.00	$ 149.00	$ 140.00
SECTION II	ODOT Design 2 inlet, Heavy-duty cast iron double unit (left & right) inlet frames; includes all fastening hardware.	$ 248.00	$ 300.00	$ 269.00
SECTION III	Heavy-duty cast iron center section inlet frames; includes all fastening hardware.	$ 125.00	$ 150.00	$ 140.00
SECTION IV	Heavy-duty cast iron Ribbed Vane Grate	$ 139.00	$ 125.00	$ 145.00
SECTION V	Heavy-duty cast iron Vane grate.	$ 91.00	$ 90.00	$ 94.00
SECTION VI-A	6" barrier cast iron curb hood; includes all fastening hardware	$ 112.00	$ 130.00	$ 126.00
SECTION VI-B	8" barrier cast iron curb hood; includes all fastening hardware	$ 136.00	$ 145.00	$ 152.00
SECTION VII	Detectable Warning Surface/ADA Truncated Dome 2'x4' tile cast in place brick red	$ 86.00	$ 110.00	$ 159.00

Recommendation - Bid Number 1314-08 be awarded as follows:

SECTION I, II, III	Oklahoma Contractors Supply, LLC, Lowest bidder, HD Supply Waterworks, Alternate bidder
SECTION IV, V	Ferguson Waterworks, Lowest bidder, Oklahoma Contractors Supply, LLC, Alternate bidder
SECTION VI A, VI B, VII	Oklahoma Contractors Supply, LLC, Lowest bidder
SECTION VI A	HD Supply Waterworks, Alternate bidder
SECTION VI B, VII	Ferguson Waterworks, Alternate bidder

City of Norman, OK

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

Master

File Number: BID-1314-9

File ID:	BID-1314-9	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/25/2013
File Name:	PORTLAND CEMENT CONCRETE			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1314-9 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

SECTION 1
A - CLASS A CONCRETE LESS THAN 5 CUBIC YARDS
B - CLASS A CONCRETE 5 CUBIC YARDS OR GREATER
C - CLASS A CONCRETE WITH ONE PERCENT CALCIUM
D - CLASS A CONCRETE WITH TWO PERCENT CALCIUM

SECTION 2
A - HIGH EARLY STRENGTH CONCRETE LESS THAN 5 CUBIC YARDS
B - HIGH EARLY STRENGTH CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 3
A - FAST-TRACK CONCRETE LESS THAN 5 CUBIC YARDS
B - FAST-TRACK CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 4
A - 5-SACK GROUT MIX LESS THAN 5 CUBIC YARDS
B - 5-SACK GROUT MIX 5 CUBIC YARDS OR GREATER

SECTION 5
A - FLOWABLE FILL LESS THAN 5 CUBIC YARDS
B - FLOWABLE FILL 5 CUBIC YARDS OR GREATER

Notes: ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1A, 2A and 5A; and, if accepted, award the bid to Metheny Concrete Products, Inc., as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Dolese Brothers Company as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1B, 3A, 3B, and 5B; and, if accepted, award the bid to Dolese Brothers Company as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Van Eaton Ready Mix as the second alternate bidder.

ACTION TAKEN: _____

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

ACTION TAKEN: _____

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

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 4; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 14

Attachments: Text File Bid Concrete, Bid Tabulation Concrete

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov **Effective Date:**

History of Legislative File

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

Text of Legislative File BID-1314-9

Body

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

1. Class A Concrete is used in pavement slabs, sidewalks, retaining walls, culverts, and all areas where reinforced concrete is needed. Calcium is used as an accelerating admixture to increase the strength of the concrete more quickly during curing. It is used in cold weather application; however, it is not an anti-freezing agent.
2. High Early Strength (H.E.S.) Concrete is used for driveway and pavement replacement.
3. Fast Track Concrete is used for emergency panel replacement in high traffic areas the PSI is 3000 on 8 hour strength test.
4. Grout Mix is used with riprap, for bedding drainage pipe, and stabilizing plastic subgrade.
5. Flowable Fill is used as a liquid concrete mix in bedding and backfilling culvert pipe and storm sewers where 100% compaction is required.

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

DISCUSSION: Bid information was sent to five (5) vendors and Bid No.1314-09 was opened on September 12, 2013, with three (3) vendor bids received for Portland Cement Concrete. The price of concrete materials has increased an average of 6% over the 2013 bid price. Funding for Portland Cement Concrete is provided in several maintenance and operation accounts in the General Fund and in the Force Drainage account in the Capital Fund. If approved, the purchase contract for the materials will be effective through October 31, 2014.

Funding for the materials is available in Account Numbers:

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

Storm Water Division
Street/Sidewalk Materials (010-5022-431.32-15) $28,414

Capital Improvement Projects FYE 2014
Force Account Drainage (050-9906-451.63-01) $95,000

RECOMMENDATION: Staff recommends Bid 1314-09 be awarded to the low bidders as follows:

Sections 1A, 2A and 5A to Metheny Concrete Products, Inc., (OKC), as the lowest and best bidder meeting specifications, Van Eaton Ready Mix (Shawnee) as the first alternate bidder, and Dolese Brothers Company (Oklahoma City/Norman Plant) as the second alternate bidder.

Sections 1B, 3A, 3B, and 5B to Dolese Brothers Company as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Van Eaton Ready Mix as the second alternate bidder.

Sections 1C and 1D to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Dolese Bros. Company as the first alternate bidder, and Metheny Concrete Products, Inc, as the second alternate bidder.

Section 2B to Dolese Brothers Company as the lowest and best bidder meeting specifications and Van Eaton Ready Mix and Metheny Concrete Products, Inc., as the alternate bidders..

Section 4 to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

We further recommend that the bid also be awarded to a first alternate bidder and a second alternate bidder so that the material will be available in the event the primary bidder cannot deliver it.

STREET DIVISION
PORTLAND CEMENT CONCRETE BID NUMBER 1314-09
BID TABULATION - Bid Opening September 12, 2013

DESCRIPTION	DOLESE BROS. CO., Oklahoma City, OK 73101, WITH Norman Plant	VAN EATON READY MIX, Shawnee, OK, WITH Norman Plant	METHENY CONCRETE PRODUCTS, INC., Oklahoma City, OK 73129, WITH Norman Plant
NOTE: TRANSPORTATION COST INCLUDED IN ALL SECTIONS ON CONCRETE			
SECTION I	CLASS A CONCRETE		
A. Class A Concrete less than 5 cubic yards	$127.00	$110.00	$95.00
B. Class A Concrete 5 cubic yards or greater	$87.00	$100.00	$90.00
C. One-percent Calcium Chloride added	$2.75	$2.50	$3.50
D. Two-percent Calcicum Chloride added	$5.50	$5.00	$6.50
SECTION II	HIGH EARLY STRENGTH CONCRETE		
A. High Early strength Concrete less than 5 cubic yards.	$129.00	$110.00	$105.00
B. High Early Strength Concrete 5 cubic yards or greater	$89.00	$100.00	$100.00
SECTION III	FAST-TRACK CONCRETE		
A. Fast-Track Concrete less than 5 cubic yards.	$193.40	$300.00	$210.00
B. Fast-Track Concrete 5 cubic yards or greater	$153.40	$275.00	$200.00
SECTION IV	5-SACK GROUT MIX		
A. 5-Sack Grout Mix less than 5 cubic yards.	No Bid	$100.00	$130.00
B. 5-Sack Grout Mix 5 cubic yards or greater	No Bid	$95.00	$125.00
SECTION V	FLOWABLE FILL		
A. Flowable Fill less than 5 cubic yards.	$111.00	$93.00	$79.00
B. Flowable Fill 5 cubic yards or greater	$71.00	$86.00	$74.00
VENDOR	David Kudron Ready Mix and Schwarz Ready Mix - No Response		

Recommendation: Bid Number 1314-09 be awarded as follows:		
Section I-A, II-A, V-A	Metheny Concrete Products, Inc.	Lowest bidder
	Van Eaton Ready Mix	First Alternate bidder
	Dolese Bros. Co.	Second Alternate bidder
Section I-B, II-B, III-A, III-B, V-B	Dolese Bros. Co.	Lowest bidder
	Metheny Concrete Products, Inc.	First Alternate bidder
	Van Eaton Ready Mix	Second Alternate bidder
Section I-C, I-D	Van Eaton Ready Mix	Lowest bidder
	Dolese Bros. Co.	First Alternate bidder
	Metheny Concrete Products, Inc.	Second Alternate bidder
Section IV	Van Eaton Ready Mix	Lowest bidder
	Metheny Concrete Products, Inc.	Alternate bidder

City of Norman, OK

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

Master

File Number: BID-1314-10

File ID:	BID-1314-10	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/25/2013
File Name:	TYPE II BARRICADE RENTAL			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1314-10 FOR TYPE II BARRICADE RENTAL FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

1. A - 200 BARRICADES PER MONTH

2. A - 20 BARRICADES PER SEVEN DAYS
   B - 40 BARRICADES PER SEVEN DAYS
   C - 60 BARRICADES PER SEVEN DAYS

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 15

Attachments: Text File Bid for Barricades, Text File Bid for Barricades, TYPE II BARRICADE

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File BID-1314-10

Body

BACKGROUND: TYPE II barricades are used by the Street and Storm Water Maintenance Programs to establish work zone safety during construction and maintenance projects. A typical Type II barricade is shown on the attached photograph. Federal and State statutes and City ordinances require work zone traffic control.

DISCUSSION: Bid No.1314-10 was opened on September 12, 2013, with one (1) vendor bid received. Street Division utilizes 200 barricades per month. There are only three (3) companies in the local area which rent barricades. All vendors were invited to bid with Advanced Workzone Services, LLC, (Muskogee, OK) being the only bidder submitting a bid. During emergencies created by flooding or storm damage from high wind, additional barricades are sometimes needed until the flooding subsides or the damage is removed or repaired.

The bid includes repair or replacement of the barricades should they become damaged or unserviceable as well as replacement of stolen barricades. 50-60% of the barricades are damaged and un-serviceable or are stolen on an average year. Current funding is sufficient for twelve (12) monthly rental periods with a balance of $3,600 for emergency barricade rental if required. If approved, the contract for rental of TYPE II barricades will be effective through October 31, 2014. Funding for Type II barricade rental is provided in General Fund accounts for regular maintenance and operation. The price for barricade rental is the same amount as last year.

The following street Barricade Rental accounts provide funding for barricades:

TYPE II Barricade Rental

Street Division
Barricade Rental (010-5021-431.45-09) - $15,000
Storm Water Division
Barricade Rental (010-5022-431.45-09) - $15,000

All bids were within the budgeted amounts.

RECOMMENDATION: Staff recommends that all sections of Bid No. 1314-10 be awarded to Advanced Workzone Services, LLC, Inc., as the lowest and best bidder meeting specifications.

STREET DIVISON
TYPE II BARRICADE RENTAL - BID NUMBER 1314-10
Bid Opening: September 12, 2013

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

Recommendation - Bid Number 1314-10 be awarded as follows:

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

LEFT LANE
CLOSED

City of Norman, OK

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

Master

File Number: FP-1213-27

File ID:	FP-1213-27	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	02/14/2013
File Name:	UNP XII Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF INTERSTATE DRIVE AND CONFERENCE DRIVE)

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

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 16

Attachments: Text File Final Plat UNP 12, UNPSecXII Location Map, Final Plat UNP Section XII, Stf-rept final-plat-UNP Sec XI1, 3-4-13.pdf, UNP FINAL SITE DEVELOPMENT PLAN.pdf, UNP Rev Prelim Plat, 3-14-13 PC Minutes - FP-1213-27

Project Manager: Ken Danner, Subdivision 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	03/14/2013					

Text of Legislative File FP-1213-27

Body

BACKGROUND: This item is a final plat for University North Park Addition, Section XII, a Planned Unit Development, and is located at the northeast corner of the intersection of Interstate Drive and Conference Drive (Private Street). This proposal consists of 14.37 acres and five (5) commercial lots. A restaurant is proposed on Lot 1, Block 1. It should be acknowledged that Lot 6, Block 1, is shown as an undevelopable lot. The final site development plan states it is undevelopable and will be filed of record with the final plat. The owner's intent

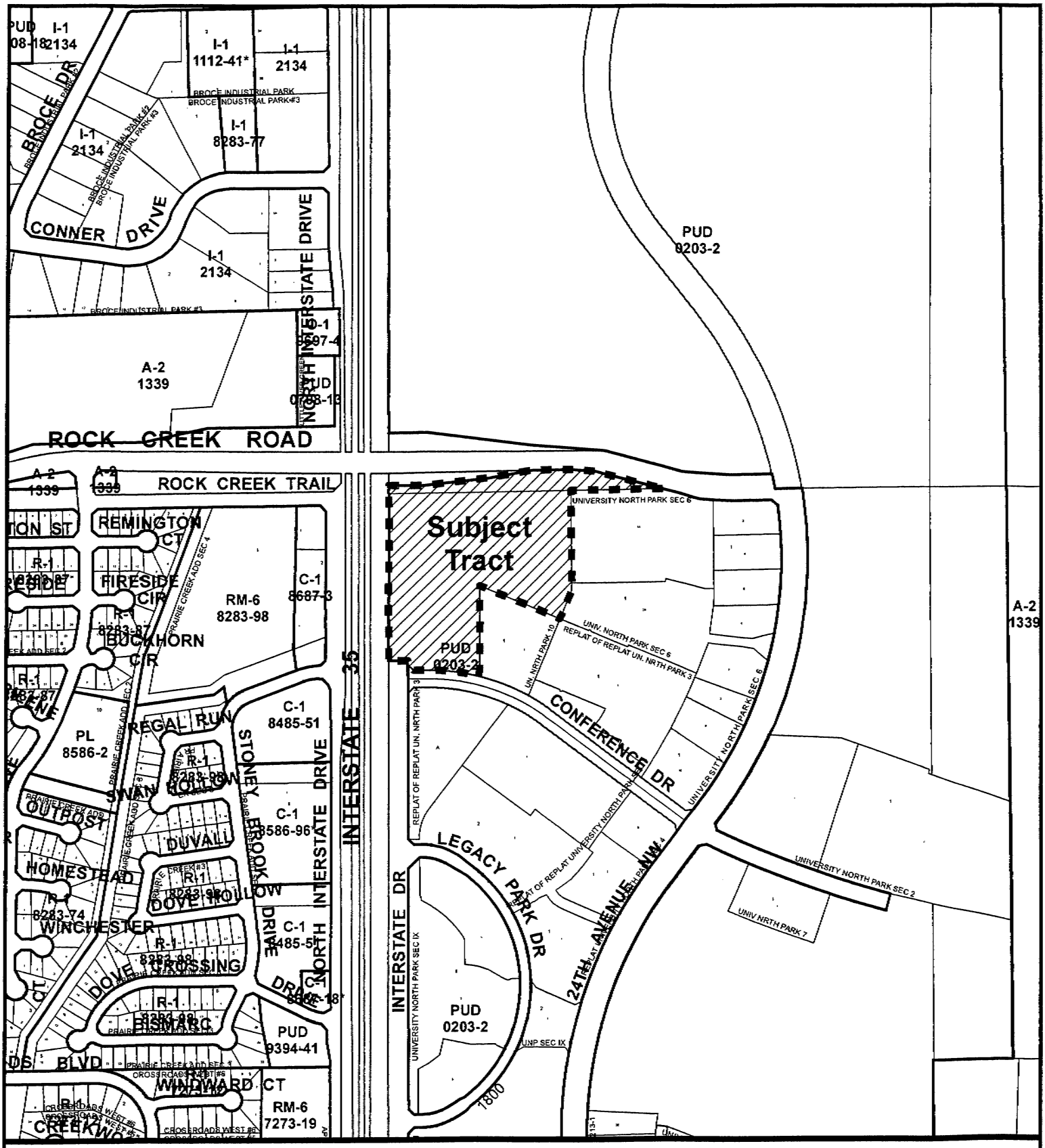
is to attach it to an existing platted lot to the south of this property as part of University North Park Addition, Section VI, a Planned Unit Development, by the use of a Lot Line Adjustment.

Planning Commission, at its meeting on March 14, 2013, approved the final plat for University North Park Addition, Section XII, a Planned Unit Development.

DISCUSSION: The public improvements required of this plat consist of water mains with fire hydrants, sanitary sewer mains, sidewalks and a portion of Interstate Drive.

Interstate Drive will be constructed in 2014 as a City capital improvement project using TIF funds. Conference Drive is existing as a private drive. There is a possibility that Conference Drive might be designated as a public street in the future.

RECOMMENDATION: Based upon the above information, staff recommends acceptance of the public dedications, approval of the final site development plan, final plat and the filing of the final plat, subject to completion of public improvements. The City Development Committee will ensure completion of all required public improvements or bonds and will recommend that the Mayor 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

March 1, 2013

0 300 600 Ft.

Subject Tract

Zoning

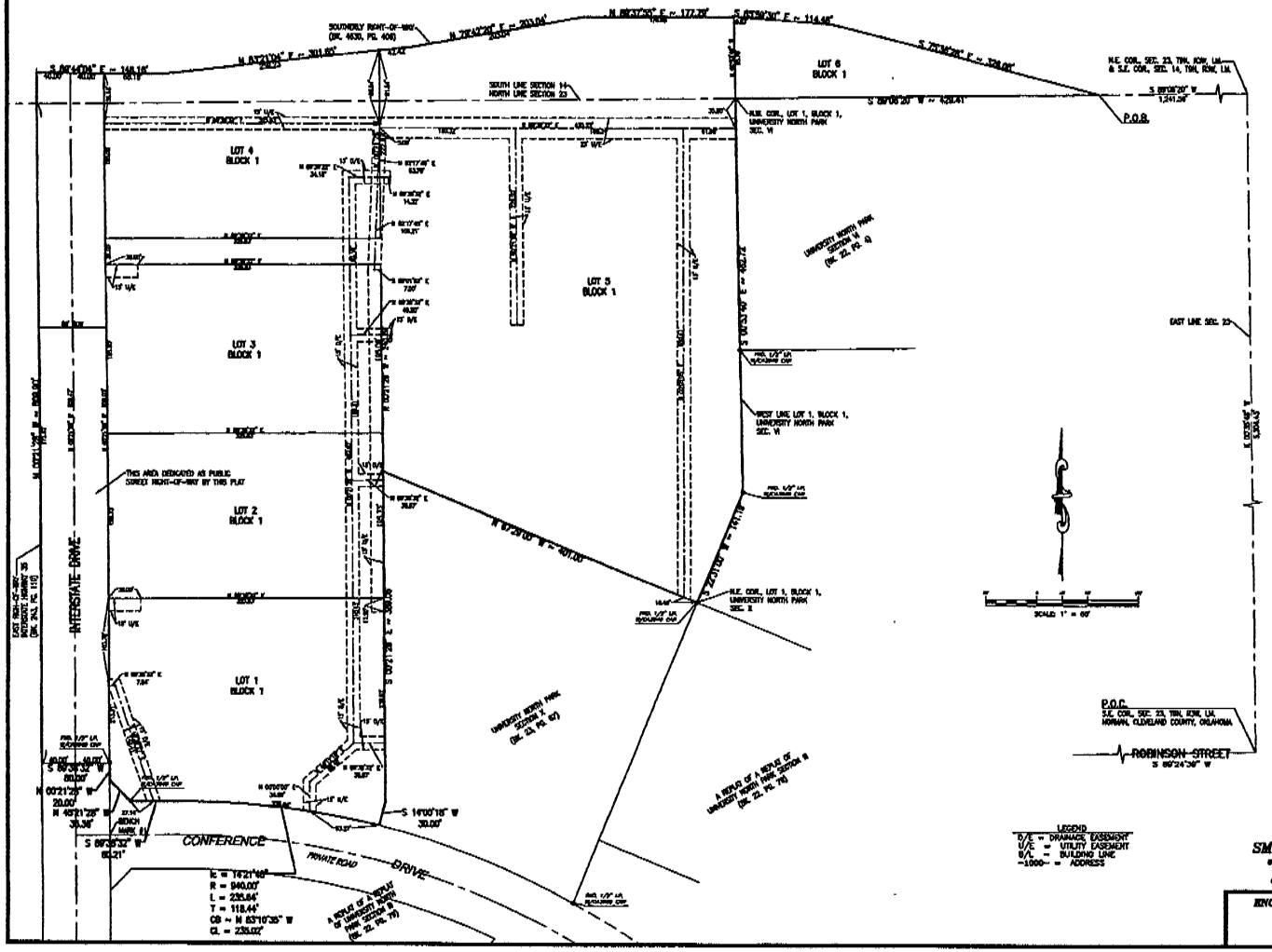
G:\ArcGIS10 MapTemplates\8x11_LocationMapArcMap10.mxd

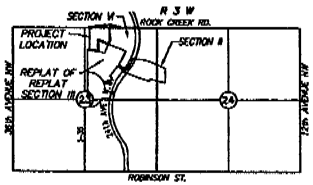
FINAL PLAT
UNIVERSITY NORTH PARK SECTION XII

A PLANNED UNIT DEVELOPMENT

BEING A PART OF THE N.E. ¼ OF SECTION 23 AND THE S.E. ¼ OF SECTION 14, T 9 N, R 3 W, INDIAN MERIDIAN
NORMAN, CLEVELAND COUNTY, OKLAHOMA

W. ROCK CREEK ROAD





LOCATION MAP
SCALE: 1"=2000'

NOTES:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. THE BEARING OF SOUTH 89°24'36" WEST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23 (CENTERLINE OF ROBINSON STREET) WAS USED AS THE BASIS OF BEARING FOR THIS SURVEY.
3. EXCEPT AS SHOWN OTHERWISE ALL EASEMENTS SHALL BE CENTERED ON LOT LINES.
4. RESTRICTIVE COVENANTS AND CONDITIONS SHALL AFFECT ALL LOTS.
5. THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS FEET.

BENCH MARK #1

CENTERLINE OF CONFERENCE DRIVE AT MOST WESTERLY SOUTHWEST CORNER OF LOT 2, BLOCK 1, WHICH ALSO THE MOST WESTERLY NORTHWEST CORNER OF LOT 1, BLOCK 2, A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION II, BOOK 22 OF PLATS, PAGE 70.

ELEV. = 1178.09

TOTAL LOTS = 6

LEGEND
D/E = DRAINAGE EASEMENT
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
~1000~ = ADDRESS

ENGINEER OF RECORD
SMC Consulting Engineers, P.C.

SHEET 2 OF 3

ENGINEERS • SURVEYORS • PLANNERS
SMITH ROBERTS BALDISCHWILER, LLC

UNIVERSITY NORTH PARK SECTION XII
A PLANNED UNIT DEVELOPMENT

FINAL PLAT
FP-1213-27

ITEM NO. 4

STAFF REPORT

ITEM: Consideration of a Final Plat for UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT.

LOCATION: Located at the northeast corner of the intersection of Interstate Drive and Conference Drive.

INFORMATION:

1. Owners. University Town Center, LLC
2. Developer. University Town Center, LLC
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 19, 1961. Planning Commission recommended to City Council that this property be placed in A-2 zoning classification.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing a portion of this property in I-1 and removing it from A-2 zoning classification.
3. September 15, 1964. Planning Commission, on a vote of 9-0, recommended to City Council that a portion of this property be placed in I-1 and removed from A-2 zoning classification.
4. September 22, 1964. City Council adopted Ordinance No. 1686 placing a portion of this property in I-1, and removing it from A-2 zoning classification.
5. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the NORMAN 2020 Land Use and Transportation Plan be amended by designating this property as a Special Planning Area Designation and changing it from Industrial Designation.

HISTORY (con't):

6. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that this property be placed in the PUD, Planned Unit Development and removed from I-1 and A-2 zoning classification.

7. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the preliminary plat for University North Park Addition, a Planned Unit Development be approved.

8. August 13, 2002. City Council amended the NORMAN 2020 Land Use and Transportation Plan designating this property as a Special Planning Area.

9. August 13, 2002. City Council adopted Ordinance No. O-0203-2 placing this property in the PUD, Planned Unit Development, and removing it from I-1 and A-2 zoning classification. The approval included the preliminary plat for University North Park Addition.

10. September 14, 2006. Planning Commission, on a vote of 7-0, recommended to City Council the amending of the Planned Unit Development Narrative.

11. September 14, 2006. Planning Commission, on a vote of 7-0, recommended to City Council that the preliminary plat for University North Park Addition, a Planned Unit Development be approved.

12. October 24, 2006. City Council postponed indefinitely Ordinance No. O-0607-13, amending the Planned Unit Development Narrative and Site Development Plan for University North Park Addition, a Planned Unit Development.

13. October 24, 2006. City Council postponed indefinitely the revised Preliminary Plat for University North Park Addition, a Planned Unit Development.

14. December 12, 2006. City Council approved Ordinance No. O-0607-13 amending the Planned Unit Development Narrative and Site Development Plan and approved the revised Preliminary Plat for University North Park Addition, a Planned Unit Development.

IMPROVEMENT PROGRAM:

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

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

IMPROVEMENT PROGRAM (cont):

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be installed adjacent to Interstate Drive and Conference Drive.

5. Storm Sewers. Storm sewer drainage structures will be installed to convey storm water to an existing detention pond located south of the development.

6. Streets. Interstate Drive will be constructed as a Tax Increment Financing project. Conference Drive is existing as a private drive. There is a potential it might be designated as a public street in the future.

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 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. The right-of-way of the original alignments of Rock Creek Road have been vacated.

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: This proposal consist of 14.3657 acres and five (5) commercial lots. It should be acknowledged that Lot 6, Block 1, is shown as an undevelopable lot. The final site development plan states it is undevelopable and will be filed of record with the final plat. The owner's intent is to attach it to an existing platted lot to the south of this property as part of University North Park Addition, Section VI, a Planned Unit Development by the use of a Lot Line Adjustment. Staff recommends approval of the final plat for University North Park, Section XII, a Planned Unit Development.

ACTION NEEDED: Approve or disapprove the final site development plan and the final plat for University North Park Addition, Section XII, a Planned Unit Development.

ACTION TAKEN:_____

UNIVERSITY NORTH PARK SECTION XII
I-35 AND ROCK CREEK ROAD
NORMAN, OKLAHOMA
SMC
SMC Consulting Engineers, P.C.
FINAL SITE DEVELOPMENT PLAN
3 of 3
LOCATION MAP
PROJECT LOCATION
REPLAT OF REPLAT SECTION III
SECTION VI
SECTION II
ROCK CREEK RD.
ROBINSON ST.
R 3 W
NOTES:
1. COMMON AREAS WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
3. CURRENT ZONING IS PUD.
4. THIS IS A CONCEPTUAL SITE PLAN.
LEGEND
CA = COMMON AREA
D/E = DRAINAGE EASEMENT
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
W. ROCK CREEK ROAD
LOT 6 BLOCK 1
LOT 5 BLOCK 1
LOT 4 BLOCK 1
LOT 3 BLOCK 1
LOT 2 BLOCK 1
LOT 1 BLOCK 1
LOT 2 BLOCK 1
CONFERENCE DRIVE
FIRE HYDRANT
DUMPSTER
RIGHT-OF-WAY
FUTURE ROADWAY (BY OTHERS)
FUTURE STORM SEWER (BY OTHERS)
INTERSTATE 35

EXHIBIT 'A'
REVISED PRELIMINARY PLAT
UNIVERSITY NORTH PARK
PART OF THE W. 1/2 OF SECTION 13, THE E. 1/2 OF SECTION 14,
THE E. 1/2 OF SECTION 23, AND THE W. 1/2 OF SECTION 24, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

MARCH 14, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 14th day of March 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Sandy Bahan Tom Knotts Chris Lewis
MEMBERS ABSENT	Andy Sherrer Cindy Gordon Dave Boeck

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Lewis 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 FEBRUARY 14, 2013 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1213-27 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF INTERSTATE DRIVE AND CONFERENCE DRIVE.

Item No. 5, being:
FP-1213-28 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY PRECISION BUILDERS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR P.B. ADDITION FOR PROPERTY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY 160 FEET NORTH OF HIGHLAND PARKWAY.

Item No. 6, being:
FP-1213-29 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY J&J FAMILY PROPERTIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CARRINGTON TRAILS ADDITION, SECTION 1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 1,986 FEET NORTH OF FRANKLIN ROAD.

*

Chairman Lewis asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote. Sandy Bahan seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Sandy Bahan, Tom Knotts, Chris Lewis
NAYES	None
MEMBERS ABSENT	Andy Sherrer, Cindy Gordon, Dave Boeck

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote, passed by a vote of 6-0.

* * *

Item No. 4, being:
FP-1213-27 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF INTERSTATE DRIVE AND CONFERENCE DRIVE.

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

The Final Plat for UNIVERSITY NORTH PARK ADDITION, SECTION XII, A Planned Unit Development was approved on the Consent Docket by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: FP-1213-28A

File ID:	FP-1213-28A	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/17/2013
File Name:	Amended Final Plat-PB Addition			**Final Action:**	

Title: CONSIDERATION OF AN AMENDED FINAL PLAT FOR P.B. ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS FOR FLOOD AVENUE. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE NORTH OF HIGHLAND PARKWAY)

Notes: ACTION NEEDED: Motion to approve or reject the amended final plat for P.B. Addition and deferral of street improvements for Flood Avenue; and, if approved, accept the public dedications contained therein, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of $550 for deferral of street improvements for Flood Avenue within ten days after approval; and direct the filing of the final plat.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 17

Attachments: Text File Final Plat PB Addition, Location Map.pdf, Final Plat PB Addition, SMC Letter.pdf, Dev Comm App.pdf, Amended Final Plat PB Addition, Dev Comm Staff Report.pdf

Project Manager: Ken Danner, Subdivision Manager

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File FP-1213-28A

body

BACKGROUND: This item is an amended final plat for P.B. Addition and is generally located on the west side of Flood Avenue approximately 160' north of Highland Parkway. This property consists of 2.16 acres and one commercial lot to provide office and storage of construction equipment.

City Council, at its meeting of October 26, 1954, adopted Ordinance 899, placing this property in C-2, General

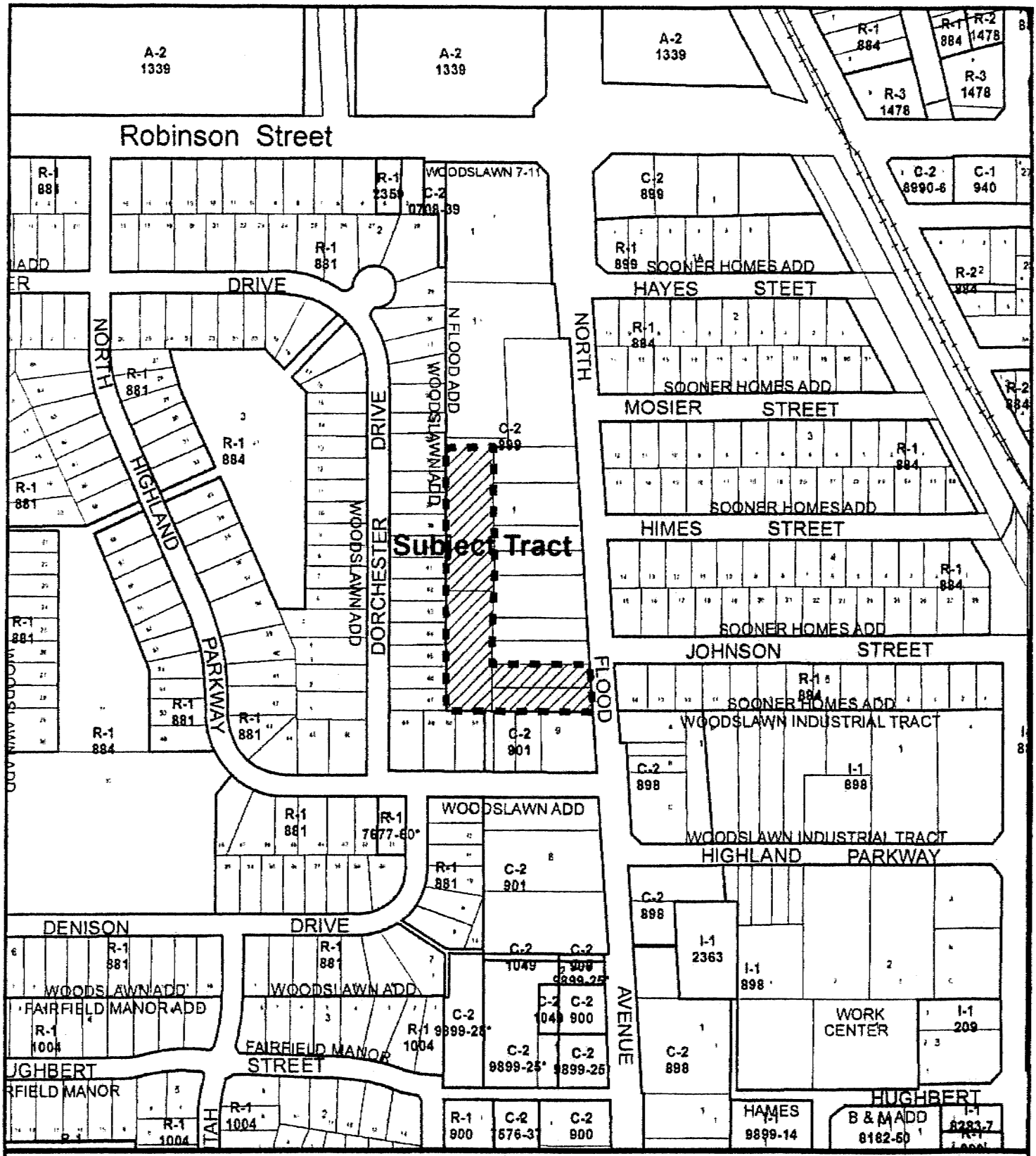
Commercial District. City Council, at its meeting of January 22, 2013, approved the preliminary plat for P.B. Addition. City Council, at its meeting of April 9, 2013, approved the final plat for P.B. Addition and deferred construction for paving improvements in connection with Flood Avenue. The final plat was filed of record with the Cleveland County Clerk on April 12, 2013.

It has been brought to staff's attention that the original final plat for P.B. Addition inadvertently did not include the entire ownership and agreements with adjacent property owners. The errors in the plat were identified by the applicant's surveyor. The eastern boundary of the amended final plat has been increased a total of 13.84 feet. At the southern portion of the plat, the lot line follows an existing fence alignment. Also, the frontage on Flood Avenue has changed from 105.23 to 115.21 feet.

As a result, an additional ten feet (10') of frontage has been added at its location for Flood Avenue. In April, 2013, the applicant submitted a certificate of deposit in the amount of $8,095.00 deferring the Flood Avenue paving improvements. Staff is recommending with the additional frontage the applicant will be required to submit an additional $550.00 for the deferral of street paving improvements for Flood Avenue.

DISCUSSION: Street widening of Flood Avenue is the only required public improvement for the subdivision. The Flood Avenue widening consists of adding five-foot (5') of additional roadway and replacing the curb and gutter. An additional ten-foot (10') frontage of Flood Avenue will be required to be constructed to City standards as a collector street with right-of-way/roadway easements meeting minor arterial road requirements consisting of a fifty-foot (50') width. Section 19-602 B 1.2(a)(b)(c) and (d) of the City Code establishes a method of deferring public street improvements under the following situation: (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. The developer is required to post a certificate of deposit or cash with the City in a special account to be used with a future paving project or at such time as development occurs adjacent to the property. Staff has observed over the years that gap paving or "piecemeal" paving has been less than effective for arterial streets. There have been times over the years where paving improvements have been constructed and then replaced because they did not fit in the overall design of the street. Because of this short length of pavement, staff is recommending deferral until future development occurs.

STAFF RECOMMENDATION: Based upon the above information, staff recommends approval of the deferral of the additional street paving improvements for Flood Avenue and the final plat, acceptance of the public dedication contained therein, and additionally recommends that the Mayor be authorized to sign the final plat subject to receipt of $550.00 for deferral of paving improvements in connection with Flood Avenue.



Location Map

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

N W E S

September 12, 2012

0 150 300 Ft.

Subject Tract

Zoning

17-1

DEVELOPMENT COMMITTEE

FINAL PLAT	DATE:
FP-1213-28 A	September 16, 2013

STAFF REPORT

ITEM: Consideration of an Amended Final Plat for P.B. ADDITION.

LOCATION: Generally located on the west side of Flood Avenue approximately 160° north of Highland Parkway.

INFORMATION:

1. Owner. Sassan Moghadam.

2. Developer. Sassan Moghadam.

3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 26, 1954. City Council adopted Ordinance No. 899 annexing and placing this property in C-2, General Commercial District.

2. November 8, 2012. Planning Commission, on a vote of 8-0, recommended to City Council approval of the preliminary plat for P.B. Addition.

3. January 22, 2013. City Council approved the preliminary plat for P.B. Addition.

4. March 14, 2013. Planning Commission, on a vote of 6-0, approved the final plat for P.B. Addition and recommended deferral of street widening for Flood Avenue.

5. April 9, 2013. City Council approved the final plat for P.B. Addition and deferral of paving improvements for Flood Avenue in the amount of $8,095.00.

6. April 12, 2013. The final plat for P.B. Addition was filed of record with the Cleveland County Clerk.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrant is existing.

2. Sanitary Sewers. Sanitary sewer is existing.

3. Sidewalks. Sidewalk is existing.

4. Storm Sewers. A privately maintained detention pond will be installed with the submittal of a building permit application.

5. Streets. City Council approved deferral of street improvements for Flood Avenue. The developer has submitted a certificate of deposit in the amount of $8,095.00 with the amended final plat because ten feet (10') of additional frontage has been added to P.B. Addition.

6. Water Mains. Water main is existing.

PUBLIC DEDICATIONS:

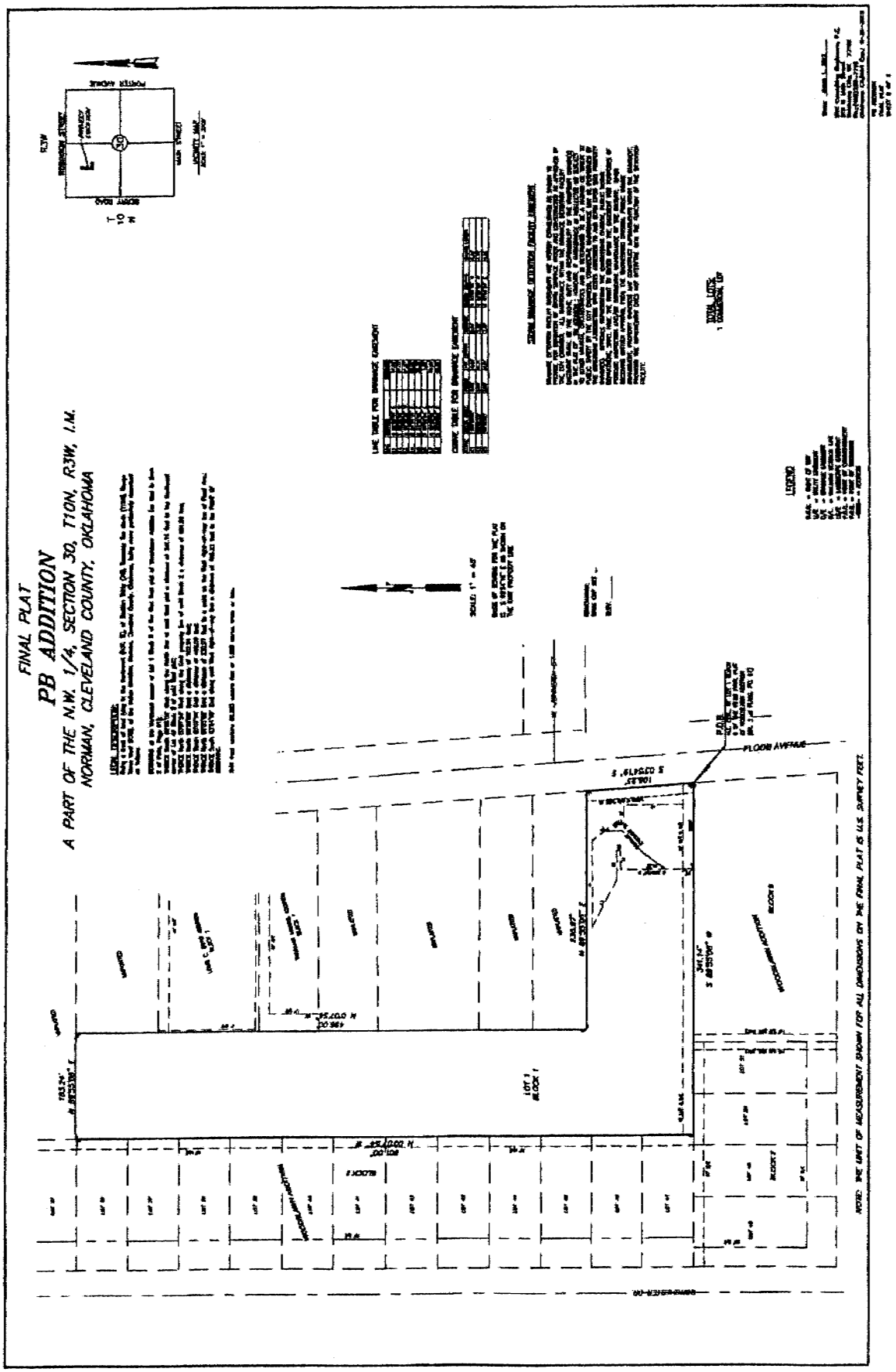
1. Easements. All required easements are dedicated to the City on the final plat.

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

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

DEVELOPMENT COMMITTEE COMMENTS: It has been determined errors were made regarding the legal description boundary of the final plat for P.B. Addition. As a result, an amended final plat for P.B. Addition has been submitted to the Development Committee for consideration. Upon submittal of the amended final plat to City Council, additional cost for deferral of Flood Avenue will be included.

The Development Committee supports the amended final plat for P.B. Addition and recommend it be submitted to City Council for consideration.


FINAL PLAT
PB ADDITION
A PART OF THE N.W. 1/4, SECTION 30, T10N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
FLOOD AVENUE
LOT 1
BLOCK 1
NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS U.S. SURVEY FEET.

SMC
Your Civil Engineering Solution

Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

August 29, 2013

Ken Danner
City of Norman
P.O. Box 370
Norman, OK 73070

RE: PB Addition
Amended Final Plat
SMC Project No. 5446.02

Dear Mr. Danner:

Enclosed are the following:

1. Three (3) copies of the final plat.
2. Per previous discussions the PB Addition Final Plat has been recorded. Upon construction the surveyor has confirmed a 16.5 feet error. This Amended Plat is submitted to correct this discrepancy to ensure there is not a "No Man Land" area unresolved.

Please review the data and place this item on the next available City Council Agenda.

Sincerely,

SMC Consulting Engineers, P.C.

Tom L. McCaleb, P.E.

cc: Sassan Moghadam

APPLICATION FOR
DEVELOPMENT COMMITTEE
ACTION

Date: 8/30/13

Part I: To be Completed by Applicant:

1. Applicant(s):
Precision Builders

Signature of Applicant(s):
Tom L. McCaleb, P.E. (Agent for Applicant) Tom L McCaleb

Telephone Number and Address:
815 West Main
Oklahoma City, OK 73106

2. Project Name and Legal Description:
PB Addition – Amended Final Plat

3. Action Request of Development Committee:
An amended plat is submitted to correct a 16.5 ft. error that omitted this area from this plat. No public improvements are required. PB Addition Final Plat has been recorded. Please review and submit the amended plat to City Council.

Part II: To Be Completed by Development Committee:

Development Committee Met on: September 16, 2013

Development Committee Findings:
The final plat for P.B. Addition filed with the County Clerk on April 12, 2013 apparently contained the wrong boundary (legal description). The amended final plat includes additional property. Adjacent property owner brought it to the attention of the owner

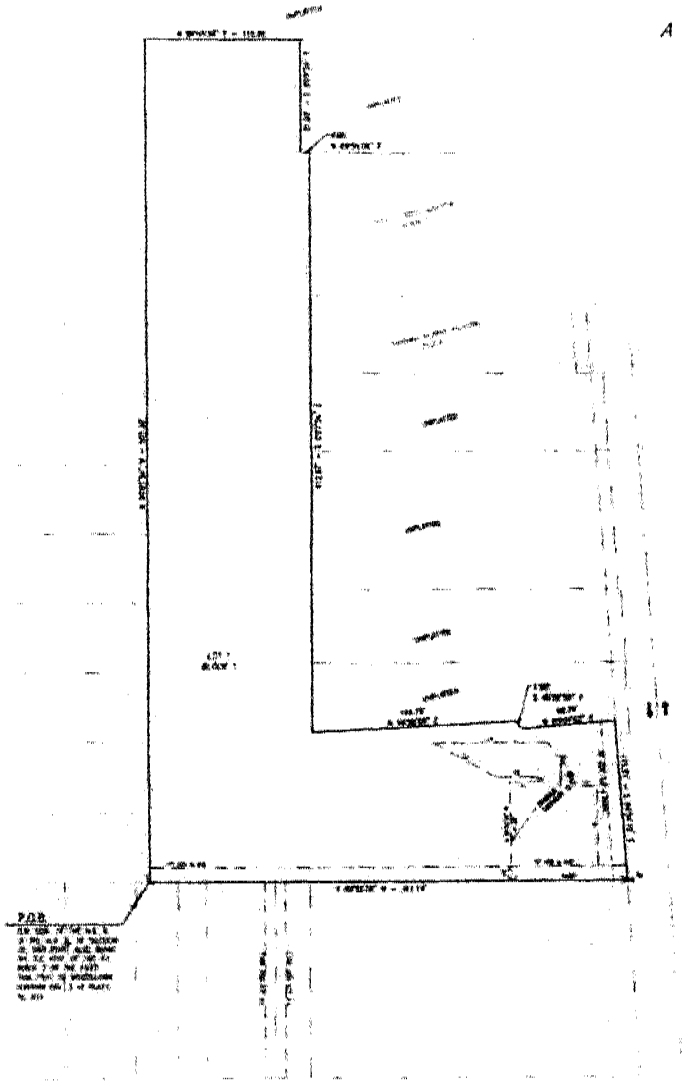
Development Committee Recommendations:
Recommend the amended final plat be submitted to City Council for approval.

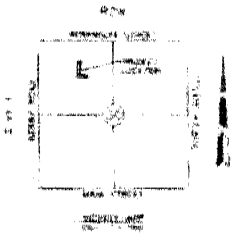
	Yes	No	Record of Acceptance:	Yes	No
Director of Public Works	☑	☐	Susan F. Connors Director of Planning	☑	☐
Director of Utilities	☒	☐	Principal Planner	☒	☐
City Engineer	☐	☐	Subdivision Development Manager	☒	☐

AN AMENDED PLAT OF

PB ADDITION

A PART OF THE N.W. 1/4, SECTION 30, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LEGAL DESCRIPTION

LINE TABLE FOR DRAINAGE EASEMENT

CURVE TABLE FOR DRAINAGE EASEMENT

STORM DRAINAGE DETENTION PRIVATE EASEMENT

TOTAL LOTS
1 COMMERCIAL LOT

LEGEND

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THIS FINAL PLAT IS U.S. SURVEY FEET

City of Norman, OK

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

Master

File Number: EN-1314-4

File ID:	EN-1314-4	**Type:**	Encroachment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/08/2013
File Name:	Encroachment for Independence Valley			**Final Action:**	

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1314-4 FOR LOT 1, BLOCK 1, LOTS 1 AND 10, BLOCK 2, AND LOT 1, BLOCK 3, INDEPENDENCE VALLEY ADDITION, SECTION 1. (INTERSECTIONS OF CEDAR LANE AND GLENDALE DRIVE AND CEDAR LANE AND TRUMAN AVENUE)

Notes: ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1314-4; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 18

Attachments: Text File Encroachment, Clerk Memo Encroachment Independence Valley, Letter of Request Encroachment, Consent to Encroach 1314-4 (Entrance Walls) Intersections Cedar Lane-Glendale-Truman 10-3-13, Planning Approval, Utilities Approval, Public Works memo, Letters from Utilities

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File EN-1314-4

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Zia Muneer, Attorney for Colony Homes, LLC of the Shaz Investment Group LLC, requesting a Consent to Encroach into a utility easement at the above-described locations.

DISCUSSION: The application for the Consent to Encroach concerns the encroachment upon a City of Norman utility easement for the construction of brick entry walls at two entrances into the Independence Valley Addition at the intersections of Cedar Lane and Glendale and Cedar Lane and Truman Avenue. The final plat was approved by Council on September 24, 2013. The consent will not be filed and recorded until the final plat has been filed and recorded.

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 entity be required to perform work within its easements.

The benefit to 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 easement, the City is not liable and will not be responsible for damage to the property owners' property in the event maintenance has to be performed within the easement.

STAFF RECOMMENDATION: Based upon the above and foregoing, the City Attorney's office is forwarding the above Consent to Encroach for Council consideration.

office memorandum

DATE: September 30, 2013

TO: Jeff Bryant, City Attorney
Rone Tromble, Administrative Technician IV
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk

SUBJECT: Request for Consent to Encroachment No. 1314-4

I am in receipt of an encroachment request for permission to encroach on a utility easement located Lot 1, Block 1, Lots 1 and 10, Block 2, and Lot 1, Block 3, Independence Valley Addition to construct brick entry walls at two entrances. I am forwarding the letter of request; site plan, sign dimensions; and letters from ONG, OG&E, and AT&T. The application fee has been paid. 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 October 22, 2013, and the information must be received in my office by October 7, 2013. If there is a problem in meeting that timeframe, please advise.
smr
attachments

SHAZ INVESTMENT GROUP LLC
2252 N. Broadway Street
Moore, OK 73160
Phone: (405) 692-2222
Fax: (405) 799-5484

September 25, 2013

City Clerk of Norman
201 W. Gray
Norman, OK 73070

RE: Request for Permission to Encroach

Dear Sir,

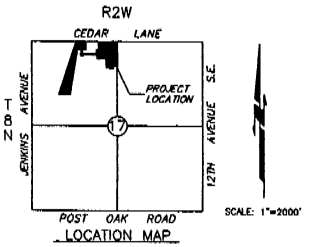
Shaz Investment Group LLC hereby requests permission to encroach for the purpose of erecting entry walls at the entrances of the Independence Valley Section 1 Addition in Norman. The entry walls will be erected at the intersections of Cedar Lane and Glendale Drive and Cedar Lane and Truman Avenue. Cedar Lane is located between 12th Avenue SE and Jenkins Avenue.

Thank you for your consideration.

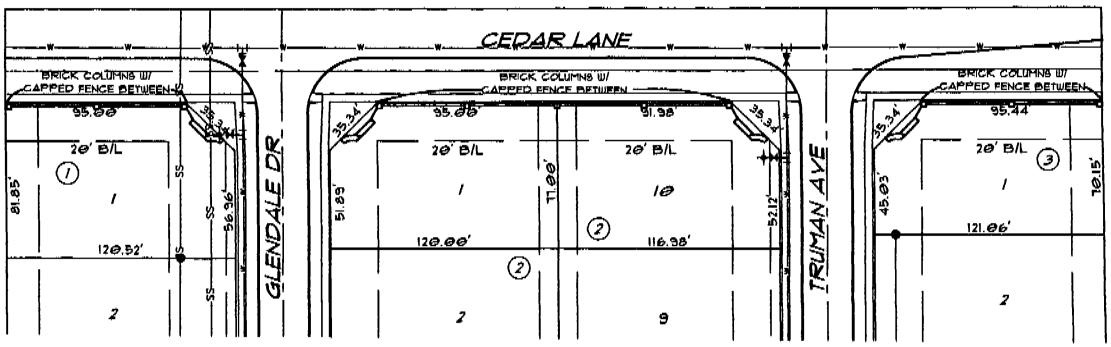
Sincerely,

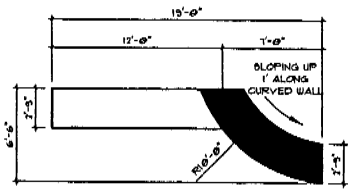
Zia Muneer
Attorney
Colony Homes LLC

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-30-13

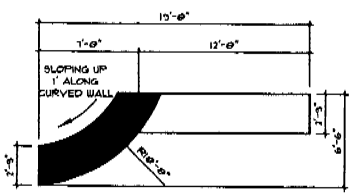


LOCATION MAP





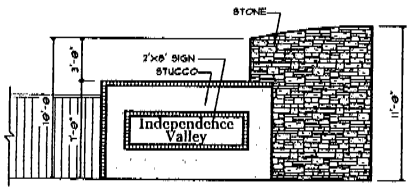
PLAN VIEW
1/4" = 1'-0"



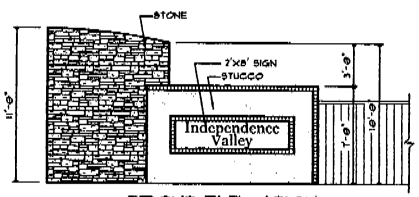
PLAN VIEW
1/4" = 1'-0"

SITE PLAN
1" = 30'-0"

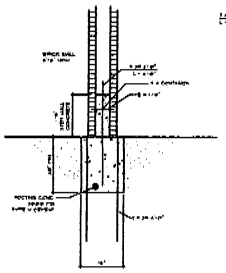
GENERAL PLAN NOTES:
1. BRICK COLUMNS AND CAPPED WOOD FENCE W/STEEL POSTS ALONG CEDAR LANE
2. TWO ENTRY WALLS TO BE PLACED AT BOTH EAST AND WEST ENTRIES TO SUBDIVISION
3. BRICK COLUMNS TO BE PLACE INSIDE PROPERTY LINES

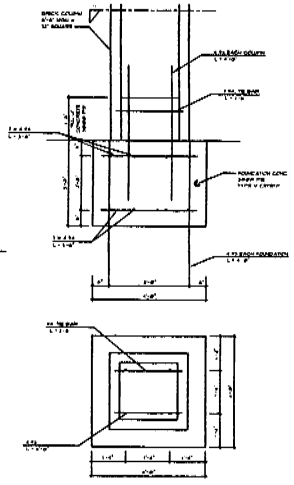


FRONT ELEVATION
1/4" = 1'-0"

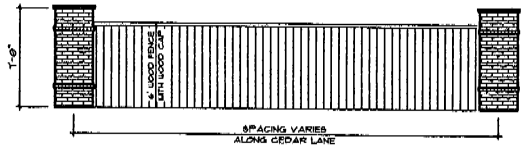


FRONT ELEVATION
1/4" = 1'-0"





FOUNDATION DETAILS
1/2" = 1'-0"



PERIMETER FENCE ELEVATION
1/4" = 1'-0"

SIGN AREA - 16 S.F. X 4

PLAN NOTES:

REVISIONS

HOME CREATIONS

INDEPENDENCE VALLEY ENTRY
LOT 1, BLOCK 1
LOTS 1 & 18, BLOCK 2
LOT 1, BLOCK 3

A1

18-3

CONSENT

Consent to Encroachment No. 1314-4

WHEREAS, the City of Norman, Cleveland County, is in possession of utility easement on the land described as follows, to-wit:

> Lot 1, Block 1, Lots 1 and 10, Block 2, Lot 1, Block 3, Independence Valley Section 1 Addition, Cleveland County, Oklahoma a/k/a intersections of Cedar Lane and Glendale Drive and Cedar Lane and Truman Avenue,

AND WHEREAS, the owner of the above-described property requests that brick entrance walls be allowed to encroach upon the existing easement;

AND WHEREAS, the City has been requested to consent in writing for the brick entrance walls be built at the requested location;

NOW, THEREFORE, the City of Norman does hereby consent to said brick entrance walls be built in the utility easement 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; and

2. The property owner will be responsible for the cost the City incurs to remove any or all brick entrance walls, if needed, to facilitate maintenance or repair of the City's easement; and

3. The property owner will be responsible for the cost to repair or replace any or all of the brick entrance walls for such repairs.

4. The property owner waives and releases any claims against the City for any damages to any or all of the brick entrance walls caused by any excavation by the City for purposes of maintaining or replacing the City's facilities within the easement area.

5. By encroaching on said utility easement, 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 of the brick entrance walls.

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.

7. This consent will not be filed and recorded until the final plat for Independence Valley Section 1 Addition is filed and recorded.

This consent is limited to the brick entrance walls as indicated in the application being located on the utility easement, and the City does not authorize or consent to the construction or location of any other structure(s) of a permanent nature within the easement. 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 easement as required at any time in the future.

The City of Norman
Post Office Box 370
Norman, OK 73070

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 easement, 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 October, 2013.

THE CITY OF NORMAN, OKLAHOMA

_____
Mayor

ATTEST:

_____
City Clerk

On this _____ day of October, 2013, 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.

_____
Notary Public

My Commission Expires:

_____

OWNER:
Shaz Investment Group, LLC
By: Colony Homes LLC

By: _____
Name: _____

On this ____ day of October, 2013, before me personally appeared _____ 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.

_____
Notary Public

My Commission Expires: _____

office memorandum

DATE: October 4, 2013

TO: Honorable Mayor and Councilmembers

FROM: Jane Hudson, Principal Planner

SUBJECT: Consent to Encroach No. 1314-4
Lot 1, Block 1; Lots 1 and 10, Block 2 and Lot 1, Block 3, Independence Valley Addition

BACKGROUND The applicant intends to construct entry walls with signage and fencing with brick columns for the entrances at Independence Valley subdivision. These features will be located at each corner of the intersections for Glendale Drive and Cedar Lane and Truman Avenue and Cedar Lane. The entry walls are the only feature encroaching into utility/drainage easements as well as a platted setback line. The applicant has requested consent to encroach those easements and setback.

DISCUSSION It is common for entrances to new subdivisions to be framed by such walls and fences with the name of the subdivision encapsulated within the wall. The design for the entry features will be stone, stucco and wood fencing. The design for the fence extending east/west along Cedar Lane will be a combination of capped fencing and brick columns.

RECOMMENDATION Planning Staff does not oppose the request. It should be noted that building permit(s) will be required for the construction of the walls and brick pillars for fencing. The final plat has not been filed of record at the date of this request. Staff requests that this consent to encroach not be filed of record until the plat is filed of record. The Utilities Department will respond regarding the City owned utilities within the easement. Public Works Department will respond regarding City owned drainage structures within the drainage easement.

Reviewed by: Susan Connors, AICP SFC
Director of Planning and Community Development

cc: Brenda Hall, City Clerk

office memorandum

Date: October 2, 2013

To: Brenda Hall, City Clerk

From: Jim Speck, Capital Projects Engineer JS

Re: Consent to Encroach 1314-4
Lot 1, Block1; Lots 1 and 10, Block 2; and Lot 1, Block 3; Independence Valley Addition
(Two entrances off Cedar Lane at Glendale and Truman)

The developer of Lot 1, Block1; Lots 1 and 10, Block 2; and Lot 1, Block 3; Independence Valley Addition proposes to construct entrance signs in four locations.

The sign at the southwest corner of Cedar Lane and Glendale is proposed to be constructed completely within an existing 25 foot Utility Easement (U/E) and on top of a new 24" sanitary sewer line, which is approximately 15 feet deep. The sign at the southeast corner of Cedar Lane and Glendale and the southeast corner of Cedar Lane and Truman is proposed to be constructed completely within a 25 foot U/E but is not proposed to be located on top of any City water or sewer mains. The sign at the southwest corner of Cedar Lane and Truman is proposed to be constructed outside any Utility Easement (U/E).

The Utilities Department objects to all encroachments on utility easements unless the applicant agrees to certain requirements being filed of record on the consent document. A recommendation to approve is forwarded only when the applicant agrees to the following:

1. The property owner and/or Shaz Investment Group, LLC will be responsible for the cost to repair any damages to the City's utilities caused by any excavation, piering or other construction activities conducted by the property owner, Colony Homes, LLC, or their agents.
2. The property owner and/or Shaz Investment Group, LLC will be responsible for the cost the City incurs to remove any fence, curb, landscaping, paving, sign, building, or any other structure if needed to facilitate maintenance or repair of the City's utilities.
3. The property owner and/or Shaz Investment Group, LLC will be responsible for the cost to repair or replace any fence, curb, landscaping, paving, sign, building, or any other structure after such repairs.
4. The property owner and/or Shaz Investment Group, LLC will waive and release any claims against the City for any damages to the building/s and related improvements caused by a failure or repair and maintenance of 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: October 4, 2013

To: Leah Messner, Assistant City Attorney

From: Ken Danner, Subdivision Development Manager K.D.

Subject: Consent to Encroach
Lot 1, Block 1, Lots 1 and 10, Block 2 and Lot 1, Block 3, Independence Valley Addition, Section 1.

The Public Works staff does not oppose the subdivision entry walls crossing the utility easements. The entry walls have been associated with the screening of single family developments where lots back or side a section line road for many years. The Public Works Department/Engineering Division does yield to the Utilities Department for any city-owned utilities that might be located within the easements.

The utility companies that have responded desire a condition on the consent to encroach that they will be held harmless in the course of maintaining their facilities and future facilities.

City Council approved the final plat, at its meeting of September 24, 2013.The public improvements are near completion. However, the final plat has not been filed of record with the Cleveland County Clerk. Although I am not opposed to the submittal of this request, I would recommend that the consent to encroach not be filed until the final plat is recorded.

If you have any further questions, please feel free to contact me.

Reviewed by, Scott Sturtz, City Engineer SB
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

SEPTEMBER 17, 2013

HOME CREATIONS
ATTN: LIZ KING, CAD SPECIALIST
2240 N. BROADWAY
MOORE, OK. 73160

DESCRIPTION OF WORK: **Encroachments along Cedar Lane Road ROW**
LEGALS OF WORK LOCATION: **Two Entrances to the Independence Valley Addition**

Ms. King;

Your request from Oklahoma Gas & Electric to allow encroachments into the Cedar Lane Road right-of-way along the entrances to the new development call Independence Valley Addition, has been reviewed. OG&E has no facilities on the south side of Cedar Lane Road at the entrances. OG&E does not object to the proposed work, provided the applicant abides by the city of Norman guidelines for the work described, and does the following:

1.) Notify "Call-Okie" at (405) 840-5032 at least 48 hours before digging to have all lines marked.
2.) If equipment is involved and is as high as the lowest OG&E overhead wire, approximately 18 feet, and it will be operating within 10 feet of our wire, you should call OG&E construction at 553-5143, to have wires covered.
3.) Call OG&E construction at 553-5143 two days before drilling and/or trenching closer than **eight feet to an OG&E utility pole, or five feet to an OG&E underground line.**
4.) OG&E would not be held responsible for damaging a private line in a (public/platted) easement.
5.) OG&E would need to be reimbursed for any damage to its facilities.
6.) OG&E would need to be reimbursed ahead of time for the cost of relocating any facilities.

Should local service be disrupted to any OG&E customer because of work performed during the construction phase of the new development, you and/or your contractor will be responsible for any costs incurred by OG&E to restore service. Obtaining permission from the City of Norman or beginning the above referenced work constitutes acceptance of the terms of this letter. If you have any questions, or if I can provide you with any other information, please contact me at (405) 553-5174.

Sincerely,

Timothy J. Bailey
Right-Of-Way Agent

OKLAHOMA NATURAL GAS

A DIVISION OF ONEOK

September 19th, 2013

Ms. Liz King
Home Creations
2240 N. Broadway Street
Moore, OK 73160

Dear Ms. Kings:

LETTER OF NO OBJECTION TO ENCROACH ON A UTILITY EASEMENT.

THIS REQUEST IS FOR A PROPOSED ENTRY WALL (4) AND PERIMETER FENCE TO BE INSTALLED ALONG CEDAR LANE AT GLENDALE DRIVE AND TRUMAN AVENUE, OTHERWISE KNOWN AS INDEPENDENCE VALLEY, NORMAN 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 on the South side of Cedar Lane, the East side of Glendale Drive and the East side of Truman Avenue. Because of this, we request that 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. Also, Oklahoma Natural Gas will not be held responsible for the cost of repairs or replacement of the Entry Wall or Fence should they be damaged in the course of operations or maintenance on our facilities.

If we can be of further assistance, please let us know.

Sincerely,

Brian Navarro
Operations Supervisor

Terri Hayes
Engineering and Construction
300 S. Broadway
Moore, OK 73160

T: 405-291-1073
F: 405-228-3464

September 20, 2013

Consent to Encroach
Independence Valley
Property Entry Walls & Fencing
Norman, Oklahoma
Cleveland County

To Whom It May Concern:

Review of the above request to encroach an existing utility easement to construct entrance walls and perimeter fencing to the above referenced property has been completed. Please be advised that ATT Southwest has no objections to this construction under the following advisements.

a. Please be aware that ATT does have buried cables in the ROW/easement of the general area.
b. The property owner hereby releases AT&T of responsibility to repair, rebuild, or maintain any properties placed by property owner in said encroachment area.
c. Property owner must ensure accurate up-to-date facilities locates are obtained by contacting OKIE-ONE (1-800-522-6543).
d. Damage to AT&T facilities resulting from this or any future construction within this easement may carry cost charges to property owner.
e. Any requests to move and/or lower facilities will be at the property owner's cost.
f. AT&T retains all of its rights with respect to its property, right-of-way or easement. Specifically, AT&T retains the right to access its telecommunications facilities to repair, maintain or augment its telecommunications network.

If you have any questions, please feel free to contact me on (405) 291-1073.

Sincerely,

Terri Hayes
Manager – OSP Planning and Engineering Design
Norman & Noble Wirecenters
300 S. Broadway
Moore, OK 73160

Proud Sponsor of the U.S. Olympic Team

City of Norman, OK

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

Master

File Number: GID-1314-51

File ID:	GID-1314-51	**Type:**	Grant	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	10/02/2013
File Name:	Solid Waste Management Act Funding Grant			**Final Action:**	

Title: CONSIDERATION OF THE NORMAN MUNICIPAL AUTHORITY'S ACCEPTANCE OF A GRANT IN THE AMOUNT OF $20,000 FROM THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY TO BE USED BY THE SANITATION DIVISION TO PURCHASE ADDITIONAL RECYCLING POLYCARTS FOR THE NEW CURBSIDE RECYCLING PROGRAM AND BUDGET APPROPRIATION.

Notes: ACTION NEEDED: Acting as the Norman Municipal Authority, motion to accept or reject a grant in the amount of $20,000 from the Oklahoma Department of Environmental Quality to be used by the Sanitation Division to purchase additional recycling carts for the new Curbside Recycling Program; and, if approved, increase Other Revenue/Miscellaneous Grant Reimbursements (033-0000-331.13-46) and appropriate $20,000 from that account to Plant and Operating Equipment/Refuse Receptacles (033-5566-432.51-08).

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 19

Attachments: Text File Recycling Grant, Purchase Order DEQ

Project Manager: Ken Komiske, Director of Utilities

Entered by: gay.webb@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File GID-1314-51

Body

BACKGROUND: The City of Norman began offering curbside recycling services after Norman voters approved an additional mandatory $3 per month rate for those customers offered the new service in 2007. The initial five-year contract for curbside recycling service started in March 2008 with Waste Management, which included the pickup of eighteen (18) gallon bins with recyclables from single family dwellings in urban Norman. Recyclables under the contract with Waste Management included newsprint, magazines, office and mixed paper, phonebooks, soda bottles, aluminum, steel and tin cans, glass bottles and #1 - 7 plastics. Cardboard products, including corrugated cardboard, chipboard and boxboard were not acceptable under this contract.

DISCUSSION: The City recently approved a new five (5) year contract for recycling services with Allied Waste

Services. Services under the new contract began August 5, 2013. Materials that can be recycled under the new contract include all the existing materials plus cardboard, cereal and cracker type boxes, paper milk cartons, plastic bags and kitchen cookware metals such as pots, pans, tins and utensils. With the collection of additional materials, the contract calls for the use of ninety five (95) gallon polycarts instead of eighteen (18) gallon bins.

The City recently issued a $1.62 million dollar bond for the purchase and distribution of over 30,000 ninety-five (95) gallon polycarts in advance of the new service beginning in August. The Solid Waste Management Act affords the Oklahoma Department of Environmental Quality resources that can help local governments with items such as the purchase of curbside recycling polycarts. The funding is limited and may be restricted to a maximum of $20,000 per program. The City applied for and received a grant from the Oklahoma Department of Environmental Quality for the maximum allowed, which is $20,000. The $20,000 will be used to purchase additional blue slightly smaller sixty-eight (68) gallon polycarts to be used for recycling. A small number of customers that have restrictive space for polycarts requested a slightly smaller polycart for curbside recycling. The returned ninety-five blue polycarts will be reused for new customers or replacements for damaged recycling polycarts.

STAFF RECOMMENDATION: Based on the discussion above, staff recommends City Council approve the acceptance of the grant in the amount of $20,000; receipt funds in Miscellaneous Sanitation Grant (033-0000-331.13-46); and appropriate $20,000 to Recycling Refuse Receptacles (033-5566-432.51-08).

Purchase Order

Dispatch via Print

Purchase Order	Date	Revision	Page
2929017703	08/19/2013		1
Payment Terms	**Freight Terms**		**Ship Via**
45 Days	Free on board at Destination		Common
Buyer	**Phone**		**Currency**
Irelita Jones	405/702-1116		USD

Dept of Environmental Quality
OK DEPT OF ENVIRONMENTAL QUALITY
SHIPPING & RECEIVING
707 N ROBINSON
OKLAHOMA CITY OK 73102

Ship To: OK DEPT OF ENVIRONMENTAL QUALITY
SHIPPING & RECEIVING
707 N ROBINSON
OKLAHOMA CITY OK 73102

Vendor: 0000076924
CITY OF NORMAN
PO BOX 370
NORMAN OK 73070-0370

Bill To: OK DEPT OF ENVIRONMENTAL QUALITY
ADMINISTRATIVE SERVICES
PO BOX 1677
OKLAHOMA CITY OK 73101-1677

Tax Exempt? Y **Tax Exempt ID:** 736017987

Line-Sch	Cat CD / Item Id	Description	Quantity	UOM	PO Price	Extended Amt	Due Date
1- 1	73111604 / 1000027932	SERVICE: Recycle program (ASSISTANCE TO PURCHASE 95-GALLON POLYCARTS FOR CURBSIDE RECYCLING FOR THE CITY OF NORMAN.)	1.0000	JA	20,000.0000	20,000.00	08/19/2013

Total PO Amount 20,000.00

COMMENTS:

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FY 2014

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CITY OF NORMAN 0000076924 002
ATTN: KENNETH KOMISKE, DIRECTOR OF UTILITIES
201 WEST GRAY, BUILDING C
P.O. BOX 370
NORMAN, OK 73069

.

PROJECT: RECYLING EQUIPMENT

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JUSTIFICATION: THE SOLID WASTE MANAGEMENT ACT AFFORDS THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY RESOURCES THAT CAN HELP LOCAL GOVERNMENTS WITH RECYCLING EQUIPMENT.

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FOR AGENCY USE ONLY

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DIVISION CONTACT: MARY JOHNSON/405-702-5150/ mary.johnson@deq.ok.gov

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FOR CONTRACT RELATED ISSUES CONTACT THE BUYER LISTED ABOVE OR EMAIL: irelita.jones@deq.ok.gov

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DEQ IS AN EQUAL OPPORTUNITY EMPLOYER

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FUNDING: 085

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PO #2929017703

.

AUGUST 19, 2013

Authorized Signature

received
9-6-13

City of Norman, OK

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

Master

File Number: K-1314-87

File ID:	K-1314-87	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Police Department	**Cost:**	$7,480.57	**File Created:**	10/09/2013
File Name:	2013 Coverdale Grant			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF A COVERDALE NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT GRANT THROUGH THE DISTRICT ATTORNEY'S COUNCIL IN THE AMOUNT OF $7,480.57 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ACCREDITATION TRAINING AND TO PURCHASE EQUIPMENT FOR LABORATORY TECHNICIANS AND SUPERVISORS OF THE CITY OF NORMAN FORENSIC LABORATORY, APPROVAL OF CONTRACT NO. K-1314-87; AND BUDGET APPROPRIATION.

Notes: ACTION NEEDED: Motion to accept or reject a Coverdale National Forensic Sciences Improvement Act Grant through the District Attorney's Council in the amount of $7,480.57 to be used by the Police Department; and, if accepted, approve Contract No. K-1314-87; authorize execution of the contract; increase Other Revenue/Police Grants (022-0000-334.13-43) by $7,481; and appropriate $2,231 to Project No. GP0023, Coverdale NFSIA Grant, Professional Services/Seminars and Workshops (022-6011-421.46-22) and $5,250 to Laboratory Equipment (022-6011-421.51-22).

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 20

Attachments: Text File Coverdale, Award Document to be signed.pdf

Project Manager: Captain Todd Gibson, Criminal Investigations Division

Entered by: jim.spearman@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-87

Body

BACKGROUND: The Coverdale National Forensic Sciences Improvement Act (NFSIA) grant provides funding to crime laboratories through the Oklahoma District Attorneys Council based on population and crime statistics. The program provides funding for expenses related to facilities, personnel, equipment, computerization, supplies, accreditation, certification, and education and training.

DISCUSSION: The City of Norman has been offered funds from this grant in the amount of $7,480.57 that does not require a match. The Norman Police Forensic Laboratory is accredited through the Forensic Quality Service, Inc. (FQS). Accreditation ensures that control of records, proficiency testing, traceability, safety and other daily laboratory operations conform with rigorous standards and best practices. We intend to use the funds from this grant to pay FQS accreditation fees and to purchase a new ninhydrin development chamber for the forensic laboratory.

RECOMMENDATION: It is recommended the Council accept the grant funds in the amount of $7,480.57, and deposit the funds into Special Grant Fund, Grant Revenue (account 022-0000-334.13-43). Funds are recommended to be appropriated into and expended from the following accounts:

Professional License/Certification Fees (account 022-6011-421.46-22; project GP0023); amount $2,230.57
Laboratory Equipment (account 022-6011-421.51-22; project GP0023); amount $5,250

AWARD NOTICE

District Attorneys Council
421 N.W. 13th, Suite 290
Oklahoma City OK 73103
(405) 264-5008 FAX (405) 264-5095

Grantee: Norman, City of P.O. Box 370 Norman OK 73070 **PHONE:** (405) 321-1600 **FAX:** (405) 366-5202	**SUBGRANT NO:** FSF13-005 **Project Name:** NFSIA - NPD **START DATE:** 10/1/2013 **END DATE:** 9/30/2014
Federal ID Number: 736005350 **DUNS Number:** 009072427 **CFDA:** 16742 **Federal Award Number:** 2013CDBX0002	**DAC CONTACT:** Meagan Conway (405) 264-5008
Grant Amount: $7,480.57 **Federal Match:** $0.00	**Program Director:** Todd Gibson (405) 366-7760

This grant is subject to the terms and conditions set forth in the proper program of the State of Oklahoma Grant Application which was submitted to the Department of Justice. the award is authorized by the District Attorneys council (DAC) and DOJ.
The subgrantee shall administer the project for which this subgrant is awarded in accordance with the applicable rules, regulations, and conditions as set forth in the Federal guidelines, the Administrative Guide For Justice Grant Programs published by DAC, and the effective edition of the Department of Justice, Office of Justice Programs, Financial and Administrative Guide for Grants. The Subgrantee shall also administer the project in accordance with the Certified Assurances as included in the Subgrantee's application and any special conditions placed on the award.

The subgrantee shall maintain separate accounts and accounting records for the subgrant funds, and shall maintain and furnish to DAC and DOJ upon request, detailed accounting and supportive records. The subgrantee shall file such reports relating to the subgrant as are required by DAC and DOJ.

Special Conditions:
(See Attachment)

_____ _____
Notary **Chief Executive Officer**

Expires _____ **Date** _____ **Commission Number** _____

DAC use only

_____ _____
M. DeLynn Fudge **Date**
Director of Federal Programs

2013 Coverdell Forensic Sciences Improvement Grant
Special Conditions

Subgrantee: _____ *Subgrantee Number:* _____

Instructions: *The Chief Executive Officer and the Project Director must sign and date the document where indicated acknowledging that each Special Condition has been read.*

1. The subgrantee agrees that the Award Documents constitutes the operative document obligating and reserving the federal funds for use by the subgrantee. The obligation of the awarded funds is forfeited without further cause if the subgrantee fails to sign and return the Award Document and all other documents as required by the Federal Programs Division within **45 calendar days** of the date on the Award, or **November 15, 2013.**

2. The Federal Grants Division will approve the goals and objectives section for all approved applications to ensure that the objectives are measurable. If requested, the subgrantee will be required to resubmit objectives that are measurable by **November 15, 2013**.

3. The subgrantee agrees to comply with the financial and administrative requirements set forth in the most current edition of the Financial and Administrative Guide as developed by the Federal Grants Division in the District Attorneys Council and the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.

4. The subgrantee agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactory and promptly addressed, as further described in the current edition of the OJP Financial Guide.

5. The Project Director and the Fiscal Officer of the project must attend the mandatory Financial Meeting in Oklahoma City. Further information on this meeting will be provided to the subgrantee.

6. The Federal Grants Division will approve the budget in the framework of the award amount. The subgrantee understands and agrees that any deviations to the approved budget must be in compliance with the most current edition of the Administrative and Financial Guide. Deviations outside of the scope of the approved budget and/or the Administrative and Financial Guide may result in unallowable expenditures and therefore lead to the return of federal funds by the subgrantee.

7. The subgrantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.

8. The subgrantee agrees to comply with all applicable federal civil rights laws applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968, (42 U.S.C. § 3789d), the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672 (b)); the Civil Rights Act of 1964 (U.S.C. 42 § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794, the Americans with Disabilities Act of 1990 (42 U.S.C § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age

Discrimination Act of 1975 (42 U.S.C. §§6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

9. The subgrantee must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subgrantees. Potential fraud, waste, abuse or misconduct should be reported to the OIG by –

   Mail:

   Office of Inspector General
   U.S. Department of Justice
   Investigations Division
   950 Pennsylvania Avenue, N.W.
   Room 4706
   Washington DC 20530

   E-mail: oig.hotline@usdoj.gov

   Hotline: (Contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881

   Additional information is available from DOJ OIG website at www.usdoj.gov/oig

10. A. Generally Accepted Laboratory Practices. The subrecipient shall use generally accepted laboratory practices and procedures as established by accrediting organizations or appropriate certifying bodies.

    B. External Investigations. The subrecipient shall ensure that the requirements of 42 U.S.C. section 3797k(4) (which relate to independent external investigations into allegations of serious negligence or misconduct by employees or contractors) are satisfied with respect to any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that receives a portion of the grant amount.

    C. Use of Funds; No Research. Funds provided under this award shall be used only for the purposes and types of expenses set forth in the fiscal year 2009 grant announcement. Funds shall not be used for general law enforcement functions or nonforensic investigatory functions, and shall not be used for research or statistical projects or activities. Use of award funds for construction of new facilities is restricted by statute. Any questions concerning this provision should be directed to the Federal Grants Division Director prior to incurring the expense or commencing the activity in question.

    D. Performance Measures. To ensure compliance with the Government Performance and Results Act (Pub. L. No. 103-62), program performance under this fiscal year 2009 award is measured by the following; (1) percent reduction in the average number of days from the submission of a sample to a forensic science laboratory to the delivery of test results to a requesting office or agency (calculated by reporting the number of days to process a sample at the beginning of the grant period versus the number of days to

process a sample at the end of the grant period); (2) percent reduction in the number of backlogged forensic cases (calculated by reporting the number of backlogged forensic cases at the beginning of the grant period versus the number of backlogged forensic cases at the end of grant period), if applicable to the award; and (3) the number of forensic science or medical examiner personnel who completed appropriate training or educational opportunities with fiscal year 2009 Coverdell funds, if applicable to the award. Recipients are required to collect and report data relevant to these measures.

11. The subgrantee shall submit progress reports within 15 days after the end of the reporting periods, which are June 30th and December 31st, for the life of the award.

12. If required, the subgrantee will submit an acceptable Equal Employment Opportunity Plan (EEOP), pursuant to 28 C.F.R. Section 42.302, that is approved by the Office of Civil Rights within 45 days from the date of the award. Failure to submit an approved EEOP is a violation of the Special Conditions and may result in suspension or termination of funding, until such time as the subgrantee is in compliance.

13. The subgrantee agrees that federal funds under this award will be used to supplement, but not supplant, state or local funds appropriated for the same purpose.

14. The subgrantee agrees to provide to the Federal Grants Division copies of all official grant-related press releases at least fifteen (15) working days prior to public release. DAC must in turn notify NIJ. Advance notice permits time for coordination of release of information by NIJ where appropriate and to respond to press or public inquiries.

15. The subgrantee agrees to cooperate with any assessment, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

16. The subgrantee acknowledges that the Office of Justice Programs reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and authorize others to use, for Federal government purposes: (1) the copyright in any work developed under an award; and (2) any rights of copyright to which a subgrantee purchases ownership with Federal support.

    Recipient acknowledges that the Office of Justice Programs has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

17. To assist in information sharing, the subgrantee shall provide the Federal Grants Division with a copy of all interim and final reports and proposed publications (including those prepared for conferences and other presentations) resulting from this agreement. Submission of such materials prior to or simultaneous with their public release aids NIJ in responding to any inquiries that may arise.

    Any publications (written, visual, or sound) – excluding press releases and newsletters – whether published at the recipient's or the government's expense, shall contain the following statement: *"This project was supported by Award No. 2013-CD-BX-0002 awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this*

publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice."

18. The subgrantee of Coverdell funds will make use of the process referenced in their certification as to external investigations and will refer allegations of serious negligence or misconduct substantially affecting the integrity of forensic results to government entities with an appropriate process in place to conduct independent external investigations, such as the government entity (or entities) identified in the grant application.

19. The subgrantee agrees to comply with all federal, state, and local environmental laws and regulations application to the development and implementation of the activities to be funded under this grant.

    Categorical Exclusions: Based upon the information provided by the subgrantee in its application for these funds, NIJ has determined and the subgrantee understands that the proposed activities meet the definition of a categorical exclusion, as defined in the Department of Justice' Procedures for Implementing the National Environmental Policy Act found at 28 CFR Part 61. A categorical exclusion is an action that because of the proposed activities' very limited and predictable potential environmental impacts, both on an individual and a cumulative basis, does not have a significant impact on the quality of the human environment. Consequently, no further environmental impact analysis is necessary under the requirements of the National Environmental Policy Act, 42 U.S.C. 4321, for these categorically excluded activities.

    Modifications: Throughout the term of this award, the subgrantee agrees that for any activities that are subject of this categorical exclusion, it will inform NIJ of any change(s) that it is considering making to the previously assessed activities that may be relevant to the environmental impacts of the activities. The subgrantee will not implement a proposed change until NIJ, with the assistance of the subgrantee, has completed any applicable environmental impact review requirements necessitated by the proposed change and NIJ has concurred in the proposed change. This approval will not be unreasonable4 withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ conducted environmental impact review process.

20. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

21. The subgrantee agrees that reimbursed funds shall be returned to the specific Department in which the funds were originally expended.

22. The subgrantee agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at www.ojp.gov/funding/confcost.htm.

2013 Coverdell Forensic Sciences Improvement Grant
Special Conditions

23. The subgrantee agrees to maintain a current System for Award Management (SAM) throughout the life of the grant.

24. The subgrantee must maintain a current address, area code/telephone number, area code/fax number, and email address. If any information is incorrect or has changed since or during the award period, updates must be made to document the changes on an A-9 Form.

25. Subgrantees understand and agree that federal funds cannot be used, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

26. The subgrantee agrees to comply with any additional requirements that may be imposed by the Federal Grants Division of the District Attorneys Council (DAC) during the grant period if the Federal Grants Division determines the subgrantee is a high-risk subgrantee.

27. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm.

28. Approval of this award does not indicate approval of any consultant rate in excess of $450 per day. A detailed justification must be submitted to and approved by OJP prior to the obligation or expenditure of such funds.

29. If the subgrantee chooses to charge a fee for forensic science or medical examiner related services, written notification of this fact must be provided to the DAC Grant Manager so that written notification can be sent to the NIJ Program Manager for the award within ten (10) business days of acceptance of this award. The subgrantee understands and agrees that income from fees charges for forensic science or medical examiner services may constitute program income, and that program income must be handled in accordance with the provisions of 28 C.F.R. 66.25 and the Office of Justice Programs Financial Guide and the DAC Federal Grants Division Financial and Administrative Guide. The subgrantee further understands and agrees that both program income earned and program income expended must be reported quarterly in the A-8 form to DAC. Program income under this award may be expended for any allowable purpose listed in the solicitation for the NIJ FY 2012 Paul Coverdell Forensic Science Improvement Grants Program. Any program income that is not expended prior to the end of the award period must be sent to OJP.

Signature of the Chief Executive Officer*	Title of Chief Executive Officer	Date
Signature of the Project Director	Title of the Project Director	Date

The Chief Executive Officer is the City Manager, Mayor, Chairperson of the County Commissioners, District Attorney, Tribal Chief or Chairperson of the Board of Directors.

SUZANNE McCLAIN ATWOOD
Executive Coordinator

TRENT H. BAGGETT
Assistant Executive Coordinator

STATE OF OKLAHOMA

DISTRICT ATTORNEYS COUNCIL

421 N.W. 13TH STREET, SUITE 290 • OKLAHOMA CITY, OKLAHOMA 73103

	EXECUTIVE	FISCAL	GRANTS	VICTIMS	MIS
	405-264-5000	405-264-5004	405-264-5008	405-264-5006	405-264-5002
FAX	405-264-5099	405-264-5099	405-264-5095	405-264-5097	405-264-5099

AUTHORIZATION TO SIGN PROJECT DOCUMENTS
FORM A-1

Check applicable grant program:

☐ AGE ☐ AGN ☐ AGW ☐ BYRNE ☐ JAG ☐ NCHIP

☒ NFSIA ☐ PSNE ☐ PSNN ☐ PSNW ☐ RSAT ☐ VAWA

I herby authorize _____ to act on my behalf in coordination with the District Attorneys Council in reference to Subgrant Number _____.
In this capacity, the above identified individual is authorized to sign all correspondence in relation to this project.

Agency: _____

Authorized Individual: _____

Authorized Individual's Mailing Address: _____

Authorized Individual's Area Code/Phone No.: _____

Authorized Individual's Area Code/Fax No.: _____

Authorized Individual's E-mail: _____

_____ _____
Chief Executive Officer Date

____GMS Update ____Program Monitor ____Financial Analyst

OKLAHOMA DISTRICT ATTORNEYS COUNCIL
Federal Grants Division
CERTIFICATION OF EQUAL EMPLOYMENT OPPORTUNITY PLAN
Form A-4

Check appropriate grant program:

☐ AGE ☐ AGN ☐ AGW ☐ BYRNE ☐ JAG ☐ NCHIP

☒ NFSIA ☐ PSNE ☐ PSNN ☐ PSNW ☐ RSAT ☐ VAWA

Subgrant Number: _____

Subgrant Name: _____

Address: _____

Project Director: _____

Award Amount: _____

Have you had any Findings of Discrimination with the last 5 years? _____ Yes _____ No

>>>>>>>> DO NOT SIGN PAGE TWO BEFORE READING THIS SECTION <<<<<<<<

☐ Is the subgrantee an ***Educational, Medical, Non-Profit or Indian Tribe?*** ➡ **If square is checked, ONLY complete Section 1 on page two.**

☐ Is the subgrantee a ***State/Local Government*** that receives less than $25,000 in federal funds in an individual award from any Department of Justice Federal program? ➡ **If square is checked, ONLY complete Section 1 on page two.**

☐ Is the subgrantee a ***State/Local Government*** with less than 50 Full and Part-Time Employees? ➡ **If square is checked, ONLY complete Section 2 on page two.**

☐ Is the subgrantee ***a State/Local Government*** with 50 or more full and part-time employees and receives between $25,000 and $499,999 in federal funds in an individual award from any Department of Justice Federal program? ➡ **If square is checked, ONLY complete Section 3 on page two.**

☐ Is the subgrantee a ***State/Local Government*** with 50 or more full and part-time employees and receives $500,000 from an individual award from any Department of Justice Federal program? ➡ **If square is checked, ONLY complete Section 4 on page two.**

Important: Only sign those sections which apply to the subgrantee agency. All other sections should be left unsigned.

Section 1: Assurance Statement

I, _____, (authorizing official) assure that the funded entity will comply with the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as required. These statutes prohibit discrimination on the basis of race, color, national origin, age, or disability.

_____ _____

Chief Executive Officer Date

Section 2: Assurance and Certification Statement

I, _____, (authorizing official) assure that the funded entity will comply with the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as required. These statutes prohibit discrimination on the basis of race, color, national origin, age, or disability. Further, I certify that the funded entity has less than 50 full and part-time employees.

_____ _____

Chief Executive Officer Date

Section 3: Assurance and Certification Statement of EEOP on File

I,_____(authorizing official) assure that the funded entity will comply with the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as required. These statutes prohibit discrimination on the basis of race, color, national origin, age, or disability. Further, I certify that the funded agency has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301 et. seq., subpart E, that is has been signed into effect by the proper authority and disseminated to all employees, and that it is on file in our office located at the subgrantee agency address for review or audit by officials of the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, and/or the District Attorneys Council as required by relevant laws and regulations.

_____ _____

Chief Executive Officer Date

Section 4: Assurance and Submission of EEOP

I, _____, (authorizing official) assure that the funded entity will comply with the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as required. These statutes prohibit discrimination on the basis of race, color, national origin, age, or disability. I certify that the funded agency has formulated an Equal Employment Opportunity Plan (EEOP) in accordance with 28 CFR 42.301 et. seq., subpart E, that has been signed into effect by the proper authority and disseminated to all employees. **Further, I assure that the EEOP will be submitted to the District Attorneys Council for submission to the Office of Civil Rights within 45 days of the date of the award.**

_____ _____

Chief Executive Officer Date

SUZANNE McCLAIN ATWOOD
Executive Coordinator

TRENT H. BAGGETT
Assistant Executive Coordinator

STATE OF OKLAHOMA

DISTRICT ATTORNEYS COUNCIL

421 N.W. 13TH STREET, SUITE 290 • OKLAHOMA CITY, OKLAHOMA 73103

	EXECUTIVE	FISCAL	GRANTS	VICTIMS	MIS
	405-264-5000	405-264-5004	405-264-5008	405-264-5006	405-264-5002
FAX	405-264-5099	405-264-5099	405-264-5095	405-264-5097	405-264-5099

STATEMENT OF AUDIT ARRANGEMENTS
FORM A-10

Please check the applicable grant program:

☐ AGE ☐ AGN ☐ AGW ☐ BYRNE ☐ JAG ☐ NCHIP

☒ NFSIA ☐ PSNE ☐ PSNN ☐ PSNW ☐ RSAT ☐ VAWA

Subgrantee Name and Address: _____

Subgrant Number: _____

Fiscal Year Ends: _____

Telephone Number: _____

Does your organization receive:

☐ **Under $500,000 in total federal funds? (If so, STOP HERE, sign and return this form.)**

☐ **Over $500,000 in total federal funds? (If so, complete the remainder of the form.)**

Name of CPA (or State Auditor) and address:

_____

_____

_____

Contact person in CPA's Office: _____
Telephone: _____
Anticipated date A-133 audit report will be sent to District Attorneys Council: _____
Provide date for financial statements: _____
Provide date for letter report on financial and compliance audit of subgrant: _____

_____ _____
Signature of Chief Executive Officer Date

_____
Title

A-10

DISCLOSURE OF LOBBYING ACTIVITIES
FORM A-12

INSTRUCTIONS:
If the applicant DOES NOT conduct lobbying activities, then complete section 11 ONLY. If the applicant conducts lobbying activities, complete this form pursuant to 31U.S.C. 1352.

Subgrant Name: _____ ***Subgrant Number:*** _____

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action ☐ a. bid/offer/application b. initial award c. post award	3. Report Type ☐ a. initial filing b. material change For Material Change Only: Year: _____ Quarter: _____ Date of last report: _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, if Known Congressional District, if known:		5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime: Congressional District, if known:
6. Federal Department /Agency:		7. Federal Program Name/Description: CFDA Number, if applicable:
8. Federal Action Number, if known:		9. Award Amount, if known:
10a. Name and Address of Lobbying Registrant (If individual, last name, first name, MI):		10. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI)
11. Information requested through this form is authorized by Sec. 319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C.1352). This disclosure of lobbing activites is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less then $10,000 and not more than $100,000 for each such failure.		_____ Signature of Chief Executive Officer: _____ Print Name: _____ Title: Telephone No.: _____ Date: _____

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, A Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be a prime or subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient, include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

OKLAHOMA DISTRICT ATTORNEYS COUNCIL
Federal Grants Division

CERTIFICATION OF PROJECT INCOME
Form A-13

Check appropriate grant program:

☐ AGE ☐ AGN ☐ AGW ☐ BYRNE ☐ JAG ☐ NCHIP

☒ NFSIA ☐ PSNE ☐ PSNN ☐ PSNW ☐ RSAT ☐ VAWA

Subgrant Number: _____

Subgrantee Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Project Director: _____ Area Code/Phone: _____

>>>>>>>> DO NOT SIGN PAGE 2 BEFORE READING THIS SECTION <<<<<<<<

Project Income – is defined as any gross income earned as a direct result of grant supported activities or earned only as a result of the grant during the grant funding period.

Direct Result – is defined as a specific act or set of activities that are directly attributable to grant funds and which are directly related to the goals and objectives of the project.

Based on the definitions above, check the item below that applies to this grant award and sign only the corresponding section on page 2.

Check the item that applies to this grant	Section to Sign
☐ The subgrantee **will** be receiving income as a direct result of program activities.	→ **If square is checked, ONLY complete Section 1 on page 2.**
☐ The subgrantee **will not** be receiving income as a direct result of program activities.	→ **If square is checked, ONLY complete Section 2 on page 2.**

Important: Only sign the section that applies to this grant award.
All other sections should be left unsigned.

Section 1: Assurance Statement

I, _____ (authorizing official) assure that the funded entity will comply with the provisions on project income as set forth in the Financial and Administrative Guide. **This Guide requires submission of quarterly project income reports.**

_____ _____
Chief Executive Officer Date

_____ _____
Project Director Date

Section 2: Assurance and Certification Statement

I, _____ (authorizing official) assure that the funded entity will not be receiving any income as a direct result of the program activity. I further certify that if the entity begins to receive income as a direct result of the program activities, I will notify the Federal Grants Division Director, in writing, within 30 days of the receipt of the income.

_____ _____
Chief Executive Officer Date

_____ _____
Project Director Date

U.S. DEPARTMENT JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE CHIEF FINANCIAL OFFICER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying " and 2 CFR Part 2867, "DOJ Implementation of OMB Guidance of Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. **LOBBYING** As required by Section 1352. Title 31 of the U.S. code, and implemented at 2 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

a) 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 any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

b) 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 grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transaction, as defined at 2 CFR Section 2867.20(a):

A. The applicant certifies that it and its principals:

a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State of Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

b) Have not within a thee-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,

d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

a) Publishing a statement notifying employees that the unlawful manufacture, distribution dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b) Establishing an on-going drug-free awareness program to inform employees about

1. The dangers of drug abuse in the workplace;
2. The grantee's policy of maintaining a drug-free workplace;
3. Any available drug counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

1) Abide by the terms of the statement; and

2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e) Notify the agency in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, Attn: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or Local health, law enforcement, or other appropriate agency;

g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

_____
Typed Name of Chief Executive Officer

_____
Signature of Chief Executive Officer

_____ _____
Title of Chief Executive Officer Date

The Chief Executive Officer is the person with official signature authority to make financial and programmatic commitments on behalf of the applicant agency. The Chief Executive Officer must be a state agency head, mayor, city manager, chairperson of the County Commission, an authorized tribal leader, Chairperson of the Board of Directors, or District Attorney.

STANDARD ASSURANCES

The applicant hereby assures and certifies compliance with all applicable Federal statues, regulations, policies, guidelines and requirements, including OMB Circulars A-21, A-87, A-102 A-110, A-122, A-133; Ex.Order 12372 (intergovernmental review of federal programs); and 28 CFR, pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in the application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency, the federal granting agency, or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63.

5. It will assist the awarding agency and the federal granting agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties) the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. §4321.)

6. It will comply (and will require any contractors or subcontractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968, (42 U.S.C. § 3789d), the Victims of Crime Act (42 U.S.C. § 1064(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672 (b)); the Civil Rights Act of 1964 (U.S.C. 42 § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794, the Americans with Disabilities Act of 1990 (42 U.S.C § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. If a governmental entity:

    a. It will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq)., which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and,

b. It will comply with requirements of 5 U.S.C. §§ 1501-1508 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

_____
Typed Name of Chief Executive Officer

_____ _____
Signature of Chief Executive Officer Date

_____
Title

The Chief Executive Officer is the person with official signature authority to make financial and programmatic commitments on behalf of the applicant agency. The Chief Executive Officer must be a state agency head, mayor, city manager, chairperson of the County Commission, an authorized tribal leader, Chairperson of the Board of Directors, or District Attorney.

City of Norman, OK

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

Master

File Number: K-1314-88

File ID:	K-1314-88	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Police Department	**Cost:**		**File Created:**	10/14/2013
File Name:	2014 OHSO Grant			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $95,884 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TO HOST TWO STATEWIDE TRAINING CLASSES FOR NORMAN POLICE OFFICERS TO BECOME DRUG RECOGNITION EXPERTS (DRE), APPROVAL OF CONTRACT NO. K-1314-88, AND BUDGET APPROPRIATION.

Notes: ACTION NEEDED: Motion to accept or reject a grant in the amount of $95,884 from the Oklahoma Highway Safety Office; and, if accepted, approve Contract No. K-1314-88; authorize the execution thereof; increase DRE Training (022-0000-331.13-30) by $95,884; and appropriate $51,000 to Professional Services/Workshops and Seminars (022-6037-421.46-04) and $44,884 to General Supplies/Employee Training (022-6037-421.30-13).

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 21

Attachments: Text File DRE Grant, K-1314-88 OHSO Highway Safety Application.pdf

Project Manager: Deputy Chief Jim Maisano

Entered by: kathy.lamar@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-88

Body

BACKGROUND: The Oklahoma Highway Safety Office has informed the Norman Police Department that it has been awarded a grant in the amount of $95,884 to host two statewide training classes for officers to become Drug Recognition Experts (DRE). This training will assist the officers and their departments in DUI enforcement across the State of Oklahoma.

DESCRIPTION: The grant will fund the two training classes for all officers attending the training. Funds advanced by the City of Norman for the DRE class expenses will be fully reimbursed on a monthly report and reimbursement request basis from the Oklahoma Highway Safety Office. Acceptance of this grant will benefit our department because it will include funds for officers of the Norman Police Department to attend the initial DRE training without cost to the city. In past years, up to three of our officers have attended each training class at no cost. In addition, we are able to update DRE related equipment of some of our currently certified DRE

officers.

RECOMMENDATION: It is recommended that City Council accept the grant, approve the contract, and funds in the amount of $95,884 be deposited into DRE Training account (022-0000-331.13-30) and appropriated to Workshops and Seminars account 022-6037-421.46-04 ($51,000); Employee Training account 022-6037-421.30-13 ($44,884).

1. In the Award Document Section, review Part I of the agreement, consisting of the following pages:

   a. Grant Agreement Summary – Part I
   b. Budget Summary Projections
   c. Budget Detail Projections
   d. Activity/Milestone Projections

2. In the Award Documents section, review General Provisions – Part II.

3. In the Award Documents section, review Specific Agreements – Part III.

4. The Authorizing Official must review the Certification page and acknowledge acceptance of the terms of the agreement by clicking the SAVE button.

5. The Agency Admistrator must submit the accepted proposal by clicking on the submit button in the Change Status section. This will execute the agreement.

Once the agreement is executed, you may print a copy of the final agreement for your files if desired. If you need a copy for local signature, use the "Print Copy of Agreement for Signature" link.

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00087

Grant Agreement Summary – Part 1

Title of Contract: Norman PD Drug Recognition Expert Training

OHSO Project Number:	M5TR-14-02-03-14	**Award Amount:**	$67,000.00	**CFDA Number:**	20.6160000
OHSO Project Number:	AL-14-02-01-14	**Award Amount:**	$28,884.00	**CFDA Number:**	20.6000000
		TOTAL AWARD:	$95,884.00		

Project Period: October 1, 2013 – September 30, 2014 **Primary Program Area:** Impaired Driving

Organization:	Norman Police Department				
Address:	201-B West Gray Street				
City:	Norman	**State:**	OK	**Zip:**	73069
FEI Number:	73-6005350	**DUNS Number:**	101501240		
Project Director:	Jim Maisano	**Title:**	Deputy Chief		
Phone Number:	(405) 366-5210	**Fax Number:**	(405) 217-1067		

Project Goals:

1. To reduce the number of alcohol-related fatal crashes in Oklahoma by 1% annually, from 242 in 2012 to 235 in 2015.
2. Increase the number of DREs trained by a minimum of 40 Officers, from 201 to 241.

Problem Identification:

Impaired drivers continue to be a major problem in Oklahoma, causing numerous injury and fatal crashes each year. The DRE program is designed to assist in the identification and prosecution of alcohol/drug impaired driving offenses to generate a general deterrence. In 2012, DRE-trained officers performed 345 enforcement evaluations. Of those evaluations, 58 (10.07%) were on drivers under the age of 21. The DRE program is a beneficial program to prosecution in the state. DRE opinions for 2012 had just over a 95% positive confirmation rate for the DRE identifying correctly the drugs found in the chemical test sample. In addition, a report from the National DRE Data Tracking program supported by NHTSA shows that 42.3% of the DRE evaluations in Oklahoma in 2012 showed "poly-drug" use. This simply means that those impaired drivers had two or more drugs in their system at the time of testing. This multiple drug use causes higher levels of impairment and risk to citizens on our roadways. The DRE evaluation also helps to protect citizens from improper arrests. Seven (7) of the evaluations conducted found impairment caused by medical issues, and not due to drug influence.

Project Description:

The Norman Police Department will coordinate and conduct training classes and certification sessions to train officers from various areas in the state to become Drug Recognition Experts to increase enforcement of DUI laws. Norman PD will work to expand the DRE program to include a minimum of 40 DREs certified, providing 2 DRE courses in Oklahoma City and Tulsa. Officers will be selected from various parts of the state in an effort to provide the most beneficial coverage possible statewide, and to support those departments with active DRE programs currently in place. Officers who successfully complete the program will be provided a Portable Breath Testing (PBT) device. PBT training will be provided; maintenance and calibration will be the responsibility of the recipient. A training class will also be conducted to train additional DRE instructors to assist with facilitation of classroom instruction and the certification training process.

The Drug Evaluation and Classification course will be conducted as outlined by the International Association of Chiefs of Police, IACP, and NHTSA. The course will be comprised of a 2-day pre-school – verifying SFST skills, a 7-day classroom training session, and certification nights, during which students evaluate impaired drivers and complete certification requirements as set by IACP. The DRE Coordinator will work with the CLEET Impaired Driving Training Coordinator to promote and market the DRE class, update and maintain DRE records, identify active and inactive DREs, and target Officers in geographical areas of the state lacking DRE trained Officers to include in the courses. Additionally, further evaluation of the courses will be conducted to ensure consistency among instructors providing training. The DRE Coordinator will utilize travel funds to attend relevant TAP and IACP meetings. Reimbursement is provided in accordance with the State Travel Act.

Grant Agreement Summary – Part 1

This grant is subject to the terms and conditions set forth in the Pre-Application guidelines and any modifications agreed to during negotiation and reflected in the Award Documents, or by Contract Change Order hereafter, including; Part I–Grant Agreement Summary; Budget Summary; Budget Detail; Activity/Milestones; General Provisions – Part II; Specific Agreements – Part III; and Certification pages.

In addition, the grantee agrees to the following:

1. If the grantee is a law enforcement agency, the grantee agrees to participate in and support NHTSA's national goals and law enforcement mobilizations ("Click It or Ticket" and "Drive Sober or Get Pulled Over"), including submitting both pre and post reports through the OHSO online Mobilization Reporting System.

2. At the end of the project year and no later than November 1, the Project Director will submit the End of Year Project Summary Report outlining the project accomplishments and whether the project goal(s) was met.

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00087

Budget Summary Projections

Cost Category Items	1st Quarter			2nd Quarter		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
I. Personnel						
A. Salaries	$0	$0	$0	$0	$0	$0
B. Benefits	$0	$0	$0	$0	$0	$0
II. Travel						
A. In-State Travel	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$2,000.00	$0	$2,000.00	$0	$0
III. Operating Costs	$0	$0	$0	$0	$36,884.00	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0
Monthly Total	**$0**	**$2,000.00**	**$0**	**$2,000.00**	**$36,884.00**	**$0**

	3rd Quarter			4th Quarter			
	Apr	May	Jun	Jul	Aug	Sep	**Annual Total**
I. Personnel							
A. Salaries	$0	$0	$0	$0	$0	$0	$0
B. Benefits	$0	$0	$0	$0	$0	$0	$0
II. Travel							
A. In-State Travel	$0	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$2,000.00	$0	$2,000.00	$0	$2,000.00	$0	$10,000.00
III. Operating Costs	$0	$0	$0	$0	$16,000.00	$0	$52,884.00
IV. Contractual Costs	$0	$0	$0	$0	$33,000.00	$0	$33,000.00
V. Equipment	$0	$0	$0	$0	$0	$0	$0
Monthly Total	$2,000.00	$0	$2,000.00	**$0**	**$51,000.00**	**$0**	**$95,884.00**

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Budget Detail Projections

Cost Category Item: II.B. 1 | **Project Number:** M5TR-14-02-03-14 | **Description:** Out of state travel for the DRE Coordinator to attend designated TAP and IACP meetings. Travel is reimbursed in accordance with the State Travel Act.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$2,000.00	$0	$2,000.00	$0	$0	$4,000.00
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
$2,000.00	$0	$2,000.00	$0	$2,000.00	$0	$10,000.00

Cost Category Item: III. 2 | **Project Number:** AL-14-02-01-14 | **Description:** Operating expenses to include costs for DRE training items, class room training supplies, chemical test supplies and other pre-approved items for the purpose of conducting the DRE training classes.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$0	$0	$0	$28,884.00	$0	$28,884.00
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
$0	$0	$0	$0	$0	$0	$28,884.00

Cost Category Item: III. 2 | **Project Number:** M5TR-14-02-03-14 | **Description:** Operating expenses to include costs for DRE training items, class room training supplies, chemical test supplies and other pre-approved items for the purpose of conducting the DRE training classes.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$0	$0	$0	$8,000.00	$0	$8,000.00
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
$0	$0	$0	$0	$0	$0	$8,000.00

Cost Category Item: III. 3 | **Project Number:** M5TR-14-02-03-14 | **Description:** Operating expenses to include the purchase of PBTs, at a rate of no more than $400 per item, to distribute to DRE candidates who successfully complete the program.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$0	$0	$0	$0	$0	$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
$0	$0	$0	$0	$16,000.00	$0	$16,000.00

Cost Category Item: IV. 1 | **Project Number:** M5TR-14-02-03-14 | **Description:** Contractual services to include lodging and per diem for students and/or instructors who must remain overnight during periods of continued training and instruction. Reimbursement is

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Budget Detail Projections

subject to terms of the State Travel Act.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$0	$0	$0	$0	$0	$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$0	$0	$0	$0	$33,000.00	$0	$33,000.00

Cost Category Item: **Project Number:** **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: **Project Number:** **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: **Project Number:** **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: **Project Number:** **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: **Project Number:** **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual

Budget Detail Projections

						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00087

Activity/Milestones Projections

Activity #	Project #	Description	MILESTONE PROJECTIONS												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			
			Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sep	Total
1	M5TR-14-02-03-14	DRE training class preparation, including promotion, securing instructors, ordering necessary equipment/materials/supplies, and arranging participant and instructor lodging.	1	1	1	1	1	1	1	1	1	1	1	1	12
2	AL-14-02-01-14	Conduct classroom instruction for both the 2-day pre-school and 7-day DRE training, and provide opportunities for "follow-up" certification nights.							1	1	1	1	1	1	6
3	M5TR-14-02-03-14	Report the number of participants that complete the DRE certification process.											40		40
4	M5TR-14-02-03-14	Develop and maintain database of DREs, including DRE Instructors, active/inactive, location and availability for call outs. Coordinate with CLEET ID Training Coordinator.	1	1	1	1	1	1	1	1	1	1	1	1	12
5	M5TR-14-02-03-14	Purchase and distribute PBTs to DREs completing training; train DREs on use of devices.											1		1
6	M5TR-14-02-03-14	Coordinate DRE promotion, training, rosters, and database with the CLEET Impaired Driving Training Coordinator.	1	1	1	1	1	1	1	1	1	1	1	1	0

0

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General Provisions - Part II

REGULATIONS AND DIRECTIVES

The Grantee, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

1. Grantee agrees to implement the project in accordance with federal statues, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.

2. The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the safe, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

3. Hatch Act (Political Activity), 5 U.S.C. Sections 1501-1508 and 5 CRF Part 151.

4. Buy America Act, 23 U.S.C. 101.

5. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

6. Certification Regarding Federal Lobbying; Certification for Contracts, Grant, Loans, and Cooperative Agreements. The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence any officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan orcooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) Then undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

- Restriction on State Lobbying; None of the funds under this program will be used for any activity specifically designedto urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

7. Equipment Purchased with Highway Safety Funds

- Ownership of equipment purchased is vested in the Grantee, who must use the property only for the authorized purpose of this project (49 CFR, Part 18 (Common Rule))
- Equipment must be entered into, and tracked through, the Grantee's inventory system and the OHSO inventory
- Equipment maintenance and liability coverage are the Grantee's responsibility
- Grantee shall not remove, transfer, or dispose of the property without prior written approval from OHSO
- If equipment is lost or stolen, the OHSO must be notified immediately, in writing, accompanied by a police report

To dispose of ANY equipment, the Grantee MUST:

(1) Write a letter of request to OHSO;

(2) State how the disposal will occur (auction, transfer, etc.) and/or provide three (3) appraisals;

(3) Maintain equipment until Grantee receives letter of approval;

(4) Return Equipment to OHSO.

Nothing herein contained shall be construed as incurring for the Grantor Agency any liability for Workmen's Compensation, F.I.C.A., Withholding Tax, Unemployment Compensation, or any other payment which is not a part of this contract.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily exclude from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Specific Agreements - Part III

Grantee shall adopt (if none presently exists) and enforce a safety belt use policy requiring all employees and others riding in Grantee vehicles and/or on Grantee business to use safety belts in accordance with State law.

Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of your entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant award.

Grantee shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.

Grantee shall encourage all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures

Grantee shall submit monthly activity and reimbursement reports (including all appropriate documentation) to OHSO. Reports shall be submitted within 30 days of the end of the reporting month. Failure to comply with this 30-day limit may result in denial of the reimbursement claim.

Reports should include, as a minimum, the following:

1. Project Director's Report.

2. Budget Summary (include all cumulative year-to-date information).

3. Budget Details (include all cumulative year-to-date information).

4. Activity Milestones (include all cumulative year-to-date information).

5. Financial documentation for the current report (time sheets, payroll documents, invoices, purchase orders, and/or other appropriate verification of expenditures).

6. Activity documentation for the current report (include information on all projected activities whether completed or not, and any additional activities that were conducted; an explanation should be provided for any activities not completed).

7. Any additional, pertinent information to the project for the current reporting period.

This is a Federally funded project. The Federal Funds are provided by the NHTSA and, as such, may be subject to audit under Office of Management and Budget (OBM) or A-133. Unless other arrangements are made, any required audit is the responsibility of the Grantee.

Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/ Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.)

These "Specific Agreement" topics have been provided in an effort to assist grantees. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant

agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.

The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

Printed Name of Chief Executive Officer:

Title:

Date:

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

City of Norman, OK

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

Master

File Number: LL-1314-9

File ID:	LL-1314-9	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	10/15/2013
File Name:	Mission Norman Limited License			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1314-9: A LIMITED LICENSE TO PLACE FOUR (4) VINYL SIGNS WITH WOODEN FRAMES WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM MISSION NORMAN FOR PHASE ONE, HOMES OF THE HOMELESS CAPITAL CAMPAIGN, FROM OCTOBER 23, 2013, UNTIL FEBRUARY 28, 2014.

Notes: ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-9 to place four (4) vinyl signs with wooden frames within the public rights-of-way pursuant to a request from Mission Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 22

Attachments: Text File Limited License, Application Mission Norman, Sign Homes for the Homeless, Mission Norman

Project Manager: Wayne Stenis, Planner II

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File LL-1314-9

Body

BACKGROUND: Section 18-308 authorizes the issuance of a Limited License under certain circumstances:

Signs announcing specific events or promotions that are of a legitimate public benefit to the community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and duration of use. Because of their unique location within the pubic right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.

DISCUSSION: Mission Norman, a non-profit organization, has requested permission to install four large (6' by 4') vinyl signs with wooden frames at designated locations in the community announcing their Capital Campaign for Phase One of their building program for Homes of the Homeless. The signs will be in use from October 23, 2013 to February 28, 2014.

A copy of the application with four specified locations is attached for reference. the locations for the signs are at churches located in Norman and the property owners have given permission. The locations are acceptable and the applicant has been advised of placement so they do not create a traffic hazard.

RECOMMENDATION: Staff supports this request with the following conditions: signs not be utilized for more than the specified time period, they are not placed in a sight triangle, they are securely anchored to the ground and they do not otherwise create a traffic hazard. Staff has prepared the license in accordance with the request, and presents it to the Council for consideration. Conditions may be attached, if the Council desires.

APPLICATION FOR LIMITED LICENSE
FOR FESTIVAL OR PUBLIC EVENT BANNER OR SIGN

Date 10-14-13

Name of Applicant Mission Norman

Address 2525 E Lindsey Telephone Number 321-8880

Number of Banners/Signs 1

Location of Banners (If list is lengthy you may attach separate sheet or map)

Rays BBQ 1514 W Lindsey, Norman Ok - 329-4040
Faith Pointe Baptist Church Norman Ok - 360-8900
Alameda Baptist Church Norman, 329-5157
Northeast Baptist Church Norman Ok 366-8391

Banner Size 6' Tall By 4.8" wide

Type of Banner S. VINYL AND WOOD

Wording of Banner Homes For The Homeless Phase I
M
Mission Norman, 2525 E Lindsey 321 8880

Duration of Use Capital Campaign

TO BE PLACED FROM 10/23/13 to
2/28/14

Because of their unique location within the public right-of-way, such banners shall not be placed so as to interfere with legitimate traffic and safety concerns.
Additionally, these are intended to be of benefit to the community at large and not private commercial advertising, although they may contain a sponsor's identification on a minor portion of the sign.

Homes
for the Homeless
$550,000
$450,000
$350,000
$250,000
PHASE ONE
Mission
Norman
Spreading Christ's Love in Central Oklahoma

LIMITED LICENSE NO. LL-1314-9

LIMITED LICENSE TO INSTALL FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM MISSION NORMAN FOR PHASE ONE, HOMES OF THE HOMELESS CAPITAL CAMPAIGN, FROM OCTOBER 23, 2013, UNTIL FEBRUARY 28, 2014.

An Application has been filed by Mission Norman for a Limited License to place four (4) ground banners within the public rights-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

Special conditions for the granting of this limited license by the City Council are as follows:

Strict compliance with all the conditions set forth in the application filed herein with regard to description, location, duration, and wording as specified in the application which is incorporated herein and made a part hereof

License limited for a 129 day period from October 23, 2013, through February 28, 2014.

Any special conditions which may be imposed by the City Council.

Further, any breach of the conditions as above set forth shall be grounds for immediate revocation of this license and further that the City Council may revoke this limited license at will and for any cause whatsoever upon the giving of thirty (30) days notice authorized by the City Council to the application.

Approved this 22nd day of October, 2013.

CITY OF NORMAN

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: K-1213-126 AMD#2

File ID:	K-1213-126 AMD#2	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$301,250.00	**File Created:**	09/25/2013
File Name:	Lindsey Street Project-SAIC-			**Final Action:**	

Title: AMENDMENT NO. TWO TO CONTRACT NO. K-1213-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SAIC ENERGY, ENVIRONMENT, AND INFRASTRUCTURE, INC., (SAIC) INCREASING THE CONTRACT AMOUNT BY $301,250 FOR A REVISED CONTRACT PRICE OF $2,400,065 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR UTILITY RELOCATION ALONG LINDSEY STREET AND A GEOTECHNICAL INVESTIGATION SUPPLEMENT AS PART OF THE CONTRACT FOR THE DESIGN OF LINDSEY STREET FROM 24TH AVENUE S.W. TO BERRY ROAD.

Notes: ACTION NEEDED: Motion to approve or reject Amendment No. Two to Contract No. K-1213-126 with SAIC, Inc., increasing the contract amount by $301,250 for a revised contract price of $2,400,065; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 23

Attachments: PR SAIC Amendment, Lindsey Street Project Location Map, Costs Associated with Amendment.pdf, Existing Design Contracts, Revised Typical Roadway Drawing, K-1213-126 #2.pdf, PR SAIC Amendment

Project Manager: John Clink, Capital Projects Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1213-126 AMD#2

body

BACKGROUND: On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-63 requesting federal funds for the West Lindsey Street Improvements. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG,) the Oklahoma Department of Transportation (ODOT) agrees to provide 80% of the cost, up to $11.5 million, and administer the construction with the matching share from the

City of Norman. In order to receive the federal funding, the City of Norman is required to enter into an agreement with ODOT to complete the design, acquire all necessary rights-of-way and relocate utilities and encroachments at 100% the City's cost.

On August 28, 2012, the citizens of Norman voted in favor of a Bond Election to finance the local share of eight transportation/storm water improvement projects. One of the eight 2012 bond projects is West Lindsey Street from 24th Avenue S.W. to Berry Road. See attached location map.

The roadway portion of the project includes transportation and aesthetic improvements to Lindsey Street. The West Lindsey Street corridor between Interstate 35 and Berry Road is the most congested corridor in the Oklahoma City metropolitan area. This section of West Lindsey Street has a traffic accident rate three (3) times the national average.

Proposed improvements for the roadway project include:
1. Widening West Lindsey Street from 3 lanes to 4 lanes with additional lanes at intersections
2. New bridge over Imhoff Creek
3. Continuous sidewalks on both sides of the street
4. Access management to adjacent properties
5. Multi-modal improvements including bicycle lanes
6. Aesthetic enhancements including decorative pavement, landscaping, and roadway lighting
7. Underground utilities
8. Accessibility to disabled individuals

On December 18, 2012, City Council approved Contract No. K-1213-126 with SAIC, Inc. for the engineering design services needed to prepare the West Lindsey Street Corridor Project for construction in 2015 or 2016. On April 23, 2013, Council approved Contract No. K-1213-184 with the Oklahoma Department of Transportation (ODOT) to construct Phase I of the storm water system from the Canadian River to the north side of the new SH-9E bridge over I-35. On May 28, 2013, Council approved Contract No. K-1213-199 with Gateway Planning Group to provide placemaking and corridor planning services with a focus on economic development within the commercial corridor. On September 10, 2013, Council approved Amendment No. 1 to Contract No. K-1213-125 modifying the roadway design to add a raised center median with landscaping to the project.

Please refer to the attached summary of the current engineering services contracts on the Lindsey Street Project.

DISCUSSION: From June 26-28, 2013 the University of Oklahoma Institute for Quality Communities (IQC) invited Mr. Dan Burden, Executive Director of the Walkable and Livable Communities Institute, to discuss project enhancements for the West Lindsey Street Project with the community. The project enhancements included:

- Continuous center median (triple canopy)
- Roundabouts at key intersections
- Optional lane configurations
- Future development of an "Urban Village"
- Enhancements to accommodate pedestrian and bicycle traffic
- Aesthetic enhancements
- Livable, walkable Lindsey Street

From July 22-25, 2013 the IQC and Mr. Burden continued the community dialogue regarding project enhancements. From this series of meetings, a number of recommendations were developed which included the addition of a continuous raised center median with mid-block U-turns and the addition of modern roundabouts at the intersections of Murphy Street, Wylie Road, and Berry Road.

In order to fully understand the project impact of these various recommendations, SAIC, Inc. has provided support services to the City for review of the alternative concepts provided by Mr. Burden and the IQC. The concept reviews included impacts to the project:

- Design schedule
- Construction cost
- Roadway typical section
- Roundabout operational analysis

Amendment No. 1 to the SAIC contract addressed the support services provided by SAIC, Inc. to review the alternative design concepts related to the center median but did not include the additional engineering services related to the modern roundabouts or the alternative lane configurations on Lindsey Street. Amendment No. 2 addresses the additional engineering fees related to the analysis of the modern roundabouts at the intersections proposed by the IQC as well as a series of different lane configurations on Lindsey Street. The cost of this portion of Amendment No. 2 is $48,250. If approved, there will be no further engineering fees to SAIC Inc. for the IQC project review process conducted between June-October 2013.

Staff has also worked with OU and the IQC team on the design of the roadway and bridge east of Berry Road. In the original contract, the design of the bridge over Imhoff Creek was assumed to accommodate three traffic lanes (12 feet each), two bike lanes (eight feet each) and two sidewalks (five feet each) for a total with of 54 feet. Three traffic lanes were originally considered because staff did not know if the design of the roadway taper from two lanes east of the bridge to four lanes at the intersection of Berry Road and Lindsey Street would need to be included in the bridge width. Design has progressed enough to keep the taper off the bridge reducing the bridge width by one lane. Also, in order to be consistent with the roadway, the bike lane width has been reduced from eight feet to five feet. The proposed sidewalk will be five feet wide with a divider strip between the curb and edge of sidewalk. An illustration of the proposed revised typical roadway section for Lindsey Street over Imhoff Creek is attached. All efforts will be made to preserve the mature trees along Lindsey Street. There is no impact associated with this change to the previously approved engineering fees to SAIC Inc.

In order to receive federal funding for the roadway, the City is responsible for design and relocation of all utilities for this project. Under the original contract, utility relocation plans for the relocation of the City's water and/or sewer lines were to be added as an amendment once the extent of the relocations were determined. On this project, there are multiple conflict points between the proposed roadway and the storm water system and the City's water and sanitary sewer system. Below is a list of the 40 utility conflicts associated with the project:

Lindsey Street (includes Lindsey Drive)
12-inch water line located on the north side of the road from 24th Avenue NW to Berry Road
Sanitary sewer lines on the north side of the road from 24th Avenue NW to Crown Point and between Wylie Road to Berry Road
Three sanitary sewer line crossings
Three water line crossings

McGee Drive
Seven sanitary sewer line crossings
Twelve water line crossings

Wylie Road
Three sanitary sewer line crossings
Ten water line crossings

The original project cost estimate included $215,800 for utility relocation design and $3,534,000 for construction of utilities.

Another item included in this amendment is additional geotechnical investigation. This work includes installing six water monitoring wells to allow the ground water levels along the proposed storm water box culvert alignment to be recorded over the next year. This information will be used to better refine the design of the proposed storm water box culvert. If the groundwater levels are below the box culvert, the walls will not need to be designed to resist the force of the ground water providing a savings in the amount of concrete and steel used in the box culvert. Refining the box culvert design could potentially provide a savings of 30 percent or $120 per foot of box culvert or up to $1,267,000. The cost of this portion of Amendment No. 2 is $37,200.

Funds are available in the project budget.

Finally, as discussed at the Council Conference on Tuesday, October 8, 2013, SAIC, Inc. will continue to explore aesthetic enhancements in the vicinity of the Lindsey/Berry intersection which will serve as a gateway feature to the University of Oklahoma. These concepts will be presented in the future to the Council and community for further review. SAIC, Inc. will also continue to pursue project design features that will have a "traffic calming" effect near the Lindsey/Berry intersection in order to reduce speeds as vehicles enter the residential area east of Berry Road.

Please refer to the attached breakdown of Amendment No. 2 costs.

Funds are available to cover the design cost of Amendment No. 2 in the Design account (account 050-9552-431.62-01; project BP0189) for the Lindsey Street Bond Project. If approved, the current contract amount with SAIC, Inc. of $2,098,815 will increase to $2,400,065.

RECOMMENDATION: Staff recommends approval of Amendment No. 2 to Contract No. K-1213-126, between the City of Norman and SAIC, Inc., in the amount of $301,250.

Lindsey Street Norman, Oklahoma
Project Location Map

Proposed Storm Water Box Culvert Alignment

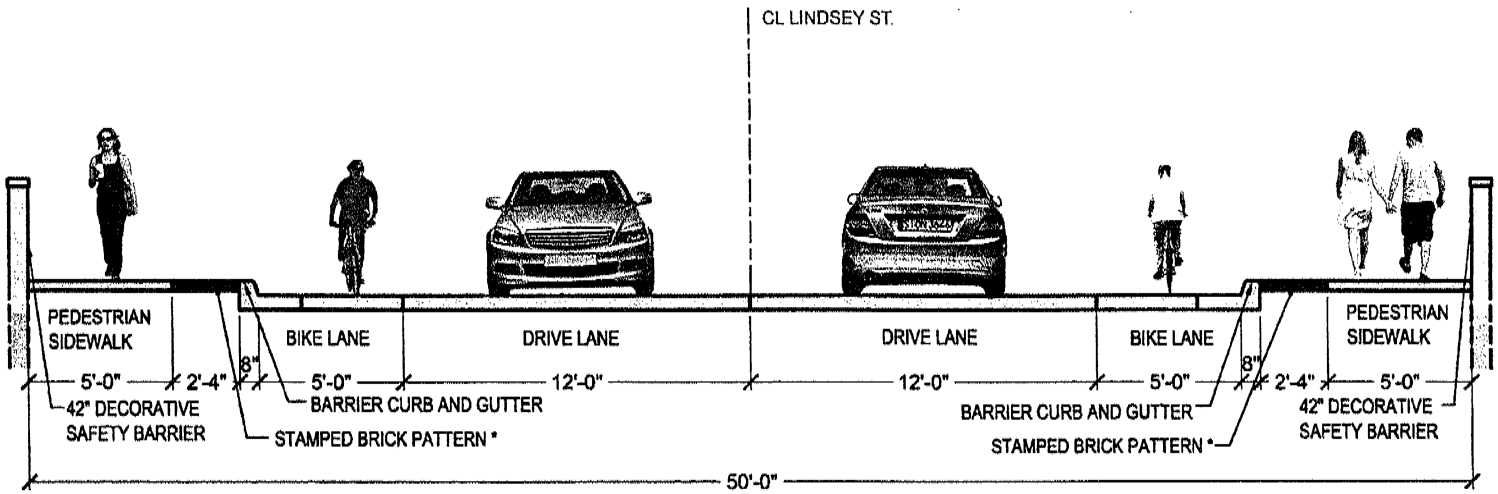
Proposed West Lindsey Street Improvements

Amendment No. Two to Contract No. K-1213-126	
Roundabout Concept Review Services	$48,250
Utility Relocation	$215,800
Geotechnical Services	$37,200
TOTAL	$301,350

Existing Design Contracts

Original SAIC Contract	$1,997,875
Amendment No. 1 to SAIC Contract	$ 100,940
*Gateway Planning	$ 21,750
Total	**$2,120,565**

*Separate contract, not included in the SAIC contract



* NOTE: GRASS STRIP BEYOND BRIDGE

66'-0" RIGHT-OF-WAY

LINDSEY STREET TYPICAL ON IMHOFF CREEK BRIDGE

AMENDMENT No. 2

TO AGREEMENT K-1213-126

ENGINEERING SERVICES

ROADWAY AND TRAFFIC SIGNAL IMPROVEMENTS
LINDSEY STREET FROM 24TH AVENUE TO EAST OF BERRY ROAD

SCOPE OF SERVICES

ATTACHMENT

The following general scope of services shall be made a part of the Agreement dated December 18, 2012 and shall supplement Attachment A of the Scope of Services of the original agreement.

A. TASK 9 UTILITY RELOCATIONS

A.1 Engineering Services
The SERVICES shall be performed by the ENGINEER under this Supplement to the original contract. All provisions of the original contact shall govern this Amendment and shall include the following additional services:

- Lindsey Street existing Sanitary Sewer relocation; Plans cover from 24th Ave. S.W. to Pickard as well as Lindsey Drive and Briggs Street. The work includes relocation of all City utility lines that are in conflict with the RCB and street widening design.
- An Existing 12-Inch Water Main – Between Lindsey and McGee and the intersection of Lindsey Street and Berry Road.
- Water and Sanitary Sewer Relocations; Relocations as required to build a new storm drain system in McGee Drive from Lindsey St. to Camden Way; Wylie Road – from Lindsey St. to Caddell Lane; Briggs and Lindsey Dr. from I-35 to Lindsey Street.
- Supplemental Geotechnical Study
  Additional Geotechnical Investigation to include borings with water monitoring devices (6 piezometers) to record water levels in the deep trench areas along the Drainage (RCB) System for 1 year.

A.1.a - Existing Sanitary Sewer Line Relocations –Lindsey St.

- Utility Relocation Plans for City sewer utilities will be prepared by the ENGINEER. This includes relocations along Lindsey Street from 24th Street

to East of Berry Road that are in conflicts with the storm sewer outfall alignment.

- Design also includes the adjustment of any manholes for the 21" Sanitary Sewer along the South side of Lindsey Street. We understand that if the City determines the 21" line needs rehabilitation, it will be completed by the City under a separate contract.
- Meetings are included in this task for coordination with other public or private utilities located along McGee and Wylie to resolve conflicts with construction of the Storm Drainage Diversion structures.

A.1.b - Existing 12" Water Main –Lindsey St.

- This task includes water plans for relocating the existing 12" water on the north side of Lindsey to a location behind the north curb line of the new street widening.

A.1.c - Water and Sewer Relocations: McGee, Wylie, Briggs and Lindsey Dr.

- Water and Sanitary Sewer Relocation plans will be developed as required to build a new storm drain system: McGee Drive – from Lindsey St. to Camden Way, Wylie Road – from Lindsey St. to Caddell Lane, Briggs and Lindsey Dr. from I-35 to Lindsey. Anticipated conflicts are as follows:
    - McGee Drive
        - 4 to 5 sanitary sewer line crossing conflicts
        - 12 domestic water line crossing conflicts
        - Sanitary sewer conflicts near Rosedale & Lennox will require the design of 2 conflict manholes to avoid the construction of approximately 350 LF of sanitary sewer collector.
        - Approximately 400 LF of new sanitary sewer collector line from just south of the intersection of McGee and Lancaster Circle to the south side of Lindsey Street due to RCB crossing impacts.
    - Wylie Road
        - Sanitary sewer line crossing conflicts which would include design of 3 conflict manholes to avoid 700 LF of parallel sewer line construction (Brooks to Lindale Ave.)
        - 10 domestic water line crossing conflicts
        - Approximately 600 LF of new sanitary sewer collector line from the intersection of Wylie and Lindale Circle to the south side of Lindsey Street will be designed due to RCB crossing impacts.
    - Briggs and Lindsey Drive
        - Water line crossing at Briggs and 24th along with Water and Sanitary sewer line crossings in Lindsey Dr.

A.1.d - Additional Geotechnical Investigation

- Geotechnical work will include borings for water monitoring devices (6 piezometers) to record water levels for 1 year in the deep (22' to 32' depths) trenching areas along the Drainage (RCB) System.

A.2 Bidding Phase Services

- After acceptance by OWNER of the Bidding Documents and the most recent opinion of probable Construction Cost as determined in the Final Design Phase, and upon written authorization by OWNER to proceed, ENGINEER shall:
  - Assist OWNER in advertising for and obtaining bids for the Work and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued, attend pre-Bid conferences, if any, and receive and process Contractor deposits or charges for the Bidding Documents.
  - Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
  - Attend the Bid opening, prepare Bid tabulation sheets, and assist OWNER in evaluating Bids or proposals and in assembling and awarding contracts for the Work.

A.3 Construction Phase Services

Upon successful completion of the Bidding and Negotiating Phase, and upon written authorization from OWNER, ENGINEER shall:

- Pre-Construction Conference. Participate in a Pre-Construction Conference prior to commencement of Work at the Site.
- Change Orders and Work Change Directives. Recommend Change Orders and Work Change Directives to OWNER, as appropriate, and prepare Change Orders and Work Change Directives as required.
- Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.

A.4 Meetings

- ENGINEER will attend coordination meetings during the design process to assure communication of design issues with the City of Norman

A.5 Owner (City of Norman) Provided Items

- City of Norman will provide agreements with other utility providers as necessary to construct this project.
- City of Norman will provide consultant with meter and building water service sizes and the sewer lateral size for businesses and residences affected by these relocations as requested.
- Potholing if required will be provided by the City of Norman.

B. TASK 10 IQC Support – Roundabouts

B.1 Engineering Services
The SERVICES shall be performed by the ENGINEER under this Supplement to the original contract.

B.1.a Reviews and Imhoff Creek Br. Section Revisions. Coordination with City Staff and IQC team and design changes to reduce the bridge width to accommodate a 2-12' lanes, 5' bike lanes on both sides of the road, stamped brick buffer behind the curb and 5' sidewalks for a total width of 50' to the face of the decorative safety barrier for the Lindsey Street Bridge design at Imhoff Creek. Design will include revising grading and drainage structures to reflect the narrower footprint of the bridge. This will also require revisions to the private as well as city utilities in the corridor from Berry Road to Pickard.

B.1.b IQC Review Services. Services include the analysis and 3rd party support work for analysis of roundabout along Lindsey that were previously provided.
This work included preparation of traffic analysis of Roundabout alternatives at Berry Road, follow up reviews, field studies to determine existing Gap Acceptance characteristics and final recommendations.
Meetings and presentation support to the City for the review conclusions of the various elements of roundabout impacts.

LUMP SUM COMPENSATION

SUMMARY of TASKS:

*TASK 9	A.1 Utility Relocation	
	A.1.a Lindsey Existing 12" Sanitary	$ 48,000
	A.1.b Lindsey 12" Water	$ 59,000
	A.1.c McGee, Wylie, Briggs, Lindsey Dr.	$ 108,800
	Subtotal	$ 215,800
	A.1.d Geotechnical Supplement	$ 37,200
	Subtotal Task 9	$ 253,000
TASK 10 B.1	Additional Engineering Services	
	B.1.a Imhoff Creek Br. Revision	no cost
	B.1.b IQC Support – Roundabout	$ 48,250
	Subtotal Task 10	$ 48,250

*Includes Items A.2, A.3, A.4

TOTAL AMENDMENT No. 2 Compensation: $ 301,250

The Services provided for in this Agreement are for the sole use and benefit of OWNER and CONSULTANT. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than OWNER and CONSULTANT.

IN WITNESS WHEREOF, OWNER and SAIC have executed this Agreement.

DATED this __th day of _____, 201_.

The City of Norman
(OWNER)

Signature _____

Name _____

Title _____

Date_____

Attest:

_____
City Clerk

SAIC Energy, Environment & Infrastructure, LLC (CONSULTANT)

Signature Adam West

Name Adam West

Title Vice-President

Date 9/24/13

Attest:

Betsy M Pain
Secretary

Approved as to form and legality this 16 day of October 2013

_____
City Attorney

PURCHASE REQUISITION NBR: 0000224483

REQUISITION BY: JCLINK
STATUS: DIVISION APPROVAL
REASON: CONTRACT AMENDMENT NO 2 TO K-1213-126
DATE: 10/08/13

SHIP TO LOCATION: PUB WKS- ENGINEERING
SUGGESTED VENDOR: 10992 SAIC ENGERGY
DELIVER BY DATE: 10/09/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CONTRACT AMENDMENT NO 2 COMMODITY: ENGINEERING SERVICES, PRO SUBCOMMOD: ENGINEER SERVICES, PROFES	301250.00	EA	1.0000	301250.00	

REQUISITION TOTAL: 301250.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05095524316201	Capital Projects Design	BP0189 Lindsey-24thSW to E Berry	100.00	301250.00
					301250.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

REQUISITION REQUIRES A LINE ITEM TRANSFER OF $215,800 FROM (050-9552-431.67-01,BP0189) TO (050-9552-431.62-01, BP0189) AND A LINE ITEM TRANSFER OF $85,450 FROM (050-9552-431.61-01, BP0189) TO (050-9552-431.62-01, BP0189). $215,800 IS FOR UTILITY RELOCATION DESIGN AND $85,450 IS FOR ADDITIONAL DESIGN SERVICES

City of Norman, OK

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

Master

File Number: K-1213-151 FINAL

File ID:	K-1213-151 FINAL	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	10/08/2013
File Name:	Final Acceptance Reaves Park Softball Building Reaves Park Softball Building Replacement Project			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-151 WITH AZTEC BUILDINGS SYSTEMS, INC., FOR THE REAVES PARK SOFTBALL BUILDING REPLACEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $15,598.90 to Aztec Building Systems, Inc.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 24

Attachments: Text File Reaves Building, Aztec Bldg Purchase Order

Project Manager: Mitch Miles, Park Planner

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1213-151 FINAL

Body

BACKGROUND: On January 22, 2013, City Council approved Request for Proposal No. RFP-1213-56 for the Reaves Park Softball Building Replacement Project. Included in this project was the demolition of the existing concession and restroom building built in 1981 which was in very poor condition. Repairs and upgrades were not cost efficient and the facility did not comply with ADA requirements. Additionally, the concession area could not meet current health department standards for sinks, fixtures, ventilation, and floor space.

Contract No. K-1213-151 was awarded to Aztec Building Systems, Inc., in the amount of $155,989.

DISCUSSION: On September 30, 2013, staff inspected the new Reaves Park Softball Building Project and found it to be complete as per specifications. One partial payment was made during the duration of the project.

RECOMMENDATION: It is recommended that City Council accept the Reaves Park Softball Building Project as complete and authorize final payment in the amount of $15,598.50 to Aztec Building Systems, Inc.. Funding

is available in Reaves Park Softball Building Replacement (#050-9205-452.6101) (PR0127)

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

P.O. #: 226849
DATE: 01/18/13

VENDOR #
965

AZTEC BUILDING SYSTEMS
3361 DESKIN DR
NORMAN, OK 73069

SHIP TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
01/16/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
05092054526101	TERRY-FOSTER	212181	01/16/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	155989.00	EA	REAVES PARK SOFTBALL BUILDING CONSTRUCTION CITY COUNCIL AGENDA 1-22-2013 ACCT#050-9205-452.6101-PR0127 REAVES PARK SOFTBALL CENTRAL COMPLEX CONCESSION RESTROOM BUILDING CONSTRUCTION - CONTRACT#K-1213-151 VENDOR ITEM NO.- RFP#1213-56, 1/22/13	1.0000	155989.00

SUB-TOTAL	155989.00
TOTAL	155989.00

8.29.13 Inv.# CRP0144-01 — $140,390.10

Bal. $ 15,598.90

City of Norman, OK

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

Master

File Number: K-1213-195 CO #1

File ID:	K-1213-195 CO #1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$80,966.19	**File Created:**	10/10/2013
File Name:	Change Order for Police/Fire Investigations Facility			**Final Action:**	

Title: CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-195: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C., INCREASING THE CONTRACT AMOUNT BY $80,966.19 FOR A REVISED CONTRACT AMOUNT OF $1,405,992.16 AND EXTENDING THE CONTRACT UNTIL DECEMBER 21, 2013, FOR THE REHABILITATION OF THE POLICE/FIRE INVESTIGATIONS FACILITY LOCATED AT 1507 WEST LINDSEY STREET.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1213-195 with Downey Contracting, L.L.C., increasing the contract amount by $80,966.19 for a revised contract price of $1,405,992.16 and extending the contract to December 21, 2013; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 25

Attachments: Text File Change Order Police Fire, PDF AIA form Change Order No. 1 K-1213-195 with Downey, Backup Documents to Change Order No. 1 K-1213-195 with Downey, PR Downey Police Fire

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1213-195 CO #1

Body

BACKGROUND: On July 9, 2013, City Council approved a contract with Downey Contracting, LLC in the amount of $1,325,500 for the renovation of the Joe A. Smalley Army Reserve Center, now known as the City of Norman Investigations Center. The building was acquired through the Base Realignment and Closure process (BRAC) from the federal government with a deed transfer in September 2012 after a seven and a half year

process.

During construction, the necessary opening of walls and ceilings revealed situations that had not been anticipated, and discussions about security issues have led to a variety of changes needed in construction. The contractor, architect, and City have worked closely together to reach reasonable solutions to remedy the problems.

DISCUSSION: The change order line items are noted in the attached documents, and include hardware and keying changes, revised layouts of several spaces, power upgrades and the addition of power at doors for security purposes, relocation of the generator, some ductwork revisions, additional fire line work required by the Utilities Department, removal of paper backed fiberglass insulation required by the Fire Department, the addition of an accessible entry on the west side of the building, and providing a wall sign to replace the proposed ground sign. The total of all sixteen changes equals $80,966.19, or 6.1% of the contract price. Because of the changes, the contractor has additionally requested a fourteen day extension to the contract to December 21, 2013. Funds are available in Smalley Center Renovation (account 050-9540-419.61-01; project EF1001).

Every effort has been made to incorporate all changes in one change order. However, it is possible that additional unforeseen issues may arise.

RECOMMENDATION: The architect has reviewed and approved the change order request. Staff recommends approval of Change Order No. One to Contract No. K-1213-195 in the amount of $80,966.19 and the requested extension of the contract to December 21, 2013.

AIA® Document G701™ – 2001

Change Order

PROJECT *(Name and address)*:	**CHANGE ORDER NUMBER:** 001	OWNER: ☒
Norman Police & Fire Investigations Norman, Oklahoma	**DATE:** October 7, 2013	ARCHITECT: ☒
TO CONTRACTOR *(Name and address)*:	**ARCHITECT'S PROJECT NUMBER:** 1024	CONTRACTOR: ☒
Downey Contracting LLC 3717 NE 63rd Street Oklahoma City, Oklahoma 73121	**CONTRACT DATE:** July 9, 2013 **CONTRACT FOR:** General Construction	FIELD: ☐ OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1.	Rekey all existing locks that are to remain.	$ 2,720.23
2.	Removal of paper backed fiberglass insulation at roof deck.	$10,285.72
3.	Revised layout and millwork for conference room 1046 and copy room 1034.	$ 9,557.04
4.	Remove existing kitchen hood, ceiling grilles, repair ceilings	$ 2,034.74
5.	Multiple hardware adds per Architect 8/16 thru 8/19/23.	$ 11,199.78
6.	Power upgrades for IT room per Engineers revised plans E-102B and E-202.	$ 7,790.74
7.	Added power above ceilings at doors 1103A, 1116A, 1020 West Entry Door, 1006A, 1039A, 1068A, 1068B, 1050 Entry Door, and 1085A.	$ 1,149.58
8.	Installation of an Owner provided fume hood - includes HVAC and electrical upgrades.	$ 5,429.45
9.	Relocated generator position outside screen wall area.	$ NO COST
10.	Omit topping out gyp at Rooms 1020 thru 1037.	<$ 1,441.16>
11.	Additional power above and beside doors plus wall box/conduit stub ups.	$ 5,432.97
12.	Previous COP #5 was for multiple hardware adds per Architect 8/16 thru 8/19/13.	$ 1,214.74
13.	Ductwork revisions and adding diffusers in SE corner of building per Architect directions and revised M101A & M301 of 9/9/13.	$ 3,156.51
14.	Fire line work beyond what is shown on plans - included in Base Bid were double check vlave inside, fire line from interior flange out approximately 5' to anticipated existing fire line and tap of that fire line.	$ 11,092.96
15.	West entry slab over ditch per Archites e-mail info 9/30/13.	$ 13,200.89
16.	Signage change.	<$ 1,858.00>

The original Contract Sum was	$	1,325,500.00
The net change by previously authorized Change Orders	$	0.00
The Contract Sum prior to this Change Order was	$	1,325,500.00
The Contract Sum will be increased by this Change Order in the amount of	$	80,966.19
The new Contract Sum including this Change Order will be	$	1,405,992.16

The Contract Time will be increased by Fourteen (14) days.
The date of Substantial Completion as of the date of this Change Order therefore is December 21, 2013.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

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User Notes:

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architects in Partnership, LLC	Downey Contracting, LLC	City of Norman
ARCHITECT *(Firm name)*	**CONTRACTOR** *(Firm name)*	**OWNER** *(Firm name)*
3220 Marshall Avenue, Norman, OK 73072	3217 NE 63rd Street, Oklahoma City, OK 73121	201-C West Gray, Norman, OK 73069
ADDRESS	**ADDRESS**	**ADDRESS**
BY *(Signature)*	**BY** *(Signature)*	**BY** *(Signature)*
Stanley R. Lewis, Architect	Larry Graves, Project Manager	Jim Griffth, Mayor Pro Tem
(Typed name)	*(Typed name)*	*(Typed name)*
October 7, 2013	10-8-13	
DATE	**DATE**	**DATE**

ATTEST:

Deputy City Clerk

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ **DATE** 10/9/13

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User Notes:

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 1				
	ADDED COST TO REKEY ALL EXISTING LOCKS THAT ARE TO REMAIN REQUIRED TO ENABLE KEYING SYSTEM OWNER WANTS.		Date: 26-Jul-13		
ITEM	DESCRIPTION;				TOTALS
	CBS LOCKSMITH				
	.....$20 EACH X 122				$2,440.00
	Subtotals		$0.00	$0.00	$2,440.00

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$2,440.00		
	Insurance	0.20%	$4.88		
	Bond	1.15%	$28.06		
	Subtotal		$2,472.94		
	Profit and Overhead	10%	$247.29		
	TOTAL ADD		$2,720.23		

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY				
	CHANGE ORDER PROPOSAL # 2		REVISED		
	REMOVAL OF PAPER BACKED FIBERGLASS INSULATION AT ROOF DECK.		Date: 5-Sep-13		
ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	SUPERVISION	750			
	LABOR FOR REMOVAL 8/8/13 THRU 8/28/13				
	* ANDY LINK 24 HRS @ $18	$ 432			
	* GAVINO FRAIRE 119 HRS @ $ 16.50	$ 1,963			
	* LABOR SERVICE 214 HRS @ $ 13.44				$2,876.16
	DUMPSTERS 3 @ 350			1050	
	LIFT RENTALS			1273.89	
	PERFORMED ON COST PLUS BASIS				
	WITH A GUARANTEED MAX OF $12030.12				
	Subtotals	$3,145.35	$0.00	$2,323.89	$2,876.16

	Labor Burden	28%	$880.70		
	Sales Tax	0.000%	$0.00		
	Total Cost		$9,226.10		
	Insurance	0.20%	$18.45		
	Bond	1.15%	$106.10		
	Subtotal		$9,350.65		
	Profit and Overhead	10%	$935.07		
	TOTAL ADDED COST		$10,285.72		

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 3

REVISED

REVISED LAYOUT AND MILLWORK FOR CONFERENCE ROOM 1046 AND COPY ROOM 1034.

Date: 5-Sep-13

ITEM	DESCRIPTION:	LABOR	MATERIAL	EQUIP	SUBS
	DEMO	0	$80.00	0	$0.00
	HOLLOW METAL (2 CASED OPENINGS)	$ 80	$216.00		
	RELOCATE ONE EXISTING DOOR UNIT	$ 120			
	MILLWORK (DEDUCT)				-$409.00
	FLOORING				$84.00
	DRYWALL		$0.00		$2,821.69
	PAINT				$900.00
	HVAC			0	$273.80
	PLUMBING				$0.00
	FIRE SPRINKLER			0	$0.00
	ELECTRICAL				$4,350.00
	Subtotals	$200.00	$296.00	$0.00	$8,020.49

Labor Burden	28%	$56.00	
Sales Tax	0.000%	$0.00	
Total Cost		$8,572.49	
Insurance	0.20%	$17.14	
Bond	1.15%	$98.58	
Subtotal		$8,688.22	
Profit and Overhead	10%	$868.82	
TOTAL ADD		$9,557.04	

Downey Contracting, L.L.C.

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 4

REMOVE EXISTING KITCHEN HOOD,CEILING GRILLES,REPAIR CEILINGS

Date: 22-Aug-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	DEMO HOOD	240	$0.00	0	$0.00
	DEMO GRILLES 4 EACH	$ 80			
	DEMO CEILING 288 SF	$ 144			
	REPLACE DRYWALL CEILING 288 SF	$ 216	$216.00		
	GYP BACK WALL 144 SF	$ 108	$108.00		
	PREP/PAINT GYP 432 SF	$ 216	$216.00	0	
				0	
	Subtotals	$1,004.00	$540.00	$0.00	$0.00

	Labor Burden	28%	$281.12		
	Sales Tax	0.000%	$0.00		
	Total Cost		$1,825.12		
	Insurance	0.20%	$3.65		
	Bond	1.15%	$20.99		
	Subtotal		$1,849.76		
	Profit and Overhead	10%	$184.98		
	TOTAL ADD		$2,034.74		

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 5

MULTIPLE HARDWARE ADDS PER ARCHITECT 8-16 THRU 8-19-13.

REVISED 8-21-13.....1:30 PM

Date: 21-Aug-13

ITEM	DESCRIPTION:	LABOR	MATERIAL	EQUIP	SUBS
	ADDED HARDWARE COST	2000	$7,486.00	0	$0.00
	HOLLOW METAL REVISIONS TO BE DETERMINED				
	WOOD DOOR REVISIONS TO BE DETERMINED				
	...MUST PLACE HARDWARE ORDER BY END OF 8-22-13 TO MAINTAIN PROJECT SCHEDULE.				
	Subtotals	$2,000.00	$7,486.00	$0.00	$0.00

	Labor Burden	28%	$560.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$10,046.00		
	Insurance	0.20%	$20.09		
	Bond	1.15%	$115.53		
	Subtotal		$10,181.62		
	Profit and Overhead	10%	$1,018.16		
	TOTAL ADD		$11,199.78		

SPECIALTIES, INC.
P.O. BOX 18898, OKLAHOMA CITY, OK 73154
Phone: (405) 528-7030
FAX: (405) 525-8075

QUOTATION

To: DOWNEY CONTRACTING

Attn: LARRY GRAVES

Date: 20-Aug-13

Architect:

Job: NORMAN POLICE AND FIRE INVESTIGATION

Location:

THIS QUOTE IS VALID FOR 30 DAYS.

FOLLOWING THE 30 DAYS, PRICES ARE SUBJECT TO SURCHARGES BASED ON STEEL PRICES AT TIME OF DELIVERY.

CHANGING EXIT DEVICES TO ELECTRIC LATCH RETRACTION WERE NEEDED, ADDING CYLINDERS & PULLS WERE NEEDED, ADDING POWER SUPPLIES AT ELECTRIFED EXITS, ADDING EPT WERE NEEDED. ALL PER PHONE AND EMAIL CONVERSATIONS WITH AIP's STAN LEWIS.

TOTAL ADD IS .....$7,486.00 + TAX IF REQUIRED

THIS IS A MATERIAL ONLY BID, THEREFORE, BONDS, CO-INSURANCE, INSTALLATION, FIELD WORK, AND TAXES ARE EXCLUDED. IF ANY OF THESE ARE REQUIRED, THERE MAY BE ADDITIONAL CHARGES.

QUOTES ARE F.O.B. JOBSITE
TERMS: NET 30 DAYS

All orders, contracts, and deliveries subject to credit approval. Quotation is made for immediate acceptance. Deliveries are contingent on strikes, accidents, delays of common carriers or other causes. Claims for damages or shortages must be noted on delivery papers or freight bills.

Accepted
Date:
By:

CONSTRUCTION BUILDING SPECIALTIES, INC.

By:

KEVIN MENDEL

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 6

POWER UPGRADES FOR TI ROOM PER ENGINEERS REVISED PLANS E-102B AND E-202 DATED 9-4-13.

Date: 18-Sep-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	ELECTRICAL SUBCONTRACTOR	0	$0.00	0	$6,988.15
	...NEED PROMPT RESPONSE SO WE MAY GET PRODUCTS ORDERED				
	Subtotals	$0.00	$0.00	$0.00	$6,988.15

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$6,988.15		
	Insurance	0.20%	$13.98		
	Bond	1.15%	$80.36		
	Subtotal		$7,082.49		
	Profit and Overhead	10%	$708.25		
	TOTAL ADD		$7,790.74		

TRI-STATE

7606 N. Harvey Avenue
Oklahoma City, OK 73116
O: 405-341-3043 | F: 405-341-8642
TF 800-622-6380 | www.tsiginc.com

September 11, 2013

Larry Graves

Downey Contracting LLC
3217 N.E. 63rd Street
Oklahoma City, OK 73121
405-478-5277

Attached is the price request for the IT room. It includes a new 150 amp panel, feeder from existing transformer, four L6-20 receptacles, six L6-30 receptacles, and four 20 amp receptacles.

Sincerely,

Cameron Cramer
Estimator

TRI-STATE INDUSTRIAL GROUP
Complete Infrastructure SolutionsTM

c: (405) 317-5122
e: ccramer@TSIG.com
w: http://www.TSIG.com

	Description	Quantity	Labor	Unit	Total Hours	Net Cost	Total Material
1		1	5.00	E	5.00	1,007.00	1,007.00
2	3/4" CONDUIT - EMT	240	3.52	C	8.45	35.44	85.06
3	1" CONDUIT - EMT	150	4.05	C	6.08	55.88	83.82
4	1 1/2" CONDUIT - EMT	20	5.92	C	1.18	116.93	23.39
5	1 1/2" ELBOW 90 DEG - EMT	2	40.00	C	0.80	403.00	8.06
6	3/4" CONN SS STL - EMT	8	10.00	C	0.80	85.77	6.86
7	3/4" COUPLING SS STL - EMT	4	0.00	C	0.00	54.78	2.19
8	3/4" CONN COMP STL - EMT	30	13.00	C	3.90	31.18	9.35
9	1" CONN COMP STL - EMT	20	15.60	C	3.12	47.17	9.43
10	1 1/2" CONN COMP STL - EMT	2	22.20	C	0.44	127.90	2.56
11	3/4" COUPLING COMP STL - EMT	19	9.00	C	1.71	35.98	6.84
12	1" COUPLING COMP STL - EMT	20	11.00	C	2.20	57.76	11.55
13	1 1/2" COUPLING COMP STL - EMT	4	18.00	C	0.72	129.47	5.18
14	1 1/2" BUSHING - PLASTIC	2	5.20	C	0.10	16.71	0.33
15	1/2 OR 3/4" SNAP CLOSE CLIP - BTM MNT ON 1/4" FLNG HNGR	19	8.20	C	1.56	116.93	22.22
16	1 1/2" EMT OR 1 1/4" RMC CLAMP - BTM MNT TO 5/8" FLNG BEA	2	12.00	C	0.24	170.14	3.40
17	1/2 OR 3/4" SNAP CLOSE CLIP - SIDE MNT TO MTL STUD SUPPOR	8	7.20	C	0.58	123.30	9.86
18	1/2 OR 3/4" SNAP CLOSE CLIP ON ANGLE BRKT	8	8.20	C	0.66	87.70	7.02
19	1/2 OR 3/4" CONDUIT+BOX SUPPORT - BTM MNT ON 1/4" FLNG H	15	9.20	C	1.38	435.73	65.36
20	#12 THHN BLACK	626	5.15	M	3.22	128.48	80.43
21	#10 THHN BLACK	1,013	5.65	M	5.72	184.99	187.39
22	#6 THHN BLACK	35	8.90	M	0.31	513.03	17.96
23	#1/0 THHN BLACK	140	14.20	M	1.99	2,018.31	282.56
24	#12 THHN GREEN	68	5.15	M	0.35	126.48	8.74
25	WIRECONN RED	68	6.00	C	4.08	7.27	4.94
26	4x 1 1/2" SQ BOX COMB KO	14	23.00	C	3.22	38.89	5.44
27	4x 2 1/8" SQ BOX COMB KO	5	23.00	C	1.15	64.44	3.22
28	4x 2 1/8" SQ BOX 1" KO	10	23.00	C	2.30	731.07	73.11
29	4" SQ 1G PLSTR RING 5/8" RISE	4	2.50	C	0.10	42.60	1.70
30	4" SQ BLANK COVER	15	2.50	C	0.38	18.45	2.77
31	4" SQ 2 625" DIAM REC COVER	10	2.50	C	0.25	642.60	64.26
32	GROUND SCREW W/INSUL #12 LEAD	4	3.00	C	0.12	219.55	8.79
33	1 5/8x 1 5/8x 14G STRUT GALV	10	10.00	C	1.00	497.49	49.75
34	3/8-16 SPRING NUT 1 3/8 OR 1 5/8" STRUT	6	4.00	C	0.24	77.86	4.67
35	3/8-16x 1 1/2 HEX HEAD BOLT - PLTD STL	6	4.60	C	0.28	7.09	0.43
36	3/8x 1 1/4 FENDER WASHER - PLTD STL	6	1.00	C	0.06	5.76	0.35
37	#8x 3/8 P/H SELF-TAP SCREW	80	2.30	C	1.84	5.63	4.50
38	#8x 1/2 WAFER HEAD SHEET MTL SCREW	50	1.50	C	0.75	3.82	1.91
39	SQ BOX MNTG BRKT TO 4" STUD - USA	10	5.00	C	0.50	131.57	13.16
40	1G DUPLEX REC PLATE - PLASTIC IVY	4	2.70	C	0.11	42.36	1.69
41	20A 125V DUP REC - IVY (SG)	4	20.00	C	0.80	1,496.00	59.84
42	20A 250V 3WIRE 1PH TW-LOCK REC	4	0.23	E	0.92	23.07	92.28
43	30A 250V 3WIRE 1PH TW-LOCK REC	6	0.30	E	1.80	35.06	210.36
44	#1/0 WIRE POWER TERM	4	0.32	E	1.28	0.00	0.00
	Totals	2,776			71.68		2,549.73

2	JOURNEYMAN	1.00	35.84	50.00	1,792.00	50.00
3	APPRENTICE	1.00	35.84	40.00	1,433.60	40.00
	Totals	2.00	71.68	45.00	3,225.60	45.00

	Final Pricing	Modified ($)	Modified (%)
	Database Material (Extension)	2,549.73	
	Material Tax		
	Material Total	2,549.73	
	Direct Labor	3,225.60	
	Labor Total	3,225.60	
	General Expenses		
	Total Cost	5,775.33	
	Database Material Overhead	254.97	10.000
	Labor Overhead	322.56	10.000
	Total Overhead	577.53	10.000
	Database Material Markup	280.47	10.000
	Labor Markup	354.82	10.000
	Total Markup	635.29	10.000
	Selling Price	6,988.15	
	Final Price	6,988.15	

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 7

..ADDED 120V POWER ABOVE CEILINGS AT DOORS 1103A,1116A,1020 WEST ENTRY DOOR,1006A,1039A,1068A,1068B,1050 ENTRY DOOR, AND 1085A.

Date: 29-Aug-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	ELECTRICAL SUB	0	$0.00	0	$1,031.15
	Subtotals	$0.00	$0.00	$0.00	$1,031.15

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$1,031.15		
	Insurance	0.20%	$2.06		
	Bond	1.15%	$11.86		
	Subtotal		$1,045.07		
	Profit and Overhead	10%	$104.51		
	TOTAL ADD		$1,149.58		

TRI-STATE

7608 N. Harvey Avenue
Oklahoma City, OK 73[illegible]
[illegible]
[illegible] 622 [illegible] www.[illegible].com

August 29, 2013

Larry Graves

Downey Contracting LLC
3217 N.E. 63rd Street
Oklahoma City, OK 73121
405-478-5277

Dear Mr. Graves,

The following is our pricing the access control as described. Price includes 120v power in a junction box above the 9 mentioned doors being routed from the closest 120v convenience outlet power source.

If you have any questions please feel free to contact me.

Sincerely,

Mark Irby

Project Manager

TRI-STATE INDUSTRIAL GROUP

Complete Infrastructure Solutions

t: (405) 341-3043 *direct* | (405) 441-4804 *cell*

e: [illegible]

w: www.TSIG.com

TRI-STATE
INDUSTRIAL GROUP

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 8

INSTALLATION OF AN OWNER PROVIDED FUME HOOD...INCLUDES HVAC AND ELECTRICAL UPGRADES

Date: 30-Sep-13

ITEM	DESCRIPTION:	LABOR	MATERIAL	EQUIP	SUBS
	HVAC	0	$0.00	0	$2,073.42
	ELEC				$2,796.70
	Subtotals	$0.00	$0.00	$0.00	$4,870.12

Labor Burden	28%	$0.00	
Sales Tax	0.000%	$0.00	
Total Cost		$4,870.12	
Insurance	0.20%	$9.74	
Bond	1.15%	$56.01	
Subtotal		$4,935.87	
Profit and Overhead	10%	$493.59	
TOTAL ADD		$5,429.45	

Waggoners' Mechanical Services

Project: Norman Police and Fire

Job #: CC8270
Date: 9/20/2013

Quote:

Labor - 9.9 Hours @ $84/HR	$	831.15
Mat 'l and Equip	$	971.82
Tax	$	0.00
15% Profit	$	270.45
Total	**$**	**2,073.42**

Scope: Effort to Re-Route two exhaust duct to new hoods provided by customer. New hood size defined to be 10" with 1200 CFM and 125 feet per second requirement. Existing duct is appox. 14 x14 and may need to be expanded to accomidate. The proposal is to connect to existing duct or replace if needed. The DFFC-1 is to be relocated to new location and drain ran to exterior wall as indicated. See attached Diagram for details. Effort does not include Test and Balance of hood but can be quoted seperately with requirements of both hood.

Exclusions:

- Installing of either vent hood
- Any welded duct
- Any Demo
- Any repairs to existing exhaust fans
- Any Test and Balance of Hood
- Any High Voltage
- Any Controls over exhaust fan
- Any hanging or mounting of hood

Proposal Acceptance		**Proposal Submitted**	
Purchaser	_____	Seller	_____
By	_____	By	_____
Title	_____	Title	_____
Date	_____	Date	_____

erms and Conditions:

Quote is for material and labor for the effort listed above only. The effort will be performed to the local code requirements, any specifications or notes applying to job or common industry practices. Any items excluded are not considered part of this proposal. The quoted price is valid for 30 days. All warranties are to be twelve (12) months parts and labor from start-up of system unless defined differently in the specification.

TRI-STATE
INDUSTRIAL GROUP

7608 N. Harvey Avenue
Oklahoma City, OK 73116
O (405) 341-3043 | F (405) 341-8642
TF 800-622-6380 | www.tsecinc.com

September 27, 2013

Larry Graves

Downey Contracting LLC
3217 N.E. 63rd Street
Oklahoma City, OK 73121
405-478-5277

Attached is your request for pricing of the new Forensic Equipment.

Pricing includes:

Room 136E
+ Remove contactor panel
+ Remove ¾" EMT and pull existing wire back to jbox
+ Reterminate wire as required

Room 136F
+ Remove contactor panels (HV1 and HV2)
+ Remove ¾" EMT and pull existing wire back to jbox
+ Reterminate wire as required

Room 136C
+ Demo switch
+ Install 2 gang blank switch cover – Ivory

Access to boxes above hard deck ceilings after remodel will be the responsibility of others.

If you have any questions please feel free to contact me.

Sincerely,

Mark Irby

Project Manager

TRI-STATE INDUSTRIAL GROUP

Complete Infrastructure Solutions™

t: (405) 341-3043 *direct* | (405) 441-4804 *cell*

e: **mirby@tsig.com**

w: www.TSIG.com

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 9				
	..RELOCATED GENERATOR POSITION OUTSIDE SCREEN WALL AREA...WILL SIT DIRECTLY ON EXISTING ASPHALT PARKING LOT.		Date: 17-Sep-13		
ITEM	DESCRIPTION;	**LABOR**	MATERIAL	EQUIP	SUBS
	LOCATION WAS REVIEWED WITH ARCHITECT AT 9-13-13 MEETING.				
		0	$0.00	0	$0.00
	..REPRESENTS A "NO COST CHANGE"				
	Subtotals	$0.00	$0.00	$0.00	$0.00

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$0.00		
	Insurance	0.20%	$0.00		
	Bond	1.15%	$0.00		
	Subtotal		$0.00		
	Profit and Overhead	10%	$0.00		
	TOTAL ADD		$0.00		

Downey Contracting, L.L.C.

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 10

..OMIT TOPPING OUT GYP AT ROOMS 1029 THRU 1037.

Date: 19-Sep-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	DRYWALL SUB	0	$0.00	0	-$1,441.16
	Subtotals	$0.00	$0.00	$0.00	-$1,441.16

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		-$1,441.16		
	Insurance	0.00%	$0.00		
	Bond	0.00%	$0.00		
	Subtotal		-$1,441.16		
	Profit and Overhead	0%	$0.00		
	TOTAL ADD		-$1,441.16		

TIMBERLAKE

P.O.Box 54985, OKC., OK 73154
Phone 405-840-8377 Fax 405-840-1096

Date:	18-Sep
Proposal Request #	2
Project:	NORMAN POLICE AND FIRE
Location:	NORMAN, OK

Description for Change: Partition 2 @ clerestory not sheetrocked full height on one side

Materials	Cost Code	Unit	Unit Cost	Total
5/8 SHEETROCK	750472	1781	(0.36)	(641.16)
				0.00
				0.00
				0.00
				0.00
		Sales Tax	0.000%	0.00
			Subtotal	(641.16)

Labor	Cost Code	No of Hours	Hourly Cost	Total
Drywall	750472	20	(40.00)	(800.00)
				0.00
				0.00
				0.00
				0.00
			Subtotal	(800.00)

Equipment	Cost Code	No of Hours	Hourly Cost	Total
				0.00
				0.00
				0.00
		Sales Tax	8.375%	0.00
			Subtotal	0.00

Subcontractors	Total
Subtotal	0.00

Inclusions:

Cleanup to a central location
Equipment for our work only

Exclusions:

Trash Removal from Site & Trash Receptacles
All Rough Carpentry, Blocking & Backing
All Tape, Bed & Paint
All Caulking, Sealants & Grouting
All Attachment by Bolting or Welding
All premium expense for OT as a result of any acceleration of schedule or as a result of delays caused by others is excluded.
All temporary enclosures, lighting, ventilation,heating &/or utilities

Total Raw Costs			(1,441.16)
Gen Req'ments,Insurance,Bond		0%	0.00
Subtotal			(1,441.16)
Overhead		0%	0.00
Profit		0%	0.00
Total Change Order Proposal			**(1,441.16)**

Timberlake Interiors reserves the right to withdraw this pricing if not accepted in writing within (15) days of the date of this proposal.

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 11				
	...ADDITIONAL POWER ABOVE AND BESIDE DOORS PLUS WALL BOX/CONDUIT STUB UPS.		Date: 18-Sep-13		
ITEM	DESCRIPTION;	**LABOR**	MATERIAL	EQUIP	SUBS
	ELECTRICAL SUBCONTRACTOR	0	$0.00	0	$4,873.27
	Subtotals	$0.00	$0.00	$0.00	$4,873.27

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$4,873.27		
	Insurance	0.20%	$9.75		
	Bond	1.15%	$56.04		
	Subtotal		$4,939.06		
	Profit and Overhead	10%	$493.91		
	TOTAL ADD		$5,432.97		

TRI-STATE
INDUSTRIAL GROUP

7608 N. Harvey Avenue
Oklahoma City, OK 73116
O (405) 341-3043 | F (405) 341-8642
TF 800-622-6380 | www.tsecinc.com

September 17, 2013

Larry Graves

Downey Contracting LLC
3217 N.E. 63rd Street
Oklahoma City, OK 73121
405-478-5277

Attached is PR#11 for Norman Fire Police Investigation. The pricing is for the following,

• ADD POWER ABOVE DOORS
1100A
1003
• ADD WALL DATA BOXES EACH SIDE WALL AT STRIKE SIDE OF DOORS
1020A
1050A
• ADD WALL DATA BOXES EACH SIDE WALL AT STRIKE SIDE PLUS ADD POWER ABOVE CEILING AT DOORS
CORRIDOR DOOR NORTH OF ROOM 1038
1121
1071
• ADD TWO DATA BOXES AND ONE WALL OUTLET ON HALLWAY SIDE OF DOOR# 1081
• ADD ONE DATA BOX AND ONE WALL OUTLET ON HALL SIDE OF DOORS
1075
1076
1077
1078

Sincerely,

Mark Irby
Project Manager
TRI-STATE INDUSTRIAL GROUP
Complete Infrastructure Solutions™

	Description	Quantity	Labor	Unit	Total Hours	Net Cost	Total Material
1	1" BUSHING - PLASTIC	16	4.34	C	0.69	9.77	1.56
2	3/4" 1-H STRAP - EMT - STEEL	15	9.02	C	1.35	5.85	0.88
3	3/4" FLEX - STEEL	150	6.51	C	9.77	23.12	34.68
4	1" FLEX - STEEL	225	8.27	C	18.60	42.12	94.77
5	3/4" CONN FLEX DC SQUEEZE STRAIGHT	52	16.70	C	8.68	110.26	57.34
6	#12 THHN BLACK	395	8.60	M	3.40	128.48	50.75
7	#12 THHN GREEN	85	8.60	M	0.73	128.48	10.92
8	WIRE CONN RED	28	10.02	C	2.81	7.27	2.04
9	4x 2 1/8" SQ BOX COMB KO	5	38.41	C	1.92	64.44	3.22
10	4x 2 1/8" SQ BOX COMB KO W/ FLUSH FLAT BRKT	16	38.41	C	6.15	836.60	133.86
11	4" SQ 1G PLSTR RING 5/8" RISE	16	4.18	C	0.67	42.60	6.82
12	4" SQ 1x DUPLEX REC COVER	0	0.00	C	0.00	308.84	0.00
13	1G MSNRY BOX 3 1/2" DEEP	3	58.45	C	1.75	966.07	28.98
14	GROUND SCREW W/INSUL #12 LEAD	5	5.01	C	0.25	219.65	10.98
15	1" FIELD CUT KO	3	0.67	E	2.00	0.00	0.00
16	1 1/4" FIELD CUT KO	13	0.75	E	9.77	0.00	0.00
17	#6 TO #8x 3/4 PLAS ANCHOR (3/16)	3	10.02	C	0.30	5.04	0.15
18	#8 TO #10x 7/8 PLAS ANCHOR (3/16)	25	10.02	C	2.50	1.48	0.37
19	#8-32 MACHINE SCREW ANCHOR	3	13.36	C	0.40	70.26	2.11
20	#10x 1 P/H SELF-TAP SCREW	25	5.01	C	1.25	0.04	0.01
21	OLD WORK BOX MOUNT F-CLIPS (PR)	32	13.36	C	4.28	40.64	13.00
22	1G DUPLEX REC PLATE - PLASTIC IVY	3	4.51	C	0.14	42.36	1.27
23	20A 125V DUP REC - IVY (SG)	3	33.40	C	1.00	1,496.00	44.88
	Totals	1,121			78.42		498.59

	Labor Type	Crew	Hours	Rate $	Total	Full Rate
2	JOURNEYMAN	1.00	39.21	50.00	1,960.50	50.00
3	APPRENTICE	1.00	39.21	40.00	1,568.40	40.00
	Totals	2.00	78.42	45.00	3,528.90	45.00

	Final Pricing	Modified ($)	Modified (%)
	Database Material (Extension)	498.59	
	Material Tax		
	Material Total	498.59	
	Direct Labor	3,528.90	
	Labor Total	3,528.90	
	General Expenses		
	Total Cost	4,027.49	
	Database Material Overhead	49.86	10.000
	Labor Overhead	352.89	10.000
	Total Overhead	402.75	10.000
	Database Material Markup	54.85	10.000
	Labor Markup	388.18	10.000
	Total Markup	443.03	10.000
	Selling Price	4,873.27	
	Final Price	4,873.27	

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 12	

PREVIOUS COP #5 WAS FOR MULTIPLE HARDWARE ADDS PER ARCHITECT 8-16 THRU 8-19-13.

THIS COP #12 IS FOR CORRECTIVE WORK REQUIRED ON HM FRAMES AND WOOD DOORS THAT THESE HARDWARE CHANGES REQUIRED.

Date: 19-Sep-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	HOLLOW METAL REVISIONS BY SUPPLIER		$375.00		
	WOOD DOOR REVISIONS BY SUPPLIER		$305.00	0	$0.00
	REMOVE/RESET HM FRAMES 2 EACH	$ 160			
	DRYWALL REPAIR AT FRAMES 2 EACH	$ 160			
	Subtotals	$320.00	$680.00	$0.00	$0.00

	Labor Burden	28%	$89.60		
	Sales Tax	0.000%	$0.00		
	Total Cost		$1,089.60		
	Insurance	0.20%	$2.18		
	Bond	1.15%	$12.53		
	Subtotal		$1,104.31		
	Profit and Overhead	10%	$110.43		
	TOTAL ADD		$1,214.74		

abs wood specialties, inc.

405 495-1350
Mailing Address:
P.O. Box 270956
Oklahoma City, OK 73137-0956

Invoice

DATE	INVOICE #
9/16/2013	34030

BILL TO:

Downey Contracting
3217 N.E. 63rd
Oklahoma City, OK 73121

SHIP TO:

Norman Poilce and Fire
1507 West Lindsey
Norman , OK 73069
Dan 405-623-0795
PO # 2613

P.O. NUMBER	TERMS	REP	SHIP DATE	SHIP VIA	FILE
2613	Net 30	GM	9/16/2013	Our Truck	WS3490/11653

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
4	Shopwork	Shopwork to add electric hardware machining for doors 1003A-A , 1039A , 1068A , 1068B , and 1085A	45.00	180.00
1	Shopwork	Shopwork add electric raceway	125.00	125.00
		Subtotal		305.00
		Extra to Contract tax exempt	0.00	0.00

RECEIVED
SEP 18 2013

9/18 86
2613 305.00

TERMS: Net 30 days.

1-1/2% per month or 18% per annum interest charged on past due accounts.

$305.00

NO MERCHANDISE RETURNABLE WITHOUT PRIOR PERMISSION OF ABS WOOD SPECIALTIES, INC.

PLEASE PAY FROM THIS INVOICE
NO STATEMENT WILL BE SENT

QUOTATION

All Commercial Openings, Inc.

DATE: 09/04/13

To: Downey Contracting — Job: Police & Fire Investigation Building

Attn: Estimator — Location: Norman, OK

THIS QUOTE IS VALID FOR 30 DAYS
FOLLOWING THE 30 DAYS PRICES ARE SUBJECT TO CHANGE DUE TO SUR-CHARGES BASED ON PRICING, FREIGHT, OR DELIVERY AT THE TIME OF PURCHASE.

ITEM DESCRIPTION	AMOUNT
Labor to cut in 5 power transfer preps. Doors 1100A & 1102A Frames 1003A, 1100A & 1102A	$375.00

email: gregg6396@yahoo.com
WE ACKNOWLEDGE ADDENDUM #:

THIS IS A MATERIAL ONLY BID. THEREFORE, BONDS, CO-INSURANCE INSTALLATION, FIELD WORK AND TAXES ARE EXCLUDED UNLESS NOTED OTHERWISE. IF ANY OF THESE TERMS ARE REQUIRED THERE MAY BE ADDITIONAL CHARGES.

TERMS: NET 30 DAYS — QUOTE IS FOB JOBSITE

ACCEPTED _____ **BY:** _____

DATE: _____ Gregg Whitehead, AHC

All Commercial Openings, Inc.
P.O. Box 270535 • 7500 W. Reno Ste. 200 • Oklahoma City, OK 73137 • 405-789-6396 • Fax 405-789-0175

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 13				
	DUCTWORK REVISIONS AND ADDING DIFFUSSERS IN SE CORNER OF BUILDING PER ARCH DIRECTIONS AND REVISED M-101A & M301 OF 9-9-13.		Date: 12-Sep-13		
ITEM	DESCRIPTION	LABOR	MATERIAL	EQUIP	SUBS
			$0.00		
	HVAC SUBCONTRACTOR			0	$2,831.33
	Subtotals	$0.00	$0.00	$0.00	$2,831.33

	Labor Burden	28%	$0.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		$2,831.33		
	Insurance	0.20%	$5.66		
	Bond	1.15%	$32.56		
	Subtotal		$2,869.55		
	Profit and Overhead	10%	$286.96		
	TOTAL ADD		$3,156.51		

Waggoners' Mechanical Services

Proposal

Project: Norman Police and Fire

Job #: CC8270
Date: 9/11/2013

Quote:

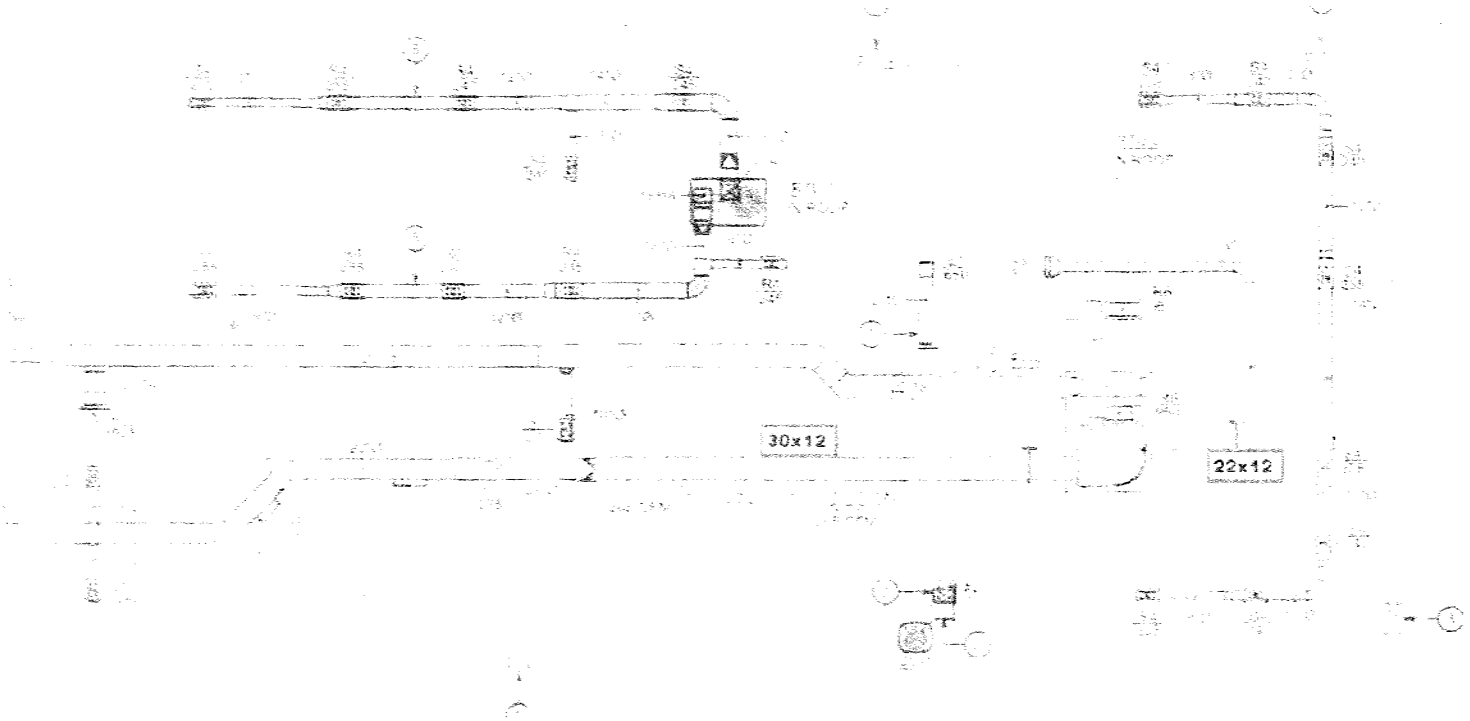
Labor - 8.6 Hours @ $84/HR	$	725.40
Mat'l and Equipt	$	1,511.62
Tax	$	0.00
Sub/Permits/Rentals	$	225.00
15% Profit	$	369.30
Total	**$**	**2,831.33**

Scope: Effort to install two new 12"x8" Grilles on main duct in bathrooms and add 10" double wall spiral duct with grille to staging area from main duct on RTU-2. Effort includes test and balance of the new registers. Effort defined on diagram provided.

Proposal Acceptance		**Proposal Submitted**	
Purchaser	_____	Seller	_____
By	_____	By	_____
Title	_____	Title	_____
Date	_____	Date	_____

Terms and Condistions:

Quote is for material and labor for the effort listed above only. The effort will be performed to the local code requirments, any specifications or notes applying to job or common idustry practices. Any items excluded are not considered part of this proposal. The quoted price is valid for 30 days. All warranties are to be twelve (12) months parts and labor from start-up of system unless defined differently in the specification.


30x12
22x12

Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY

CHANGE ORDER PROPOSAL # 14

FIRE LINE WORK BEYOND WHAT IS SHOWN ON PLANS...INCLUDED IN BASE BID WERE DOUBLE CHECK VALVE INSIDE,FIRE LINE FROM INTERIOR FLANGE OUT APPROX 5' TO ANTICIPATED EXISTING FIRE LINE AND TAP OF THAT FIRE LINE.

Date: 30-Sep-13

ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
			$0.00		
	REVISED FIRE LINE PRICING	$ 2,737	$5,368.68	1845	$0.00
	Subtotals	$2,736.50	$5,368.68	$1,845.00	$0.00

Labor Burden	0%	$0.00	
Sales Tax	0.000%	$0.00	
Total Cost		$9,950.18	
Insurance	0.20%	$19.90	
Bond	1.15%	$114.43	
Subtotal		$10,084.51	
Profit and Overhead	10%	$1,008.45	
TOTAL ADD		$11,092.96	

Job: Police and Fire Investication Facility
Location: Norman, OK
Date: September 30, 2013

Fire Line

Description	Quantity	Material	Total Material	Labor	Total Labor	Equipment	Total Equipment
Locate Existing	0 EA	0.00	0.00	200.00	0.00		0.00
6" Tapping Sleeve Valve & Box	0 EA	1,141.58	0.00	1,200.00	0.00		0.00
6" MJ 45	1 EA	84.49	84.49	55.00	55.00		0.00
6" C900 DR14 PVC (5')	25 LF	3.79	94.75	10.00	250.00		0.00
6" CL 51 DI Pipe (5')	10 LF	19.23	192.30	10.00	100.00		0.00
Type A Aggregate Backfill	10 Tons	26.00	260.00	0.00	0.00		0.00
6" MJ Gate Valve & Box	2 EA	625.00	1,250.00	250.00	500.00		0.00
4' Manhole < 6'	1 EA	755.00	755.00	400.00	400.00		0.00
MH Frame & Cover	1 EA	227.06	227.06	50.00	50.00		0.00
6" Ex PE 5'	2 EA	300.00	600.00	75.00	150.00		0.00
6" Blind Flange	0 EA	73.64	0.00	25.00	0.00		0.00
6" MJ Solid Sleeve	2 EA	90.54	181.08	150.00	300.00		0.00
6" Ames 1000SS Detector Check	1 EA	1,600.00	1,600.00	200.00	200.00		0.00
DOUBLE CHECK VALVE	0 EA	2,300.00	0.00	200.00	0.00		0.00
6" F Accessories	2 Sets	12.00	24.00	0.00	0.00		0.00
6" MJ 90	0 EA	96.59	0.00	55.00	0.00		0.00
Thrust Block	2 EA	50.00	100.00	50.00	100.00		0.00
All Thread, Nuts & Retaint Lugs	0 LS	30.00	0.00	50.00	0.00		0.00
			0.00		0.00		0.00
			0.00		0.00		0.00
Equipment:			0.00		0.00		0.00
D50 Trackhoe	3 Days		0.00		0.00	240.00	720.00
Loader	3 Days		0.00		0.00	150.00	450.00
Fuel	27 Hours		0.00		0.00	25.00	675.00
			0.00		0.00		0.00
			0.00		0.00		0.00
Subtotals			**5,368.68**		**2,105.00**		**1,845.00**
+8.375% Sales Tax							
+30% Labor Burden					**631.50**		
Totals			**5,368.68**		**2,736.50**		**1,845.00**
Total Material, Labor & Equipment							**9,950.18**

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 15				
	WEST ENTRY SLAB OVER DITCH PER ARCHITECTS E-MAIL INFO 9-30-13		Date: 30-Sep-13		
	...PRICED 'NOT TO EXCEED'				
ITEM	DESCRIPTION;	LABOR	MATERIAL	EQUIP	SUBS
	DEMO	$ 400	$100.00		
	CONCRETE FOOTINGS AND SLAB	$ 2,339	$2,971.00	0	
	SIDEWALKS	$ 512	$512.00		
	HANDICAP WARNING STRIP	$ 25	$250.00		
	HANDRAILS	$ 320	$1,600.00		
	PAINT HANDRAILS	$ 320	$320.00		
	...NOT TO EXCEED CUSHION.....	$ 391	$575.00		
	Subtotals	$4,307.00	$6,328.00	$0.00	$0.00

	Labor Burden	28%	$1,205.96		
	Sales Tax	0.000%	$0.00		
	Total Cost		$11,840.96		
	Insurance	0.20%	$23.68		
	Bond	1.15%	$136.17		
	Subtotal		$12,000.81		
	Profit and Overhead	10%	$1,200.08		
	TOTAL ADD		$13,200.89		

Downey Contracting, L.L.C.

	Project: NORMAN POLICE & FIRE INVESTIGATION FACILITY CHANGE ORDER PROPOSAL # 16				
	REVISED EXTERIOR SIGNAGE FROM MONUMENT TO WALL MOUNTED.		Date: 2-Oct-13		
ITEM	DESCRIPTION:	LABOR	MATERIAL	EQUIP	SUBS
	OMIT MONUMENT FOUNDATION	$ (400)	-$400.00		
	OMIT MONUMENT MASONRY	$ (200)	-$200.00	0	
	OMIT MONUMENT STUCCO	$ (300)	-$300.00		
	OMIT MONUMENT SIGNAGE MATERIAL				-$4,400.00
	OMIT MONUMENT SIGNAGE INSTALLATION	$ (200)			
	ADD NEW WALL MOUNTED SIGNAGE				$4,000.00
	ADD INSTALL NEW WALL MOUNTED SIGNAGE				$850.00
	Subtotals	-$1,100.00	-$900.00	$0.00	$450.00

	Labor Burden	28%	-$308.00		
	Sales Tax	0.000%	$0.00		
	Total Cost		-$1,858.00		
	Insurance	0.00%	$0.00		
	Bond	0.00%	$0.00		
	Subtotal		-$1,858.00		
	Profit and Overhead	0%	$0.00		
	TOTAL ADD		-$1,858.00		

ADA Signage – Cast Plaques & Letters – Engraved Signage & Graphics

Kebko

Architectural Signage

A Woman-Owned Company
Licensed – Bonded – Insured
Delivering Exceptional Value Since 1993

19304 N 62nd Avenue
Glendale, AZ 85308
Phone: 480-413-9808
Fax: 480-413-9809

Oct. 3, 2013

City of Norman Smalley Center Renovation

Original bid consisted of the following components:

- (2) - 30" x 40" precision cut logos	$ 2100
- (12) 6" satin cast aluminum Heavy Ribbon font letters	$ 400
- (82) 4" satin cast aluminum Heavy Ribbon font letters	$1900
Total per original bid for Monument sign letters	$4,400

Proposed Change for building mounted signage:

- (1) 22 ½ " x 30" precision cut logo	$ 800
- (32) 12" Duranodic Dk bronze Helvetica cast letters	$3,200
Total for proposed change	$4,000
NET (DEDUCT)	($ 400)

Optional Installation: $ 850.

If you have any questions regarding this proposal please contact me at 602-363-7673.

Sincerely,

Paula Gatzemeier

Kebko

PURCHASE REQUISITION NBR: 0000224807

STATUS: DIVISION APPROVAL

REQUISITION BY: JMCCART
REASON: CO # 1 CONTRACT K-1213-195
DATE: 10/15/13

SHIP TO LOCATION: COMMUNITY DEVELOPMENT
SUGGESTED VENDOR: DOWNEY CONTRACTING
DELIVER BY DATE: 10/15/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CO #1 K-1213 COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION AND UPGRADES	80966.19	DOL	1.0000	80966.19	

REQUISITION TOTAL: 80966.19

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05095404196101	Capital Projects Construction	EF1001 SMALLEY CENTER RENOVATION	100.00	80966.19
					80966.19

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-1213-201 FINAL

File ID:	K-1213-201 FINAL	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	10/07/2013
File Name:	Final Acceptance Whittier & Irving Recreation Center Gym Floor Replacement Project			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-201 WITH AND Z-FLOOR COMPANY, LTD., FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $7,055.70 to Z-Floor Company, Ltd.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 26

Attachments: Text File Irving Whittier, Whittier Photo, Irving Photo, PO ZFloor

Project Manager: Mitch Miles, Park Planner

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1213-201 FINAL

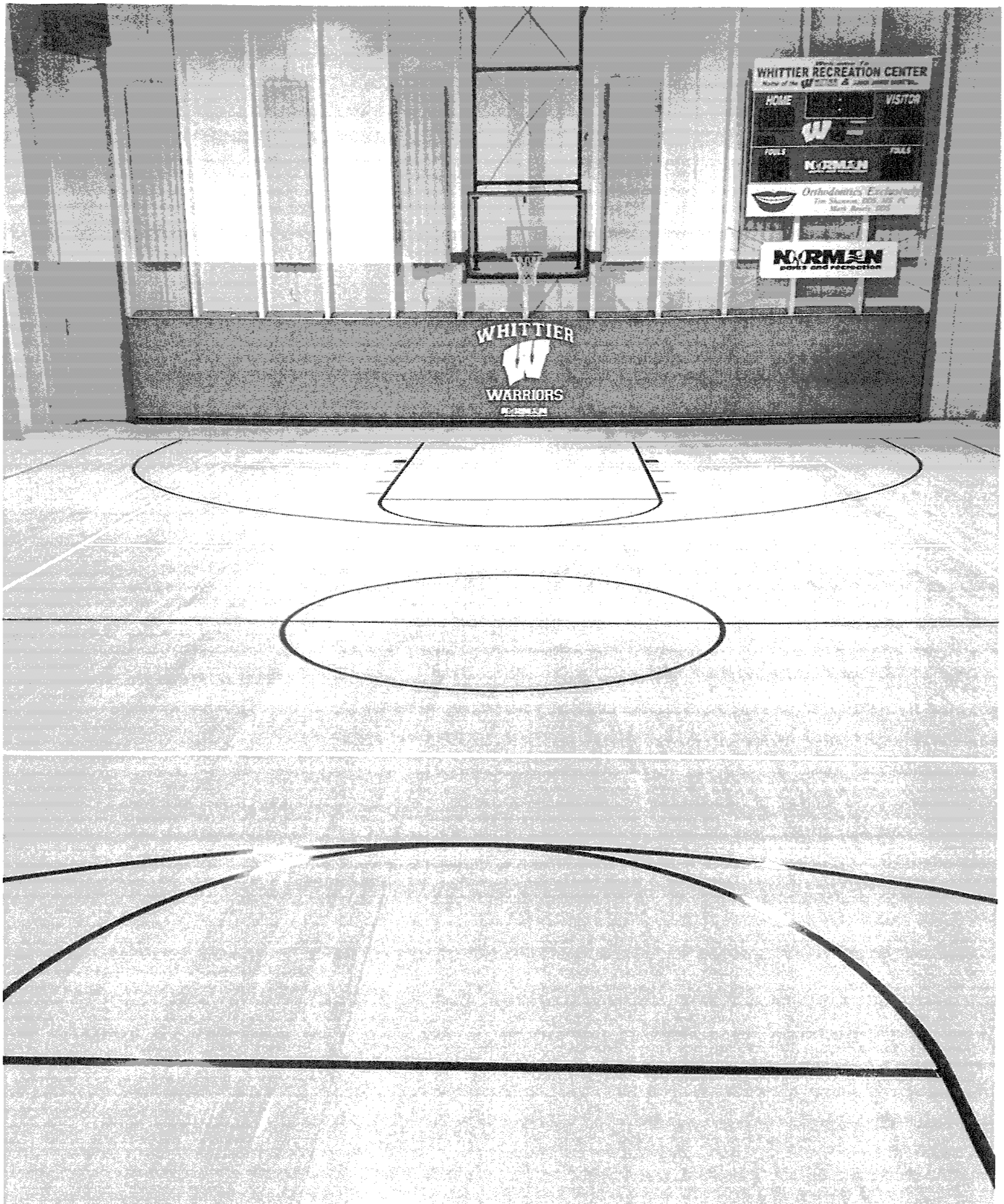
Body

BACKGROUND: On 11 June 2013, City Council approved Request for Proposal No. RFP-1213-82 for the Whittier and Irving Recreation Centers Gym Floor Replacement Project for the Parks and Recreation Department. This project inlcuded replacement of gymnasium floors at both centers, which were originally installed in 1975.

DISCUSSION: The RFP was awarded to Z-Floor Company LTD, in the amount of $141,114 for both floors. The flooring system installed was a rolled rubber flooring overlay. A partial payment of $134,058.30 was made. On 4 October 2013, the floors were inspected by staff and found to be complete as per specifications .

RECOMMENDATION: It is recommended that City Council accept the Whittier and Irving Recreation Centers Gymnasium Floor Replacement Project as complete and direct final payment in the amount of $7,055.70 to Z-Floor Co., Ltd. Funding is available in Whittier & Irving Recreation Centers (#023-9321-451.6101 - RT0078.

Irving School Gym
40:00
25
24
3


WHITTIER RECREATION CENTER
HOME
VISITOR
FOULS
FOULS
NORMAN
parks and recreation
WHITTIER
WARRIORS

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

P.O. #: 233883
DATE: 06/27/13

VENDOR #
11731

ZFLOOR CO LTD
9213 SOVEREIGN ROW
DALLAS, TX 75247

SHIP TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
05/29/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
02393214516101	TERRY-FOSTER	217687	05/28/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	141114.00	EA	WHITTIER & IRVING GYMS FLOOR REPLACEMENT PROJECT RFP#1213-82, CONTRACT#K-1213-201 COUNCIL AGENDA: 6-11-13 - NEW VENDOR. W9 FORWARDED 5-28-13 - FUNDING TO BE APPROPRIATED AT COUNCIL. VENDOR ITEM NO.- COUNCIL 6-11-13	1.0000	141114.00

SUB-TOTAL	141114.00
TOTAL	141114.00

10.8.13 Inv.# 164106

— 134,058.30

Balance * 7,055.70

City of Norman, OK

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

Master

File Number: K-1314-64

File ID:	K-1314-64	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	10/10/2013
File Name:	Utility Relocation Agreement with ODOT			**Final Action:**	

Title: CONTRACT NO. K-1314-64: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT A WATER LINE LOCATED AT HIGHWAY 9 AND 24TH AVENUE S.W. IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-64, a utility relocation agreement with ODOT; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 10/22/2013

Agenda Number: 27

Attachments: Text File K-1314-64, ODOT I-35 Relocations
K-1314-64, I-35 Waterline Relocations Budget
2013-09-26, ODOT I-35 Relocations Map

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-1314-64

Body

BACKGROUND: As part of the widening of Interstate 35 (I-35), three waterline crossings owned by the Norman Utilities Authority (NUA) must be lowered as directed by the Oklahoma Department of Transportation (ODOT). The relocations are required because the existing waterlines (or portions thereof) are within four vertical feet of a proposed roadway improvement. Generally, this clearance is required to ensure that existing utilities do not impact the roadway construction. Any utility, such as telephone, electric, gas, cable as well as water and sewer utilities operated by the NUA, must be relocated to provide the required clearance.

In February and March 2013, meetings were held with representatives of ODOT and the Department of Public Works to discuss seven potential conflicts between the I-35 project and existing water and sewer utilities. On March 11, ODOT transmitted four letters to the Public Works Department describing potential conflicts with

utilities. On June 25, 2013, the NUA was contacted by the Public Works Department and design consultant SAIC regarding the proposed relocation of the existing 24-inch waterline crossing I-35 at Briggs Street. Subsequent discussions with Public Works and SAIC staff revealed the need to also relocate existing 12-inch waterline crossings at Brooks Street/I-35 and at 24th Avenue SW/Highway 9.

DISCUSSION: The I-35 Waterline Relocations project will design and construct the following highway crossings:

1. Waterline A, Highway 9 at 24th Avenue SW: relocate approximately 355 feet of 12-inch waterline with 180 feet of 24-inch steel casing (estimated cost $114,000);

2. Waterline B, I-35 at Briggs: relocate approximately 450 feet of 24-inch waterline with 380 feet of 36-inch steel casing (estimated cost $409,000);

3. Waterline C, I-35 at Brooks: relocate approximately 415 feet of 24-inch waterline with 260 feet of 24-inch steel casing (estimated cost $152,000).

The I-35 Waterline Relocations project (WA0196) was funded in the amount of $675,000 under a separate agenda item. The NUA will design, bid and construct the work illustrated on the I-35 Waterline Relocations Map and be reimbursed by ODOT upon completion. The design will be completed by SAIC under Contract No. K-1314-66 at an estimated cost of $62,000; $12,000 is attributed to Waterline A at Highway 9/24th Avenue SW and $50,000 is attributed to Waterlines B and C at the Briggs and Brooks crossings of I-35, respectively.

ODOT has requested that the NUA execute and submit the attached Utility Relocation Agreement which sets forth general requirements for performing the relocations and obtaining 100% reimbursement from ODOT. Contract No. K-1314-64 is for Waterline A estimated at $114,000. A detail of the estimated project budget is attached.

RECOMMENDATION: Staff recommends that the NUA approve Contract No. K-1314-64 with the Oklahoma Department of Transportation.

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION
UTILITY RELOCATION AGREEMENT

PROJECT NO. IMY-0035(2)288UT JOB PIECE NO. 09031 UTILITIES 07 COUNTY Cleveland

THIS AGREEMENT, made and entered into by and between the Department of Transportation acting for and on behalf of the State of Oklahoma, hereinafter called the "State" and the Norman Utilities Authority

ADDRESS 201-C West Gray, Norman, OK 73069 or PO Box 370, Norman, OK 73070

hereinafter called the "Utility Owner".

WITNESS TO THAT

WHEREAS, the State proposed to improve Interstate Highway No. 35 and such improvements will necessitate rearrangement of facilities by said Utility Owner (state scope and nature of work on reverse side), and

WHEREAS, it is understood that if said project is to be financed in part from funds appropriated by the United States and expended under its regulations, that acceptance of work and procedure in general are subject to Federal Laws, Rules, Regulations, Orders, and Approvals applying to it as a Federal Project, and that costs for items entering into the improvement are reimbursable to the State in such amounts and forms as are proper and eligible for payment from Federal Funds. Reference is made to U.S. Department of Transportation, Code of Federal Regulations, Title 23, Parts 645A, 645B and 635.410, included in the Right-of-Way and Utilities Division Policies and Procedures, and

WHEREAS, it is understood that Title 69, O. S., § 1205 and 1403 each as amended, define the extent to which the State and the Utility Owner may be obligated in the costs of utility rearrangements, and the utility locations on all highways are governed by Regulations and Policies adopted by the State Transportation Commission for the protection and maintenance of the highways, and for the safety of the highway users, and

WHEREAS, the State reserves the right to cancel this Agreement at any time prior to the beginning of the adjustment or relocation of the facilities of this Utility Owner, and

WHEREAS, the State agrees to pay the Utility Owner for the proportionate share of the actual cost to prepare approved preliminary engineering plans and estimates at the State's request, if for any reason the State cancels this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Utility Owner agrees:

1. To prepare a detailed estimate of the cost of work to be performed in accordance with the Department's Right-of-Way and Utilities Division Policies and Procedures, and such estimate of cost must be attached and be a part of this Agreement. The estimate will include: (1) The accounting system to be used in computing the relocation costs; (2) Credit for Expired Service Life setting forth therein the conditions on which such credit was determined or complete justification if the credit is not applicable; and; (3) Whether equipment costs are developed from experience records.

2. To include the costs for backfill and compaction of any trenches or holes within the right-of-way limits in the estimate of costs. The backfill will be placed and compacted to a density as directed by the Resident Engineer/Manager, but will not be compacted to less than that of the adjacent soil.

3. Any and all existing fencing that may require alteration during the utility relocation process shall be restored to its original condition during and after the time of utility relocation/rearrangement. It is the responsibility of the utility owner to insure that the integrity of the fencing is not compromised at any time to an extent in which it prevents the fencing from performing its intended purpose.

4. To prepare drawings showing the present, temporary and proposed location of its facilities with reference to the centerline of survey and/or the new or existing right-of-way lines using highway stationing in both plan and profile. Delineate details, including date of installation, class, and type of present facility. To comply with all applicable laws and regulations necessary to meet the Oklahoma Department of Environmental Quality (DEQ) requirements for pollution prevention, including discharges from storm water runoff on this project. Further, agrees to secure a Storm Water Permit from the DEQ, when required. 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 plans and the appropriate location map contained in the plans constitute the Storm Water Management Plan for the project previously described in the document. Agrees to have daily operational control of those activities, at the site, necessary to ensure compliance with plan requirements and permit conditions. Agrees to file the Notice of Intent (NOI), when required, for a general construction Oklahoma Pollutant Discharge Elimination System Permit with DEQ, which authorizes discharges of storm water associated with construction activity from the project site identified in this document. Such drawings will be attached to and become a part of this agreement.

5. To begin the process of adjustment or relocation of the facilities as shown on the plans and covered by this Agreement within a reasonable time, depending on the availability of material and work forces, but the actual time must not exceed thirty (30) days after receipt of notice from the state to do so, and in no event proceed with any adjustment or relocation work until such notice is received. To inform the State's Resident Engineer/Manager of: (1) The proposed starting date, prior to commencing work, and continually maintaining liaison with his/her office for the duration of the physical relocation; (2) The materials to be disposed of by scrapping, or sale, and to inform him/her of a time and place for his/her inspection thereof; (3) The date work is completed.

6. a. That no contract with any individual will be entered into without meeting the requirements of the Department's Right-of-Way and Utilities Division Policies and Procedures.

   b. That contract work for technical services, professional services or other labor classifications involved in the rearrangement of the facility proposed under this Agreement will be supported by a statement to the effect that, "The Utility Company is not adequately staffed or equipped to perform such work with its own forces." **Proper approval must be obtained in accordance with the Right-of-Way and Utilities Division Policies and Procedures prior to executing a contract with any outside firm or or continuing contractor.**

7. To submit to the State, within six (6) months after satisfactory completion of rearrangement of their facilities under this Agreement, a claim using *ODOT Claim Form 324A,* with a certified statement of costs in accordance with the provisions of the aforementioned memorandums.

It is understood this Agreement does not change the rights or obligations of the Utility Owner as they exist in accordance with present State Law.

In consideration of the faithful performance by the Utility Owner of the foregoing, the State agrees:

To reimburse the Utility Owner for the actual costs of work completed, prorated on the basis of the following percentage or for the lump sum as proposed:

(1) Utility Owner Share of Cost	0.00% %.	Estimated Utility Owner Cost	$ 0.00
(2) State Share of Cost	100.00% %.	Estimated State Cost	$ 114,000.00
	OR		
(3) Lump Sum Proposal		State Cost	$

Nothing herein shall in any way be construed to relieve the Utility Owner from its liability, if any, for payment of a portion of these costs pursuant to 69 O.S. 2001 § 1205, as amended.

IN WITNESS WHEREOF, the parties hereto have caused this Utility Relocation Agreement to be executed by their duly authorized officers on the day and year last below written.

APPROVAL RECOMMENDED:

	Norman Utilities Authority
Resident Engineer/Manager Date	Name: Utility Owner
Division Engineer Date	Signature: Utility Owner/Agent Date
	Cindy Rosenthal, Chairperson
Chief, Right-of-Way & Utilities Division Date	Title: Utility Owner/Agent

DEPARTMENT OF TRANSPORTATION FOR THE STATE OF OKLAHOMA (ACTING FOR AND ON BEHALF OF THE STATE OF OKLAHOMA)

By: Director Date

(State scope and nature of work in space provided below)

Relocate existing 12-inch water waterline crossing State Highway 9 at Station 681+40 on the west side of 24th Ave SW by constructing approximately 200 feet of 24-inch steel encasement, 360 feet of 12-inch PVC piping and associated appurtenances as per Water Agreement 3, Item 3 (Waterline A).

I-35 Waterline Relocations (WA0196)			
Highway 9 and 24th Ave SW Crossing			
24-inch casing with 12-inch piping	180	$300	$54,000
12-inch PVC piping	175	$80	$14,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	7	$2,000	$14,000
FH Assembly	1	$4,000	$4,000
		subtotal	$91,000
		10% contingency	$9,000
		construction	$100,000
		SAIC design	$12,000
		inspection	$2,000
		Total	$114,000
I-35 and Briggs Street Crossing			
36-inch casing with 24-inch piping	380	$610	$232,000
24-inch PVC piping	70	$160	$11,000
24-inch butterfly valves	2	$20,000	$40,000
24-inch fittings	7	$3,500	$25,000
air relief valve & vault	1	$10,000	$10,000
12" Flushing Assembly	1	$15,000	$15,000
		subtotal	$333,000
		10% contingency	$33,000
		construction	$365,000
		SAIC design	$36,000
		inspection	$8,000
		Total	$409,000
I-35 and Brooks Street Crossing			
24-inch casing with 12-inch piping	260	$300	$78,000
12-inch PVC piping	155	$80	$12,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	12	$2,000	$24,000
FH Assembly	1	$4,000	$4,000
		subtotal	$123,000
		10% contingency	$12,000
		construction	$135,000
		SAIC design	$14,000
		inspection	$3,000
		Total	$152,000
		Construction total =	$600,000
		SAIC Design Total =	$62,000
		Inspection Total =	$13,000
		Project Total =	$675,000
Note: All values rounded to the nearest $1000.			

9/26/2013 at10:40 AM

I-35 Waterline Relocations (WA0196)			
Highway 9 and 24th Ave SW Crossing			
24-inch casing with 12-inch piping	180	$300	$54,000
12-inch PVC piping	175	$80	$14,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	7	$2,000	$14,000
FH Assembly	1	$4,000	$4,000
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		10% contingency	$9,000
		construction	$100,000
		SAIC design	$12,000
		inspection	$2,000
		Total	$114,000
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24-inch fittings	7	$3,500	$25,000
air relief valve & vault	1	$10,000	$10,000
12" Flushing Assembly	1	$15,000	$15,000
		subtotal	$333,000
		10% contingency	$33,000
		construction	$365,000
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		Total	$409,000
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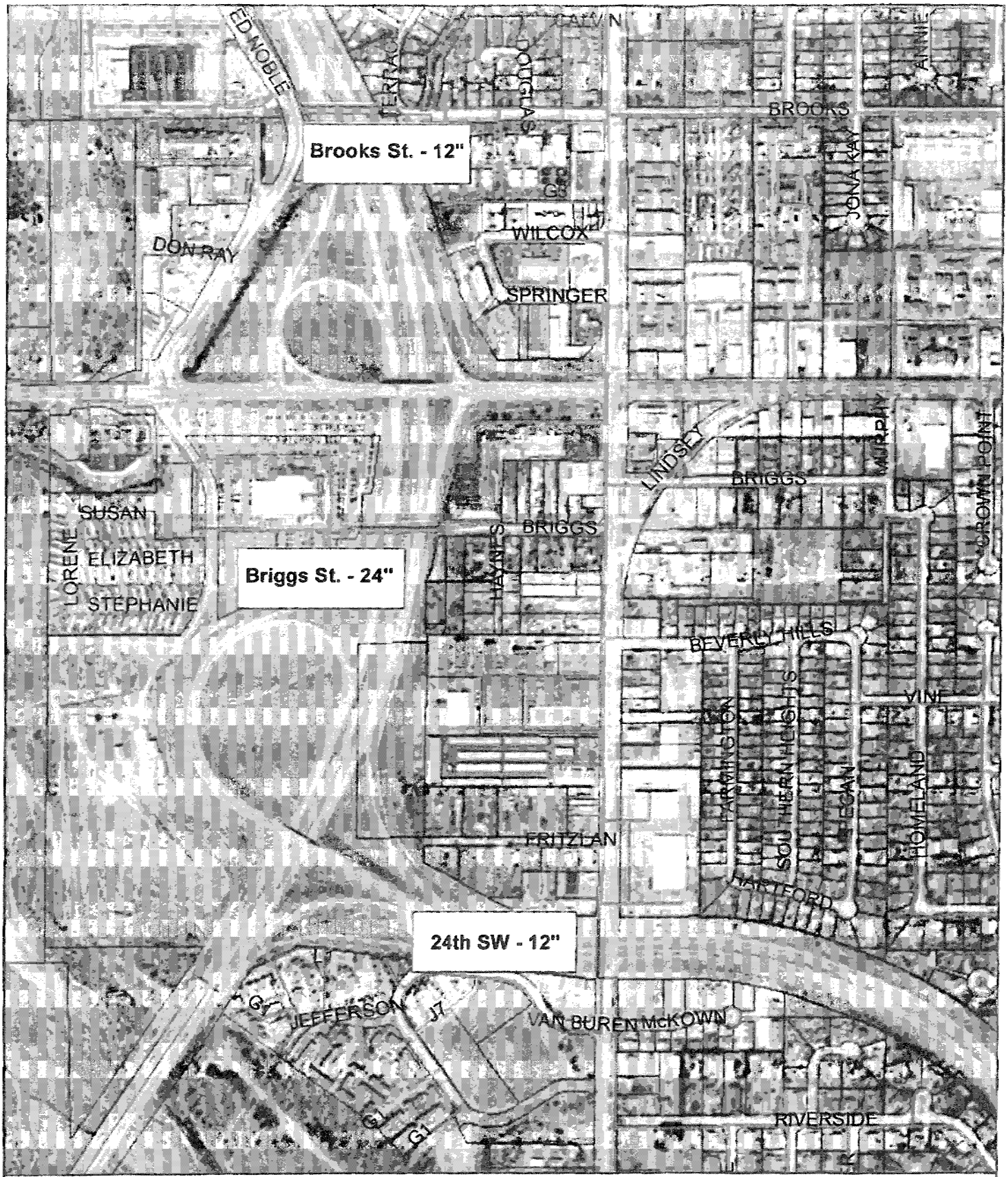
12-inch fittings	12	$2,000	$24,000
FH Assembly	1	$4,000	$4,000
		subtotal	$123,000
		10% contingency	$12,000
		construction	$135,000
		SAIC design	$14,000
		inspection	$3,000
		Total	$152,000
		Construction total =	$600,000
		SAIC Design Total =	$62,000
		Inspection Total =	$13,000
		Project Total =	$675,000
Note: All values rounded to the nearest $1000.			

9/26/2013 at10:40 AM



I-35 Waterline Relocations (WA0195)

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.

Water Mains Relocation Areas

October 3, 2013

0 300 600 Feet

27-6

City of Norman, OK

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

Master

File Number: K-1314-65

File ID:	K-1314-65	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	10/11/2013
File Name:	Utility Relocation Agreement Water Lines B and C			**Final Action:**	

Title: CONTRACT NO. K-1314-65: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT B WATER LINE LOCATED AT BRIGGS STREET AND SEGMENT C WATER LINE LOCATED AT BROOKS STREET IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-65, a utility relocation agreement with ODOT; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 10/22/2013

Agenda Number: 28

Attachments: Text file K-1314-65, ODOT I-35 Relocations
K-1314-65, ODOT I-35 Relocations Map, I-35
Waterline Relocations Budget 2013-09-26

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-65

Body

BACKGROUND: As part of the widening of Interstate 35 (I-35), three waterline crossings owned by the Norman Utilities Authority (NUA) must be lowered as directed by the Oklahoma Department of Transportation (ODOT). The relocations are required because the existing waterlines (or portions thereof) are within four vertical feet of a proposed roadway improvement. Generally, this clearance is required to ensure that existing utilities do not impact the roadway construction. Any utility, such as telephone, electric, gas, cable as well as water and sewer utilities operated by the NUA, must be relocated to provide the required clearance.

In February and March 2013, meetings were held with representatives of ODOT and the Department of Public Works to discuss seven potential conflicts between the I-35 project and existing water and sewer utilities. On March 11, ODOT transmitted four letters to the Public Works Department describing potential conflicts with utilities. On June 25, 2013, the NUA was contacted by the Public Works Department and design consultant SAIC regarding the proposed relocation of the existing 24-inch waterline crossing I-35 at Briggs Street.

Subsequent discussions with Public Works and SAIC staff revealed the need to also relocate existing 12-inch waterline crossings at Brooks Street/I-35 and at 24th Avenue SW/Highway 9.

DISCUSSION: The I-35 Waterline Relocations project will design and construct the following highway crossings:

1. Waterline A, Highway 9 at 24th Avenue SW: relocate approximately 355 feet of 12-inch waterline with 180 feet of 24-inch steel casing (estimated cost $114,000);
2. Waterline B, I-35 at Briggs: relocate approximately 450 feet of 24-inch waterline with 380 feet of 36-inch steel casing (estimated cost $409,000);
3. Waterline C, I-35 at Brooks: relocate approximately 415 feet of 24-inch waterline with 260 feet of 24-inch steel casing (estimated cost $152,000).

The I-35 Waterline Relocations project (WA0196) was funded in the amount of $675,000 under a separate agenda item. The NUA will design, bid and construct the work illustrated on the I-35 Waterline Relocations Map and be reimbursed by ODOT upon completion. The design will be completed by SAIC under Contract K-1314-66 at an estimated cost of $62,000; $12,000 is attributed to Waterline A at Highway 9/24th Avenue SW and $50,000 is attributed to Waterlines B and C at the Briggs and Brooks crossings of I-35, respectively.

ODOT has requested that the NUA execute and submit the attached Utility Relocation Agreement which sets forth general requirements for performing the relocations and obtaining 100% reimbursement from ODOT. Contract K-1314-65 is for Waterlines B and C estimated at $561,000. Attachment A details the estimated project budget.

RECOMMENDATION: Staff recommends that the NUA approve Utility Relocation Agreement K-1314-65 with the Oklahoma Department of Transportation.

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION
UTILITY RELOCATION AGREEMENT

PROJECT NO. IMY-0035(2)288UT JOB PIECE NO. 09031 UTILITIES 07 COUNTY Cleveland

THIS AGREEMENT, made and entered into by and between the Department of Transportation acting for and on behalf of the State of Oklahoma, hereinafter called the "State" and the Norman Utilities Authority

ADDRESS 201-C West Gray, Norman, OK 73069 or PO Box 370, Norman, OK 73070

hereinafter called the "Utility Owner".

WITNESS TO THAT

WHEREAS, the State proposed to improve Interstate Highway No. 35 and such improvements will necessitate rearrangement of facilities by said Utility Owner (state scope and nature of work on reverse side), and

WHEREAS, it is understood that if said project is to be financed in part from funds appropriated by the United States and expended under its regulations, that acceptance of work and procedure in general are subject to Federal Laws, Rules, Regulations, Orders, and Approvals applying to it as a Federal Project, and that costs for items entering into the improvement are reimbursable to the State in such amounts and forms as are proper and eligible for payment from Federal Funds. Reference is made to U.S. Department of Transportation, Code of Federal Regulations, Title 23, Parts 645A, 645B and 635.410, included in the Right-of-Way and Utilities Division Policies and Procedures, and

WHEREAS, it is understood that Title 69, O. S., § 1205 and 1403 each as amended, define the extent to which the State and the Utility Owner may be obligated in the costs of utility rearrangements, and the utility locations on all highways are governed by Regulations and Policies adopted by the State Transportation Commission for the protection and maintenance of the highways, and for the safety of the highway users, and

WHEREAS, the State reserves the right to cancel this Agreement at any time prior to the beginning of the adjustment or relocation of the facilities of this Utility Owner, and

WHEREAS, the State agrees to pay the Utility Owner for the proportionate share of the actual cost to prepare approved preliminary engineering plans and estimates at the State's request, if for any reason the State cancels this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Utility Owner agrees:

1. To prepare a detailed estimate of the cost of work to be performed in accordance with the Department's Right-of-Way and Utilities Division Policies and Procedures, and such estimate of cost must be attached and be a part of this Agreement. The estimate will include: (1) The accounting system to be used in computing the relocation costs; (2) Credit for Expired Service Life setting forth therein the conditions on which such credit was determined or complete justification if the credit is not applicable; and; (3) Whether equipment costs are developed from experience records.

2. To include the costs for backfill and compaction of any trenches or holes within the right-of-way limits in the estimate of costs. The backfill will be placed and compacted to a density as directed by the Resident Engineer/Manager, but will not be compacted to less than that of the adjacent soil.

3. Any and all existing fencing that may require alteration during the utility relocation process shall be restored to its original condition during and after the time of utility relocation/rearrangement. It is the responsibility of the utility owner to insure that the integrity of the fencing is not compromised at any time to an extent in which it prevents the fencing from performing its intended purpose.

4. To prepare drawings showing the present, temporary and proposed location of its facilities with reference to the centerline of survey and/or the new or existing right-of-way lines using highway stationing in both plan and profile. Delineate details, including date of installation, class, and type of present facility. To comply with all applicable laws and regulations necessary to meet the Oklahoma Department of Environmental Quality (DEQ) requirements for pollution prevention, including discharges from storm water runoff on this project. Further, agrees to secure a Storm Water Permit from the DEQ, when required. 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 plans and the appropriate location map contained in the plans constitute the Storm Water Management Plan for the project previously described in the document. Agrees to have daily operational control of those activities, at the site, necessary to ensure compliance with plan requirements and permit conditions. Agrees to file the Notice of Intent (NOI), when required, for a general construction Oklahoma Pollutant Discharge Elimination System Permit with DEQ, which authorizes discharges of storm water associated with construction activity from the project site identified in this document. Such drawings will be attached to and become a part of this agreement.

5. To begin the process of adjustment or relocation of the facilities as shown on the plans and covered by this Agreement within a reasonable time, depending on the availability of material and work forces, but the actual time must not exceed thirty (30) days after receipt of notice from the state to do so, and in no event proceed with any adjustment or relocation work until such notice is received. To inform the State's Resident Engineer/Manager of: (1) The proposed starting date, prior to commencing work, and continually maintaining liaison with his/her office for the duration of the physical relocation; (2) The materials to be disposed of by scrapping, or sale, and to inform him/her of a time and place for his/her inspection thereof; (3) The date work is completed.

6. a. That no contract with any individual will be entered into without meeting the requirements of the Department's Right-of-Way and Utilities Division Policies and Procedures.

   b. That contract work for technical services, professional services or other labor classifications involved in the rearrangement of the facility proposed under this Agreement will be supported by a statement to the effect that, "The Utility Company is not adequately staffed or equipped to perform such work with its own forces." **Proper approval must be obtained in accordance with the Right-of-Way and Utilities Division Policies and Procedures prior to executing a contract with any outside firm or or continuing contractor.**

7. To submit to the State, within six (6) months after satisfactory completion of rearrangement of their facilities under this Agreement, a claim using *ODOT Claim Form 324A,* with a certified statement of costs in accordance with the provisions of the aforementioned memorandums.

It is understood this Agreement does not change the rights or obligations of the Utility Owner as they exist in accordance with present State Law.

In consideration of the faithful performance by the Utility Owner of the foregoing, the State agrees:

To reimburse the Utility Owner for the actual costs of work completed, prorated on the basis of the following percentage or for the lump sum as proposed:

(1) Utility Owner Share of Cost	0.00% ____ %.	Estimated Utility Owner Cost	$ 0.00
(2) State Share of Cost	100.00% ____ %.	Estimated State Cost	$ 561,000.00
	OR		
(3) Lump Sum Proposal		State Cost	$

Nothing herein shall in any way be construed to relieve the Utility Owner from its liability, if any, for payment of a portion of these costs pursuant to 69 O.S. 2001 § 1205, as amended.

IN WITNESS WHEREOF, the parties hereto have caused this Utility Relocation Agreement to be executed by their duly authorized officers on the day and year last below written.

APPROVAL RECOMMENDED:

	Norman Utilities Authority
Resident Engineer/Manager Date	Name: Utility Owner
Division Engineer Date	Signature: Utility Owner/Agent Date
	Cindy Rosenthal, Chairperson
Chief, Right-of-Way & Utilities Division Date	Title: Utility Owner/Agent

DEPARTMENT OF TRANSPORTATION FOR THE STATE OF OKLAHOMA (ACTING FOR AND ON BEHALF OF THE STATE OF OKLAHOMA)

By: Director Date

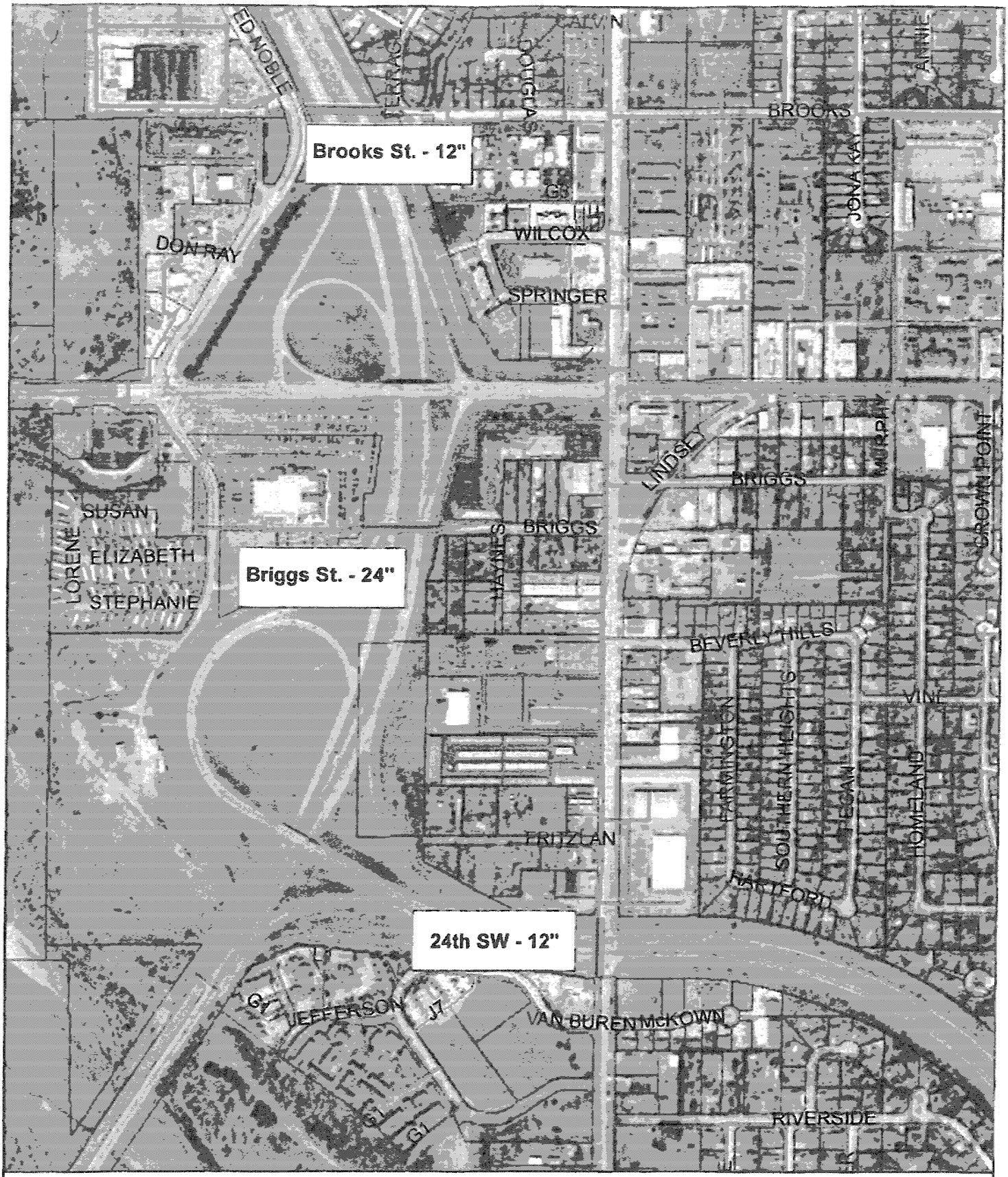
(State scope and nature of work in space provided below)

Relocate existing 12-inch water waterline crossing Interstate 35 at Station 144+60 and extended north on the west side of I-35 by constructing approximately 260 feet of 24-inch steel encasement, 430 feet of 12-inch PVC and associated appurtenances as per Water Agreement 2, Item 2 (Waterline C).

Relocate existing 24-inch water waterline crossing Interstate 35 at Station 124+15 near Briggs Street by constructing approximately 400 feet of 36-inch steel encasement, 460 feet of 24-inch PVC piping and associated appurtenances as per Water Agreement 2, Item 1 (Waterline B).

I-35 Waterline Relocations (WA0196)			
Highway 9 and 24th Ave SW Crossing			
24-inch casing with 12-inch piping	180	$300	$54,000
12-inch PVC piping	175	$80	$14,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	7	$2,000	$14,000
FH Assembly	1	$4,000	$4,000
		subtotal	$91,000
		10% contingency	$9,000
		construction	$100,000
		SAIC design	$12,000
		inspection	$2,000
		Total	$114,000
I-35 and Briggs Street Crossing			
36-inch casing with 24-inch piping	380	$610	$232,000
24-inch PVC piping	70	$160	$11,000
24-inch butterfly valves	2	$20,000	$40,000
24-inch fittings	7	$3,500	$25,000
air relief valve & vault	1	$10,000	$10,000
12" Flushing Assembly	1	$15,000	$15,000
		subtotal	$333,000
		10% contingency	$33,000
		construction	$365,000
		SAIC design	$36,000
		inspection	$8,000
		Total	$409,000
I-35 and Brooks Street Crossing			
24-inch casing with 12-inch piping	260	$300	$78,000
12-inch PVC piping	155	$80	$12,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	12	$2,000	$24,000
FH Assembly	1	$4,000	$4,000
		subtotal	$123,000
		10% contingency	$12,000
		construction	$135,000
		SAIC design	$14,000
		inspection	$3,000
		Total	$152,000
		Construction total =	$600,000
		SAIC Design Total =	$62,000
		Inspection Total =	$13,000
		Project Total =	$675,000
Note: All values rounded to the nearest $1000.			

9/26/2013 at10:40 AM



I-35 Waterline Relocations (WA0195)

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.

Water Mains Relocation Areas

October 3, 2013

0 300 600 Feet

28-5

City of Norman, OK

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

Master

File Number: K-1314-66

File ID:	K-1314-66	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$143,000.00	**File Created:**	10/01/2013
File Name:	ODOT Relocation Agreement			**Final Action:**	

Title: CONTRACT NO. K-1213-66: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SAIC ENERGY, ENVIRONMENT AND INFRASTRUCTURE, L.L.C., (SAIC) IN THE AMOUNT OF $143,000 TO PROVIDE ENGINEERING DESIGN, BIDDING AND LIMITED CONSTRUCTION ADMINISTRATION FOR THE I-35 WATER LINE RELOCATIONS AND THE SEGMENT D WATER LINE ON LINDSEY STREET FROM BRIGGS TO BERRY AND BUDGET TRANSFERS.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-66 with SAIC in the amount of $143,000; and, if approved, authorize execution of the contract and transfer $75,000 from Project WA0191, Highway 9 Water Line Relocation Project, Design (031-9727-462-62-01), $380,000 from Highway 9 Water Line Relocation Project, Construction (031-9727-462.61-01), and $220,000 from Project No. WA0253, Arsenic Treatment, Construction (031-9345-462.61-01) to Project No. WA0196, I-35 Waterline Relocation, Construction (031-9727-462-61-01).

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 29

Attachments: Text File K-1314-66, SAIC Contract K-1314-66, I-35 Waterline Relocations Budget 2013-09-26, ODOT I-35 Relocations Map, Lindsey Street Waterline Project Location Map

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-1314-66

Body

BACKGROUND: As part of the widening of Interstate 35 (I-35), three waterline crossings owned by the Norman Utilities Authority (NUA) must be lowered as directed by the Oklahoma Department of Transportation (ODOT). The relocations are required because the existing waterlines (or portions thereof) are within four vertical feet of a proposed roadway improvement. Generally, this clearance is required to ensure that existing utilities do not impact the roadway construction. Any utility, such as telephone, electric, gas, cable as well as water and sewer utilities operated by the NUA, must be relocated to provide the required clearance.

In February and March 2013, meetings were held with representatives of ODOT and the Department of Public Works to discuss seven potential conflicts between the I-35 project and existing water and sewer lines. On March 11, ODOT transmitted four letters to the Public Works Department describing potential conflicts with utilities. On June 25, 2013, the NUA was contacted by the Public Works Department and their design consultant SAIC regarding the proposed relocation of the existing 24-inch waterline crossing I-35 at Briggs Street. Subsequent discussions with Public Works and SAIC staff revealed the need to also relocate existing 12-inch waterline crossings at Brooks Street/I-35 and at 24th Avenue SW/Highway 9.

The Segment D Waterline project will generally install a 24-inch waterline loop through southern Norman from 12th Avenue SE to 24th Avenue SW. The project was divided into phases to meet financial constraints. The Segment D Waterline Phase 1 project (WA0184) installed 3,700 linear feet (LF) of 24-inch waterline along State Highway 9 (SH-9) from 12th Avenue SE to the west side of Jenkins Avenue in March 2007. At that time, the remaining planned work included approximately 15,000 LF of 24-inch waterline along SH-9 from Jenkins Avenue to 24th Avenue SW, then north along 24th Avenue SW to Briggs Street.

Originally, the Phase 2 project was to continue west along SH-9 from Jenkins Avenue to South Berry Road. However, ODOT would not renew Permit 14-1305 which allowed construction of the waterline along the northern boundary of their SH-9 right-of-way. ODOT Policy Statement OP-UT 6-1 (revised January 21, 2011) generally prohibited renewal of this permit and prohibited future permitting of a parallel waterline within the SH-9 right-of-way (ROW). As a result, the Department of Utilities has been considering alternate routes along city streets to complete the 24-inch loop across southern Norman. It is proposed that the NUA fund installation of a new 24-inch water distribution main on the south side of Lindsey between Berry Road and 24th Avenue SW at Briggs Street as the next phase of the Segment D Waterline (WB0184) as illustrated on Segment D, Lindsey Street Waterline Map. This work would be completed in conjunction with the ongoing Lindsey Street Widening project. The funding of the Lindsey Street Roadway Improvements allows approximately 5,900 LF of 24-inch waterline to be installed while minimizing the cost of roadway, parking and driveway repairs. Approximately 13,000 LF of 24-inch Segment D Waterline will remain upon completion of the project along Lindsey.

DISCUSSION:

Funding for the I-35 Waterline Relocations: This project will design and construct the following highway crossings:

1. Waterline A, Highway 9 at 24th Avenue SW: relocate approximately 355 feet of 12-inch waterline with a lower-elevation waterline with 180 feet of 24-inch steel casing (estimated cost $ 114,000);
2. Waterline B, I-35 at Briggs: relocate approximately 450 feet of 24-inch waterline with a lower-elevation waterline with 380 feet of 36-inch steel casing (estimated cost $409,000);
3. Waterline C, I-35 at Brooks: relocate approximately 415 feet of 24-inch waterline with a lower-elevation waterline with 260 feet of 24-inch steel casing (estimated cost $152,000).

The NUA will design, bid and construct the work as illustrated in the I-35 Waterline Relocation Map and be reimbursed by ODOT upon completion. Utility Relocation agreements with ODOT for the above work will be considered separately. As noted above and as detailed in Attachment 1, design and construction of the proposed relocations is estimated at $675,000. The project was not included in the Fiscal Year Ending (FYE) 2014 budget as Utilities staff was unaware the NUA would be funding the proposed project until the end of that process. Therefore, it is necessary to fund the I-35 Waterline Relocations (Project WA0196) including $75,000 in Waterline Relocation Design (account 031-9727-462-62-01) and $600,000 in Waterline Relocation Construction (account 031-9727-462-61-01) for a total of $675,000. It is recommended that the following transfers be approved to fund the I-35 Waterline Relocations project:

Transfer $75,000 from Highway 9 Waterline Relocations Design (account 031-9727-462.62-01; project WA0191) into Waterline Relocations Design (account 031-9727-462.62-01; project WA0196);

Transfer $380,000 from Highway 9 Waterline Relocations Construction (account 031-9727-462.61-01; project WA0191) into Waterline Relocations Construction (account 031-9727-462.61-01; project WA0196);

Transfer $220,000 from Arsenic Treatment Construction (account 031-9345-462.61-01; project WA0253) into Waterline Relocations Construction (account 031-9727-462.61-01; project WA0196).

Funding remaining in the Arsenic Treatment project has remained unused for several years; it is expected that larger scale projects for facilities for treatment of groundwater may be developed in response to the findings of the 2060 Strategic Water Supply Plan. The Highway 9 Waterline Relocations project originally anticipated the relocation of additional utility crossings; several of the relocations were not required by ODOT resulting in a significant reduction in required funding.

Proposed SAIC Design Contract No. K-1314-66: Since SAIC is performing the design of the Lindsey Street Widening project (including storm drainage, utility relocation and roadway design) with the Public Works Department, Utilities staff feels it is appropriate to have SAIC perform the design of the next phase of the Segment D Waterline (WB0184) and the I-35 Waterline Relocations (WA0196). Utilizing SAIC will allow better coordination between the two projects and prevent duplication of surveying and utility coordination efforts .

The design of the I-35 Waterline Relocations and the next phase of the Segment D Waterline (Lindsey: Briggs to Berry) is proposed be completed by SAIC under Contract No. K-1314-66, attached. The lump sum contract amounts for design of the I-35 Waterline Relocations and the Segment D Waterline are $62,000 and $81,000 respectively for a total of $143,000. The proposed fee includes design, bidding and limited construction administration tasks. The negotiated lump sum amounts are reasonable and Staff recommends approval .

With the transfer of $75,000 from Highway 9 Waterline Relocations, Design (account 031-9727-462-62-01; project WA0191) into Waterline Relocations Design (account 031-9727-462.62-01; project WA0196), the $62,000 design fee for I-35 Waterline Relocations can be funded. The FYE14 budget includes unencumbered revenue bond funding of $438,660 in Water Distribution Systems, Design (account 031-9360-462.62-01; project WB0184) which can be used to fund the $81,000 fee for the next phase of the Segment D Waterline.

RECOMMENDATIONS: It is recommended that the I-35 Waterline Relocations project (WA0196) be funded with a budget of $675,000 and that the following transfers be approved:

Transfer $75,000 within the Highway 9 Waterline Relocations Design account (031-9727-462.62-01; from project WA0191 to project WA0196);

Transfer $380,000 within the Highway 9 Waterline Relocations Construction account (031-9727-462.61-01; from project WA0191 to project WA0196);

Transfer $220,000 from Arsenic Treatment Construction (account 031-9345-462.61-01; project WA0253) into Waterline Relocations Construction (account 031-9727-462.61-01; project WA0196).

Additionally, Staff recommends approval of design Contract No. K-1314-66 with SAIC in the amount of $143,000 with $62,000 from the I-35 Waterline Relocations and $81,000 from the Segment D Waterline as detailed above.

AGREEMENT

FOR

ENGINEERING SERVICES

This AGREEMENT, between the Norman Utilities Authority (OWNER) and SAIC Energy, Environment and Infrastructure, LLC (ENGINEER);

WITNESSETH

WHEREAS, OWNER intends to construct the PROJECT including:

A. Waterline Segment D, Lindsey Avenue, consisting of approximately 5,700 LF 24-inch waterline and associated appurtenances along Lindsey Avenue from Berry Road to 24th Avenue SW at Briggs.; and

B. I-35 Waterline Relocations (Waterlines A, B and C) consisting of a total of approximately 460 LF of 24-inch waterline, approximately 800 LF of 12-inch waterline, bore and encasement of Interstate 35 and State Highway 9, and associated appurtenances.

WHEREAS, OWNER requires survey, design and engineering services in connection with the PROJECT (the SERVICES); and,

WHEREAS, ENGINEER is prepared to provide said SERVICES; and.

NOW THEREFORE, in consideration of the promises contained in this AGREEMENT, OWNER and ENGINEER agree as follows:

ARTICLE 1 - EFFECTIVE DATE

The effective date of this AGREEMENT shall be _____.

ARTICLE 2 - COMPLETION DATE

ENGINEER shall complete the SERVICES in accordance with Attachment A, Project Schedule.

ARTICLE 3 - GOVERNING LAW

The laws of the state of Oklahoma shall govern this AGREEMENT.

ARTICLE 4 - SERVICES TO BE PERFORMED BY ENGINEER

ENGINEER shall perform the SERVICES described in Attachment B, Scope of Services.

ARTICLE 5 - COMPENSATION

OWNER shall pay ENGINEER in accordance with Attachment C, Compensation.

ARTICLE 6 - OWNER'S RESPONSIBILITIES

6.1. OWNER-Furnished Data: Upon request, OWNER will provide to ENGINEER all data in OWNER's possession relating to ENGINEER's SERVICES on the PROJECT. Such data may include electronic data available from the OWNER's Geographic Information System (GIS) and data generated by OWNER's water distribution system model. ENGINEER will reasonably rely upon the accuracy, timeliness, and completeness of the information provided by OWNER. OWNER's data is provided for temporary use or copying by ENGINEER.

6.2. Access to Facilities and Property: OWNER will make its facilities accessible to ENGINEER as required for ENGINEER's performance of its SERVICES

6.3. Timely Review: OWNER will examine ENGINEER's studies, reports, sketches, drawings, specifications, proposals, and other documents; and transmit OWNER comments or other decisions to ENGINEER in a timely manner.

6.4. Meetings: OWNER will participate in monthly progress meetings or other meetings with ENGINEER or contractor(s) defined in Scope of Services.

6.5. Advertisements, Permits, and Access: Unless otherwise agreed to in the Scope of Services, OWNER will obtain, arrange, and pay for all advertisements for bids; permits and licenses required by local, state, or federal authorities; and land, easements, rights-of-way, and access necessary for ENGINEER's SERVICES or PROJECT construction.

6.6. Hazardous Substances: If hazardous substances in any form are encountered or suspected, ENGINEER will stop its own work in the affected portions of the PROJECT to permit testing and evaluation. ENGINEER will, if requested by OWNER, conduct tests to determine the extent of the problem and will perform the necessary studies and recommend necessary remedial measures at an additional fee with contract terms to be negotiated.

ARTICLE 7 - STANDARD OF CARE

ENGINEER shall exercise the same degree of care skill and diligence in the performance of the SERVICES as is ordinarily possessed and exercised by a professional engineer under similar circumstances. ENGINEER shall correct the SERVICES that fail to satisfy this standard of care. No warranty, express or implied is included in this AGREEMENT or in any drawing, specifications, report or opinion produced pursuant to this AGREEMENT.

ARTICLE 8 - LIABILITY AND INDEMNIFICATION

8.1 General. Having considered the potential liabilities that may exist during the performance of the SERVICES, the benefits of the PROJECT, the ENGINEER's fee for the SERVICES and in consideration of the promises contained in this AGREEMENT, OWNER and ENGINEER agree to allocate and limit such liabilities in accordance with this Article.

8.2 Indemnification. ENGINEER and OWNER each agrees to defend, indemnify and hold harmless each other, its agents and employees, from and against legal liability for all claims, losses, damages and expenses to the extent such claims, losses, damages, or expenses are caused by its negligent acts, errors or omissions. In the event such claims, losses, damages or expenses are caused by the joint or concurrent negligence of ENGINEER and OWNER, such liability shall be borne by each party in proportion to its own negligence.

8.3 Employee Claims. ENGINEER shall indemnify OWNER against legal liability for damages arising out of claims by ENGINEER's employees. OWNER shall indemnify ENGINEER against legal liability for damages arising out of claims by OWNER's employees.

8.4 Consequential Damages. To the fullest extent permitted by law, neither party shall not be liable to the other for any special, indirect or consequential damages resulting in any way from the performance of the SERVICES.

8.5 Survival. Upon completion of all SERVICES obligations and duties provided for in this AGREEMENT or if this AGREEMENT is terminated for any reason the terms and conditions of this Article shall survive.

ARTICLE 9 - INSURANCE

During the performance of the SERVICES under this AGREEMENT ENGINEER shall maintain the following insurance:

9.1 Worker's compensation insurance for ENGINEER's employees as required by Oklahoma Workers Compensation Statutes.

9.2 Comprehensive general liability insurance with a minimum of $125,000 per accident for bodily injury or death and $25,000 per occurrence for property damage.

9.3 Comprehensive automobile liability insurance with a minimum of $125,000 per accident for bodily injury or death and $25,000 for property damage.

9.4 Professional Liability (errors and omissions) insurance with a minimum policy value of $1,000,000.

ENGINEER shall furnish OWNER proof of insurance that shall include a provision that such insurance shall not be canceled without at least thirty days written notice to OWNER. All PROJECT contractors shall be required to include OWNER and ENGINEER as additional insured on their General Liability Insurance policies.

ENGINEER and OWNER each shall require its insurance carriers to waive all rights of subrogation against the other and its directors, officers, partners, commissioners, officials, agents and employees for damages covered by property insurance during and after the SERVICES. A similar provision shall be incorporated into all contractual arrangements entered into by OWNER and shall protect OWNER and ENGINEER to the same extent.

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY

ENGINEER shall not be responsible for: (1) construction means, methods, techniques, sequences, procedures or safety precautions and programs in connection with the PROJECT; (2) the failure of any contractor, subcontractor, vendor or other PROJECT participant, not under contract to ENGINEER, to fulfill contractual responsibilities to the OWNER or to comply with federal, state or local laws, regulations, and codes; or (3) procuring permits, certificates and licenses required for any construction unless such responsibilities are specifically assigned to ENGINEER in Attachment B, Scope of Services.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE

Since ENGINEER has no control over the cost of labor, materials or equipment furnished by others or over the resources provided by others to meet PROJECT schedules, ENGINEER's opinion of probable costs and of PROJECT schedules shall be made on the basis of experience and qualifications as a professional engineer. ENGINEER does not guarantee that proposals, bids, or actual PROJECT costs will not vary from ENGINEER's cost estimates.

ARTICLE 12 - REUSE OF DOCUMENTS

Upon OWNER's request ENGINEER shall furnish OWNER with deliverables and/or other data on electronic media. All documents, including but not limited to, drawings, specifications and computer software prepared by ENGINEER pursuant to this AGREEMENT are instruments of Service in respect to the PROJECT. Said documents are not intended or represented to be suitable for reuse by OWNER or others on extensions of the PROJECT or on any other PROJECT. Any liability arising out of use by the OWNER or any third party of said documents for purposes not wholly connected with and intended for the Project shall be the responsibility of the OWNER, who shall indemnify the ENGINEER against all claims, costs, damages or losses arising out of such use.

ARTICLE 13 - TERMINATION

This AGREEMENT may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this AGREEMENT. The non-performing party shall have fifteen (15) calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party.

OWNER may terminate or suspend performance of this AGREEMENT for OWNER's convenience upon written notice to ENGINEER. ENGINEER shall terminate or suspend performance of the SERVICES on a schedule acceptable to OWNER. If termination or suspension is for OWNER's convenience, OWNER shall pay ENGINEER for all the SERVICES performed through termination date, amount not to exceed the normal fee amount due for the SERVICES rendered and termination or suspension expenses. Upon restart, an equitable adjustment shall be made to ENGINEER's compensation.

ARTICLE 14 - DELAY IN PERFORMANCE

Neither OWNER nor ENGINEER shall be considered in default of this AGREEMENT for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this AGREEMENT, such circumstances include, but are not limited to abnormal weather conditions; floods; earthquakes; fire; epidemics; war; riot and other civil disturbances; strikes, work slowdowns and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or SERVICES required to be provided by either OWNER or ENGINEER under this AGREEMENT.

Should such circumstances occur the non-performing party shall, within a reasonable period after being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this AGREEMENT.

ARTICLE I5 - COMMUNICATIONS

Any communication required by this AGREEMENT shall be made in writing to the address specified below:

ENGINEER: Duane J. Kranz, P.E.
SAIC Energy, Environment and Infrastructure, LLC (SAIC)
9400 North Broadway, Suite 300
Oklahoma City, OK 73114
405-478-5353
duane.j.kranz@saic.com

OWNER: Mark Daniels, P.E.
Norman Utilities Authority (NUA)
P.O. Box 370
Norman OK 73070
405-366-5377
mark.daniels@normanok.gov

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of ENGINEER and OWNER.

ARTICLE 16 - WAIVER

A waiver by either OWNER or ENGINEER of any breach of this AGREEMENT shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 17 - SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this AGREEMENT or the occurrence of any event rendering any portion or provision of this AGREEMENT void shall in no way affect the validity or enforceability of any other portion or provision of this AGREEMENT. Any void provision shall be deemed severed from this AGREEMENT, and the balance of this AGREEMENT shall be construed and enforced as if this AGREEMENT did not contain the particular portion or provision held to be void. The parties further agree to amend this AGREEMENT to replace any stricken provision with a valid Provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire AGREEMENT from being void should a provision, which is of the essence of this AGREEMENT, be determined void.

ARTICLE 18 - INTEGRATION

This AGREEMENT represents the entire and integrated AGREEMENT between OWNER and ENGINEER. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or

written, relating to the subject matter of this AGREEMENT. This AGREEMENT, including its attachments and schedules, may only be changed by a written amendment executed by both parties. The following attachments and schedules are hereby made a part of this AGREEMENT:

Attachment A—Schedule
Attachment B--Scope of Services
Attachment C--Compensation

ARTICLE 19 - SUCCESSORS AND ASSIGNS

OWNER and ENGINEER each binds itself and its directors, officers, partners, successors, executors, administrators, assigns, and legal representatives to the other party to this AGREEMENT and to the directors, officers, partners, successors, executors, administrators, assigns, and legal representatives of such other party in respect to all provisions of this AGREEMENT.

IN WITNESS WHEREOF, OWNER and ENGINEER have executed this AGREEMENT.

DATED this _____ day of _____ 20_____.

SAIC Energy, Environment and Infrastructure, LLC. - ENGINEER

ATTEST

By: Adam West

Title: Vice-President

Donna M. Cantrell
Asst. Secretary

Norman Utilities Authority- OWNER

APPROVED as to form and legality this 14 day of October, 2013.

City Attorney

APPROVED by the Trustees of the Norman Utilities Authority this _____ day of _____, 20_____.

ATTEST

By: _____

Title: Vice-Chairman

_____

Assistant Secretary

ATTACHMENT A

SCHEDULE

1. ENGINEER shall submit draft contract documents to the OWNER within 30 calendar days following receipt of notice to proceed,
2. ENGINEER shall complete final contract documents and all other SERVICES necessary to allow the OWNER to advertise for bids within 15 calendar days following receipt of OWNER comments of on the draft contract documents.
3. ENGINEER shall submit record drawings to the OWNER within 30 calendar days after acceptance of construction PROJECT by OWNER.

Failure of ENGINEER to comply with above schedule for various tasks or subtasks may result in OWNER's termination of this AGREEMENT.

ATTACHMENT B

SCOPE OF SERVICES

ENGINEER shall perform the following SERVICES under this AGREEMENT:

A. Waterline Segment D, Lindsey Avenue, will be designed and bid together with other utility relocation projects associated with the Lindsey Widening project; however, the 24-inch waterline improvements will be included as a separate section of the bid and funded separately.

B. I-35 Waterline Relocations (Waterlines A, B and C) will be designed, bid and constructed together as one project, separate from the Lindsey waterline, drainage and roadway improvements.

1. DESIGN SERVICES

1.a. Draft Contract Documents: Prepare detailed contract documents including construction drawings, specifications and bidding documents. The construction drawings shall, at a minimum, include plan and profile sheets for all proposed waterlines and standard detail sheets adequate to convey the intent of the design. The construction drawings shall show all property lines, proposed easements, existing recorded easements and all structures, utilities and other appurtenances that may be affected by the construction. Drawings will reflect actual conditions to a distance of at least 10 feet beyond the existing or proposed easement(s) for the waterline alignment.

Prepare technical specifications to fully describe the intended work and convey the intent of the design. ENGINEER may also utilize City of Norman Standard Specifications and Construction Drawings (City Specifications). Prepare contract documents on a unit price basis. Supplemental specifications shall include a measurement and payment section in which each unit price bid item is fully described.

ENGINEER shall ensure that erosion prevention and stormwater runoff controls are included to prevent water quality degradation. ENGINEER will ensure that the design complies with the most recent amendment of all applicable portions of Oklahoma Administrative Code.

Furnish 3 sets of the draft contract documents to the OWNER and 1 set to all utility companies affected by the PROJECT. Schedule and attend conference(s) with all affected utility companies to verify horizontal and vertical locations of their existing facilities as required.

1.b. Final Contract Documents: Incorporate modifications requested by the OWNER into the final contract documents including construction drawings, specifications, and bidding documents. Furnish 3 sets of the final contract documents to the OWNER. Prior to the advertisement for bids, provide additional contract documents and construction permit applications to appropriate Federal, State, and local agencies from which approval of the PROJECT must be obtained. Prepare engineering design report and necessary calculations to comply with ODEQ requirements. If necessary, incorporate modifications requested by permitting entities and obtain all required design approvals and permits prior to opening bids. The OWNER will be responsible for fees associated with the permitting process. Submit plans as required to all parties associated with PROJECT including OWNER, ODEQ, and private utility companies. ENGINEER shall make all OWNER requested changes to the final plans and re-submit to OWNER. All specifications used in this PROJECT will be submitted in a digital format acceptable to the OWNER.

1.c. Bidding Assistance: Prepare advertisement for bids and coordination publication of bidding notice with the OWNER. Distribute copies of the final contract documents to prospective bidders, material suppliers, and other interested parties. The OWNER will be responsible for advertisement costs.

Conduct pre-bid conference and, in conjunction with the OWNER, issue addenda in response to questions raised during the bidding process. Transmit addenda to all plan holders.

Conduct bid-opening proceedings, provide ENGINEER's estimate of probable construction cost and tabulate bid proposals. Analyze the bids received and the suitability of the low bidder to perform the work. Make written recommendation to OWNER for awarding construction contract(s).

CONSTRUCTION SERVICES:

2.a. Construction Management and Submittals: Upon award of the contract(s), furnish three (3) sets of the drawings, specifications and contract documents to the OWNER and three (3) sets to the PROJECT contractor for execution. Provide construction specifications to OWNER on electronic media.

Conduct pre-construction conference and, in conjunction with the OWNER, issue clarifications in response to questions raised at the conferences. Meet with OWNER staff and/or the City Council for PROJECT discussions, coordination and presentations as required by the OWNER.

Provide general engineering review of the work as construction progresses to ascertain that the PROJECT is conforming to the design concept. Interpret the intent of the drawings and specifications to protect the OWNER against defects and deficiencies in construction on the part of the PROJECT contractor(s). On a timely basis, prepare and recommend necessary contract change orders for consideration by the OWNER.

Review the contractor's application for progress payments and, when approved, submit to the OWNER for payment. Prior to submitting the final pay estimate, submit a written statement of completion with recommendation that the OWNER accept the improvements.

Perform interim and "pre-final" inspections of the completed work. Develop a punch list of items required and forward it to the PROJECT contractor and OWNER. Issue statement of substantial construction completion and submit a written certification to the OWNER.

Ensure that the PROJECT contractor provides appropriate submittals and obtains approval prior to incorporation into the work. Perform timely review of submittals or shop drawings delivered by the PROJECT contractor for conformance with the contract documents. Provide written conformation to the OWNER that each approved submittal conforms to the contract documents.

2.b. Record Drawings: Provide one (1) set of reproducible record (as-built) drawings on mylar, two (2) sets of prints as well as the drawings on electronic media after completion of the PROJECT. Such drawings will be based upon construction records provided by the PROJECT contractor during construction and reviewed by the resident inspector.

ATTACHMENT C

COMPENSATION

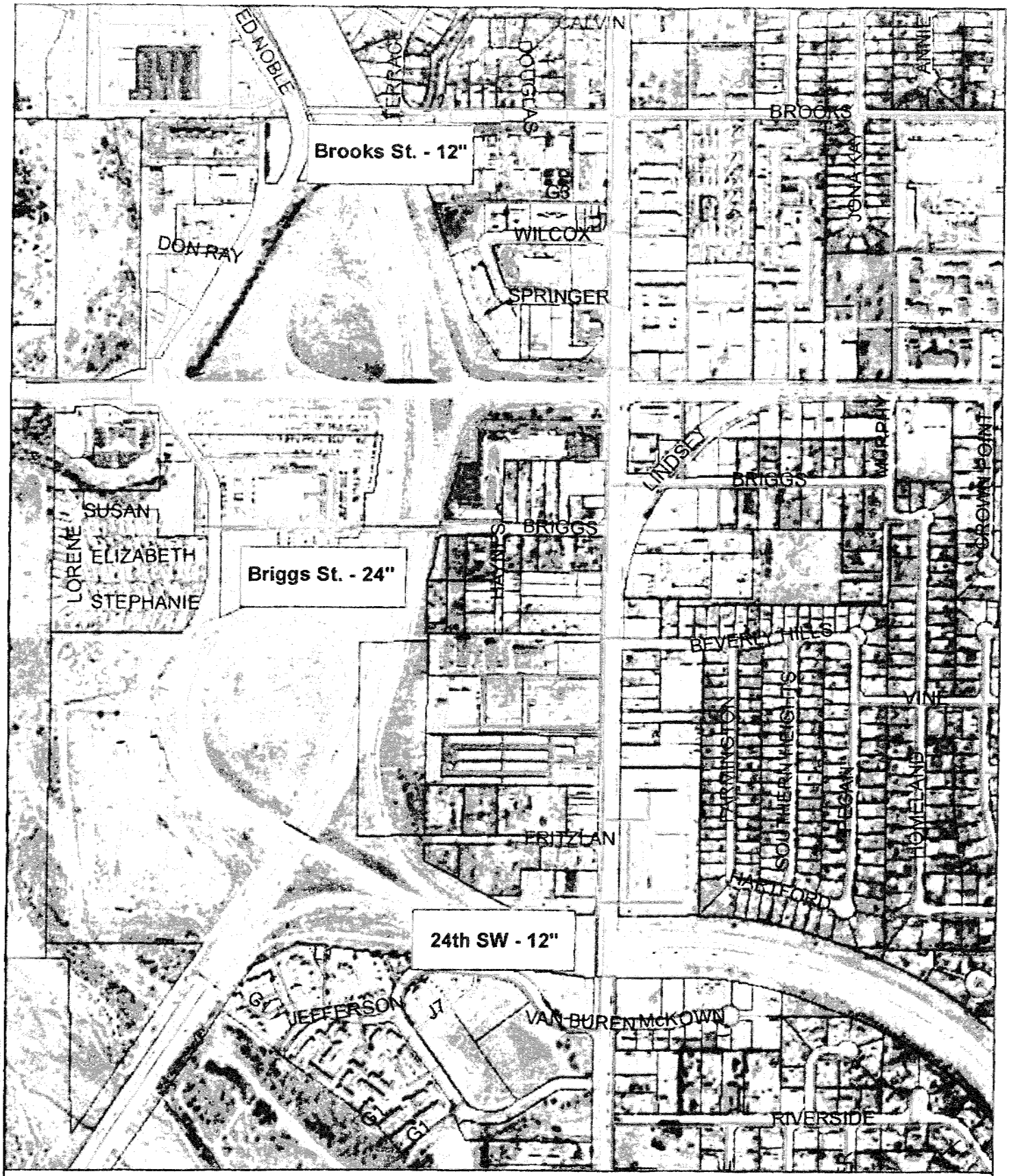
The OWNER will compensate ENGINEER on a lump sum basis for the SERVICES rendered. The lump sum fee is broken down below by task as defined in the Scope of Services:

Task	Task Description	Lump Sum Amount
	Task A: Segment D Waterline, Lindsey Avenue	
1a	Draft Contract Documents	35,000
1b	Final Contract Documents	23,000
1c	Bidding Assistance	8,000
2a	Construction Management and Submittals	12,000
2b	Record Drawings	3,000
	Segment D Waterline Subtotal	**81,000**
	Task B: I-35 Waterline Relocations	
1a	Draft Contract Documents	27,000
1b	Final Contract Documents	18,000
1c	Construction Management	6,000
2a	Submittals	9,000
2b	Record Drawings	2,000
	I-35 Waterline Relocations Subtotal	**62,000**
	Total	**143,000**

The ENGINEER may submit interim statements, not to exceed one per month, for partial payment for SERVICES rendered. The statements to OWNER will be by task for the percentage of work actually completed. The OWNER shall make interim payments within 30 calendar days in response to ENGINEER's interim statements.

I-35 Waterline Relocations (WA0196)			
Highway 9 and 24th Ave SW Crossing			
24-inch casing with 12-inch piping	180	$300	$54,000
12-inch PVC piping	175	$80	$14,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	7	$2,000	$14,000
FH Assembly	1	$4,000	$4,000
		subtotal	$91,000
		10% contingency	$9,000
		construction	$100,000
		SAIC design	$12,000
		inspection	$2,000
		Total	$114,000
I-35 and Briggs Street Crossing			
36-inch casing with 24-inch piping	380	$610	$232,000
24-inch PVC piping	70	$160	$11,000
24-inch butterfly valves	2	$20,000	$40,000
24-inch fittings	7	$3,500	$25,000
air relief valve & vault	1	$10,000	$10,000
12" Flushing Assembly	1	$15,000	$15,000
		subtotal	$333,000
		10% contingency	$33,000
		construction	$365,000
		SAIC design	$36,000
		inspection	$8,000
		Total	$409,000
I-35 and Brooks Street Crossing			
24-inch casing with 12-inch piping	260	$300	$78,000
12-inch PVC piping	155	$80	$12,000
12-inch gate valves	2	$2,500	$5,000
12-inch fittings	12	$2,000	$24,000
FH Assembly	1	$4,000	$4,000
		subtotal	$123,000
		10% contingency	$12,000
		construction	$135,000
		SAIC design	$14,000
		inspection	$3,000
		Total	$152,000
		Construction total =	$600,000
		SAIC Design Total =	$62,000
		Inspection Total =	$13,000
		Project Total =	$675,000
Note: All values rounded to the nearest $1000.			

9/26/2013 at10:40 AM



I-35 Waterline Relocations (WA0195)

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.

Water Mains Relocation Areas

October 3, 2013

0 300 600 Feet

129-11

PURCHASE REQUISITION NBR: 0000224667

STATUS: DIVISION APPROVAL
REASON: DESIGN OF WATERLINES

REQUISITION BY: MDANIELS

DATE: 10/11/13

SHIP TO LOCATION: P W - UTILITIES DIRECTOR

SUGGESTED VENDOR: 10992 SAIC ENGERGY

DELIVER BY DATE: 10/22/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	DESIGN I-35 WATERLINE RELOCATIONS COMMODITY: ARCHITECTURAL AND ENGINEE SUBCOMMOD: DESIGNING SERVICES	62000.00	DOL	1.0000	62000.00	
2	DESIGN SEGMENT D WATERLINE 24TH TO BERRY COMMODITY: ARCHITECTURAL AND ENGINEE SUBCOMMOD: DESIGNING SERVICES	81000.00	DOL	1.0000	81000.00	

REQUISITION TOTAL: 143000.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	03197274626201	Capital Projects Design	WA0196 I-35 Waterline Relocation	100.00	62000.00
2	03193604626201	Capital Projects Design	WB0184 24"WL(Seg D, SH9-Jenkins)	100.00	81000.00
					143000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTINGENT ON NUA APPROVAL OF FUNDING FOR I-35 WAT
ERLINE RELOCATIONS AND APPROVAL OF DESIGN CONTRCAT
ON 10/22/13

City of Norman, OK

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

Master

File Number: K-1314-86

File ID:	K-1314-86	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	Police Department	**Cost:**		**File Created:**	10/07/2013
File Name:	K-1314-86 Pass Thru Grant - MOU with OKOHS			**Final Action:**	

Title: CONTRACT NO. K-1314-86: A MEMORANDUM OF UNDERSTANDING WITH THE OKLAHOMA OFFICE OF HOMELAND SECURITY REGARDING GRANT FUNDS IN THE AMOUNT OF $566,250 RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO BE ASSIGNED TO THE OKLAHOMA STATE BUREAU OF INVESTIGATION (OSBI) TO CONTINUE SUPPORT OF THE INFORMATION SHARING AND EXCHANGE SYSTEMS.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-86 with the Oklahoma Office of Homeland Security; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 30

Attachments: Text File K-1314-88, 2013 MOU OASIS, OKLeX, Fusion, School 9-9-13.pdf

Project Manager: Jim Spearman, Professional Standards

Entered by: jim.spearman@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-86

Body

BACKGROUND: Generally, the United States Department of Homeland Security guidelines require 80% of grant funds to be awarded to local units of government. If requested by a local jurisdiction, the State may retain a portion of the "local" grant funds for equipment used by the State and/or planning exercises and training activities that are coordinated by the State for the benefit of the local units of government. The State Office of Homeland Security has asked that Norman and the other partner cities, Oklahoma City, Tulsa, and Stillwater partner to allow an application for grant funds for the benefit of the Oklahoma State Bureau of Investigation (OSBI). In order to accomplish this, the State must obtain an agreement with all partner cities through a Memorandum of Understanding (MOU) as part of the state's application for the grant. The City of Norman or other partner local units of government will not receive funds from this grant now but could be offered a portion as sub-grantees later in the year if the state grant application is approved. This MOU and similar MOUs from the other partner units of local government are required for the state's grant application

DISCUSSION: The City of Norman is an important partner in the State of Oklahoma's Fusion Center. The

Fusion Center is a central repository of law enforcement sensitive information that is housed and managed by the OSBI. The Norman Police Department employs a fusion center analyst using funding provided in a direct grant from the Oklahoma Office of Homeland Security (OKOHS) to the City of Norman. In addition, Norman PD is actively involved in the Oklahoma Automated Secure Information Sharing System (OASIS) and the Oklahoma Law Enforcement Information Exchange (OKLeX). These initiatives provide state and local law enforcement professionals with important tools to facilitate better communication and timely access to critical data.

OKOHS has designated $566,250 in Local FY 2013 FEMA/DHS grant funding for the sustainment of various information sharing initiatives to pay salaries, benefits and related costs including training of five fusion center analysts and one Critical Infrastructure/Key Resource position. These expenditures will directly benefit the citizens of Norman as well as citizens throughout the entire state.

While much of the prior year information sharing systems cost has been paid using "State" homeland security funding (in addition to OSBI's significant direct and indirect investment in these programs using OSBI's State of Oklahoma budgeted funding), an ever decreasing federal homeland security funding level makes continued funding of system sustainment impossible without the use of local homeland security funding.

OKOHS respectfully requests that this MOU be approved so they can continue to provide resources that will benefit the entire State. This MOU will assign $566,250 in grant funds to OSBI and OKOHS to fund continuing maintenance, expansion and support of information sharing initiatives, including but not limited to the Fusion Center, OASIS and OKLeX. OSBI will be responsible for grant accounting and reporting.

RECOMMENDATION: It is recommended that this MOU be signed and returned to the Oklahoma Office of Homeland Security.

MEMORANDUM OF UNDERSTANDING
2013 STATE HOMELAND SECURITY PROGRAM
DESIGNATION OF THE STATE AS THE AGENT FOR THE LOCAL SHARE OF GRANT FUNDING

Generally, DHS guidelines require 80% of Homeland Security funds to be awarded to local units of government. However, if requested by a local jurisdiction, the State may retain a portion of "Local" grant funds for equipment used by the State and/or for planning, exercises and training activities that are coordinated by the State for the benefit of local units of government.

I, as the duly authorized official of the City of Norman, Oklahoma ("City") have read and understood the Federal FY 2013 Homeland Security Grant Program (the "2013 Grant") Guidance and Application Kit, which can be found at the following web address:

http://www.fema.gov/government/grant/hsgp/index.shtm

On behalf of the City, I hereby accept $566,250.00 of 2013 Grant Local funding and assign this funding to the State of Oklahoma, specifically the Oklahoma Office of Homeland Security ("OKOHS"), to fund (1) continuing maintenance, expansion and support of information sharing initiatives, including but not limited to the OASIS and OKLeX programs and (2) planning and operational oversight costs of the fusion center, which may include funding for the fusion center analysts, Critical Infrastructure Key Resource analyst, and program management (salary/benefits), and (3) the School Security Critical Infrastructure Program, which supports the Critical Infrastructure Protection program as well as to fund a Critical Infrastructure Coordinator and program management (salary/benefits).

Program(s) Title:
Oklahoma Automated Secure Information Sharing System ("OASIS")
Oklahoma Law Enforcement Information Exchange ("OKLeX")
Oklahoma Information Fusion Center ("OIFC")
Critical Infrastructure Protection Program

Description(s):
OASIS is an information-sharing database/network and set of analytical tools currently deployed by OSBI in cooperation with the various state and local law enforcement agencies for the purpose of combating terrorism and other major crimes. The OKLeX Program is an information sharing program designed to help law enforcement officials do their job more effectively and efficiently. Funds will be used for info sharing and critical infrastructure protection related projects, including but not limited to salary/benefit costs.

The Critical Infrastructure Protection Program funding is primarily used for hardening various schools, paying the costs associated with vulnerability assessments, strategy development and emergency planning associated with respect to schools within the State, and planning and operational oversight costs of the critical infrastructure program manager, including but not limited to salary and benefits of the program manager.

Local Authorizing Official/Point of Contact for the City:

Name: _____

Position: _____

Signature: _____

Date: _____

Phone/E-mail: _____

State Administrative Agency (SAA) Official/Point of Contact:

Name: Kim Edd Carter

Oklahoma Homeland Security Director

Signature: _____

Date: _____

Return to: Oklahoma Office of Homeland Security (OKOHS)
Post Office Box 11415
Oklahoma City, OK 73136
405.425.7296
405.425.7295 (Fax)

City of Norman, OK

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

Master

File Number: R-1314-38

File ID:	R-1314-38	**Type:**	Resolution WCC	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$22,169.95	**File Created:**	08/29/2013
File Name:	WCC Gregory Harris			**Final Action:**	09/05/2013

Title: RESOLUTION NO. R-1314-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY GREGORY W. HARRIS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF GREGORY W. HARRIS V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2013-03951 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-38; and, if adopted, direct payment of claims in the amount of $15,781.21 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 31

Attachments: Item No. R-1314-38, Resolution No. R-1314-38, Pr Harris

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-38

body

BACKGROUND: Gregory W. Harris is a Maintenance Worker I in the Storm Water Division of Public Works. He alleges a re-injury to the right knee on October 22, 2012. The case proceeded through the normal litigation process and a trial was scheduled on October 14, 2013. At the time of trial, Mr. Harris, through his attorney, negotiated a settlement of this claim in the amount of $15,100.25. The settlement is being presented to City Council at this time. It is recommended that this settlement be accepted.

DISCUSSION: Mr. Harris was hired by City of Norman on July 21, 2008 as a Maintenance Worker I in the

Storm Water Division of Public Works. After working for about two years, Mr. Harris injured his right knee on May 5, 2010 while weed eating on a steep incline. Mr. Harris received medical treatment which included arthroscopic surgery to the right knee. He then returned to work. This prior knee case, WCC 2011-0-2806 J, proceeded through the normal litigation process and a trial was held on August 16, 2011. He was awarded 26% PPD which equates to $32,865.25. This award has been previously fully paid in in accordance with that Court Order.

WCC 2013-03951 A

Factual background and extent of medical treatement. On October 22, 2012, Mr. Harris reported a right knee re-injury while carrying rebar to a ditch when the ground gave way. The injury report was filed timely and the re-injury was noted to have occurred as reported. Mr. Harris was initially treated at Norman Regional Occupational Medicine on October 23, 2012. After a period of conservative treatment, Mr. Harris was referred to and had arthroscopic surgery by Dr. Schultz on December 6, 2012. Thereafter, he went through a program of physical therapy from which he was released on December 17, 2012. He returned to full work duty with no work restrictions on December 18, 2012.

Issues for Trial. Should this case proceed to trial, there would be no question that Mr. Harris' injury arose out of and in the course of his employment with the City. Therefore, the issue before the Workers' Compensation Court would be the nature and extent of Mr. Harris' injury or the Permanent Partial Disability (PPD) to Mr. Harris's right knee due to this incident. Permanent partial disability is a factual determination made by the Workers' Compensation Court Trial Judge based on doctors' opinions and/or medical records regarding the extent of permanent partial impairment.

On May 16, 2013, Mr. Harris was evaluated by Dr. M. Stephen Wilson, who opined 45% PPD to the right knee for his re-injury but attributed only 8% of the impairment to the prior injury, leaving 37% PPD for the most recent knee injury. This rating for the most recent injury equates to $32,865.25 PPD. The City had Mr. Harris was evaluated on July 1, 2013 by Dr. Kent C. Hensley. Dr. Hensley opined 31% PPD to the right knee, but equated the full 26% PPD of the prior adjudicated Award to the first knee injury, thus leaving only 5% PPD for the second knee injury which equates to $4,441.25.

Settlement Proposal. This case was set for trial on October 14, 2013. Prior to trial a settlement offer was made by Mr. Harris and his attorney. After negotiation, a proposed settlement offer that could be supported by City staff was reached, subject to approval by City Council. The settlement proposes a lump sum payment of $15,100.25 which represents 17% PPD to the right knee, over and above the previous PPD award of 26%. The total adjudicated disability to the right knee with this settlement would be 43%. This settlement proposal leans toward an agreed finding of PPD from both injuries that is closer to what was opined by the Claimant's doctor, but gives full credit to the prior adjudicated 26% PPD from the first knee injury.

Should this case proceed to trial, it is reasonably possible that the Court could find the full 45% PPD noted by the Claimant's medical expert, but could also find the claimant had achieved a change of condition for the better between the first injury and the second injury, thus reducing the PPD credit attributable to the first injury. This approach, if chosen by the Court, could result in a higher PPD liability for the second knee injury that what is proposed in the settlement offer.

A Compromise Settlement is beneficial to the City in that it is a full, final and complete settlement of any and all claims in the Workers' Compensation case that arise out of that particular on the job accident. Moreover, this settlement offer is in keeping with or lower than what the City has been ordered to pay in past years in similar cases by the Workers' Compensation Court. This settlement is beneficial to Mr. Harris in that it provides certainty for an award. It is also beneficial to him because the entire settlement amount is being paid in a lump sum rather than at a weekly rate over a period of time.

If this settlement offer is approved, payment to Mr. Harris and his attorney would be paid in a lump sum rather than at PPD rate as set out above. In addition, the Department of Human Services filed a lien for interest due and owing on child support in this case on April 17, 2013; therefore, the amount of $172.50 will be paid to the Department of Human Services from the settlement amount. The remainder of settlement, $14,927.75, will be paid to Mr. Harris and his attorney.

Furthermore, if the case was settled in this manner, the City would incur additional costs and fees of: Workers' Compensation Administration Fund Tax in the amount of $302.01; Special Occupational Health & Safety Fund Tax in the amount of $113.25; Workers Comp Court Filing Fee in the amount of $140.00; and Cleveland County Court Filing Fee in the amount of $125.70. These additional costs and fees total $680.96, which brings the total cost of this settlement to the City to $15,781.21.

RECOMMENDATION: For the reasons outlined above, it is believed this compromise settlement offer is fair, reasonable, and in the best interest of the City. Acceptance of the Compromise Settlement would require the payments as outlined above. If approved, the settlement amount would be paid to Mr. Harris and his attorney in a lump sum. The Compromise Settlement would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

Resolution

R-1314-38

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF THE CLAIM FILED BY GREGORY W. HARRIS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF *GREGORY W. HARRIS V. THE CITY OF NORMAN,* WORKERS' COMPENSATION CASE NO. WCC 2013-03951 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

§1. WHEREAS, GREGORY W. HARRIS is a Maintenance Worker I with Street Maintenance of the Public Works Department who alleged re-injury on October 22, 2012 to his right knee; and

§2. WHEREAS, the City of Norman has negotiated settlement for the claim of GREGORY W. HARRIS against the City of Norman, under the Workers' Compensation Statutes for $15,100.25, to be paid in a lump sum settlement to Mr. Harris, and such settlement is believed to be fair and reasonable; and

§3. WHEREAS, the City shall incur additional costs for the settlement for payment to the Workers' Compensation Administration Fund in the amount of $302.01; the Special Occupational Health and Safety Fund in the amount of $113.25; for filing fees in the Workers' Compensation Court in the amount of $140.00; and filing fees in the Cleveland County District Court in the amount of $125.70; and

§4. WHEREAS, the Department of Human Services is entitled to $172.50 for interest due and owing them from this settlement pursuant to a lien filed in this claim; and

§5. WHEREAS, the Risk Management Insurance Fund of the City of Norman has heretofore appropriated funds for the payment of Workers' Compensation settlements covering injuries to qualified persons employed by the City of Norman; and

§6. WHEREAS, the judgment and award should be transmitted and certified to the Workers' Compensation Court, Oklahoma City, Oklahoma, which when filed will constitute judgment against the City of Norman, which it is entitled to purchase with funds out of the Risk Management Insurance Fund pursuant to Okla. Stat. tit. 85 § 301, Okla. Stat. tit. 51 § 159, and Okla. Stat. tit. 62 § 361, *et seq.*; and

§7. WHEREAS, the City Council finds it will be in the best interest of the City if the funds of the Risk Management Insurance Fund are invested in said judgment; and

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

§8. That the Legal Department is authorized to enter into settlement with one GREGORY W. HARRIS for not more than $15,100.25 for any and all claims that he has or may have against the City of Norman under the Workers' Compensation Statutes for any and all injuries known or unknown which occurred while working for the City of Norman; and

§9. That the Legal Department is directed to hereinafter file such settlement in the Workers' Compensation Court, Oklahoma City, Oklahoma, along with all attendant costs therefore, as provided by law; and

§10. That the Finance Director is authorized and directed to purchase such judgments of the Workers' Compensation Court, Oklahoma City, Oklahoma, out of funds of the Risk Management Insurance Fund of the City of Norman.

PASSED AND ADOPTED this _____ day of October, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000224743

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP SETTLEMENT
DATE: 10/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 11105 HARRIS,(& ATTY), GREGORY W
DELIVER BY DATE: 10/23/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP SETTLEMENT HARRIS V. CON; WC 2013-03951 A (2ND INJURY TO RIGH T KNEE) CONTINGENT UPON COUNCIL APPROVAL ON 10-22-13; MAKE CHECK PAYABLE TO GREGORY W. HARRIS AND JO HN R. COLBERT IN THE AMOUNT OF $14,927.75. SEPARAT E CHECK; RETURN CHECK TO LEGAL. PLEASE CORRECT VE NDOR NAMES #11150 COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	14927.7500	14927.75 ✓	11150

REQUISITION TOTAL: 14927.75

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

LINE #	ACCOUNT ✓		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	14927.75
					14927.75

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL. PLEASE COR
RECT NAMES ON VENDOR #11105 TO READ GREGORY W. HAR
RIS & JOHN R. COLBERT.

PURCHASE REQUISITION NBR: 0000224745

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP DHS PAYMENT
DATE: 10/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 5735 OK CENTRALIZED SUPPORT REGISTR
DELIVER BY DATE: 10/23/13

1	WORKERS COMP DHS PAYMENT HARRIS V. CON; WC 2013-03951A (2ND INJURY TO RIGHT KNEE); CONTINGENT UPON COUNCIL APPROVAL ON 10-22-13; SEPARATE CHECK; RETURN CHECK TO LEGAL; AMOUNT DUE TO DHS FROM SETTLEMENT FUNDS. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	172.5000	172.50	5735

REQUISITION TOTAL: 172.50

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	172.50
					172.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000224746

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP ADMIN FUND
DATE: 10/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION
DELIVER BY DATE: 10/23/13

1	WORKERS COMP ADMIN PAYMENT HARRIS V. CON; WC 2013-03951A (2ND INJURY TO RIGHT KNEE) CONTINGENT UPON COUNCIL APPROVAL ON 10-22-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	302.0100	302.01	2267

REQUISITION TOTAL: 302.01

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	302.01
					302.01

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000224748

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP OCCUP & HEALTH PAYMENT DATE: 10/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN DELIVER BY DATE: 10/23/13

1	WORKERS COMP OCCUP & HEALTH PAYMENT HARRIS V CON; WC 2013-03951A; (2ND INJURY TO RIGHT KNEE) CONTINGENT UPON COUNCIL APPROVAL ON 10-22-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	113.2500	113.25	1950

REQUISITION TOTAL: 113.25

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	113.25
					113.25

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000222672

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP FILING FEE DATE: 8/29/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT DELIVER BY DATE: 9/11/13

1	WORKERS COMP FILING FEE HARRIS V. CON; WC 2013-03951A (R. KNEE) CONTINGENT UPON COUNCIL APPROVAL ON 9-10-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000222673

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE DATE: 8/29/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK DELIVER BY DATE: 9/11/13

1	WORKERS COMP CLEVELAND COUNTY FILING FEE HARRIS V. CON; WC 2013-03951A (RIGHT KNEE) CONTING ENT UPON COUNCIL APPROVAL ON 9-10-13; SEPARATE CHE CK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

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

Master

File Number: R-1314-53

File ID:	R-1314-53	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	Fire Department	**Cost:**	$108,684.00	**File Created:**	10/10/2013
File Name:	PSST Appropriation			**Final Action:**	

Title: RESOLUTION R-1314-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $108,684 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PURCHASE AND INSTALL COMPUTER NETWORK CONNECTIVITY HARDWARE FOR THE COMPUTERS IN THE FIRE DEPARTMENT'S FIRST RESPONSE VEHICLES AND THE FIRE STATIONS WHERE THE VEHICLES ARE HOUSED.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-53.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 32

Attachments: Text File R-1314-53, R-1314-53, R-1314-53 Fire Department Access Points.pdf, R-1314-53 Fire Department Electical Bid for all Stations.pdf, R-1314-53 Fire Department Shore Power Project.pdf

Project Manager: James Fullingim, Fire Chief

Entered by: kathy.lamar@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-53

Body

BACKGROUND: The Norman Fire Department is committed to the efficient delivery of quality safety and protective services to the citizens of Norman. The Norman Fire Department protects citizens of Norman from emergencies and disasters through hazard suppression, prevention, mitigation, and educational programs. A key resource in meeting all of the Fire Department's performance expectations is information technology. Specifically, the Fire Department has computers installed in the majority of the first response vehicles. The computers in the first response vehicles are intended to provide immediate information and situational awareness. When accessible, the information provided assists Fire Department first responders in determining appropriate travel routes and response options (structure designs, patient health history, etc.).

DISCUSSION: The current electrical wiring and computer network connectivity hardware related to the computers in the Fire Department's first response vehicles and the fire stations where those vehicles are housed is inadequate. The majority of Norman fire stations and Fire Department vehicles are not wired to

provide continuous power to the in-vehicle computers when the vehicles are in-quarters. Without continuous external power, the computers may shut down and be unavailable in a timely manner during emergency response situations. The majority of Norman fire stations (built before 2010) are also not equipped to provide continuous network connectivity to the in-vehicle computers when the Fire vehicles are in-quarters. Without continuous network connectivity, computers do not provide the necessary information to determine the most efficient and productive response actions. In addition to hindering current performance efforts, the identified deficiencies will severely limit the functionality of the City's pending Public Safety Software upgrade in regards to Automatic Vehicle Location (AVL) recommendations and priority emergency response.

STAFF RECOMMENDATION: It is recommended that $108,684 be appropriated from the Public Safety Sales Tax Fund Balance (account 015-0000-253.20-00) in order to purchase and install computer network connectivity hardware for the computers in the Fire Department's first response vehicles and the fire stations where the vehicles are housed. Funds are recommended to be appropriated as follows:

$43,188 to PSST Fire Suppression - Other Business Services (015-6543-422.41-99)
$16,600 to PSST Fire Suppression - Outside Fleet Parts (015-6543-422.32-03)
$48,896 to PSST Fire Computer Hardware (015-6543-422.53-01)

Resolution

R-1314-53

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $108,684 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PURCHASE AND INSTALL COMPUTER NETWORK CONNECTIVITY HARDWARE FOR THE COMPUTERS IN THE FIRE DEPARTMENT'S FIRST RESPONSE VEHICLES AND THE FIRE STATIONS WHERE THE FIRST RESPONSE VEHICLES ARE HOUSED.

§ 1. WHEREAS, the Fire Department has computers assigned to the majority of the first response vehicles that are intended to provide immediate information and situational awareness; and

§ 2. WHEREAS, the current electrical wiring and computer network connectivity hardware related to the computers in the Fire Department's first response vehicles and the fire stations where those vehicles are housed is inadequate and most are not wired to provide continuous power to the in-vehicle computers when the vehicles are in quarters; and

§ 3. WHEREAS, without continuous network connectivity, computers do not provide the necessary information to determine the most efficient and productive response actions; and.

§ 4. WHEREAS, for these reasons, it is necessary to purchase and install computer network connectivity hardware for the computers in the Fire Department's first response vehicles and the fire stations where the first response vehicles are housed.

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

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

Account Name	Losing Account	Gaining Account	Amount
Other Business Services	015-0000-253.20-00	015-6543-422.41-99	$43,188
Outside Fleet Parts	015-0000-253.20-00	015-6543-422.32-03	$16,600
Computer Hardware	015-0000-253.20-00	015-6543-422.53-01	$48,896

PASSED AND ADOPTED this 22nd day of October, 2013.

ATTEST:

_____
Mayor Pro Tem

_____
Deputy City Clerk

Chickasaw TELECOM, INC.
www.chickasawtel.com

Date: August 23, 2013
Quotation #: 13-08230949
Customer #:

5 N. McCormick Street
Oklahoma City, OK 73127
Telephone (405) 946-1200 Fax (405) 945-9599

Bill To Information:

Customer Name City of Norman
Contact Name Kari Madden
Street Address
City, State & Zip Code
Telephone Number
Fax Number
E-mail Address Kari Madden

Quotation valid until: September 22, 2013
Prepared by: Aaron McIntyre
Payment Terms: Due upon receipt of goods

Special Comments: Fire Stations Wireless

Product #	Product Description	Qty.	Unit List Price	*Lead Time*	Customer Discount	Customer Unit Price	Customer Extended Price
	Equipment & Software				**42.00%**		
AIR-LAP1262N-A-K9	802.11a/g/n Ctrlr-based AP; Ext Ant; A Reg Domain	17	1195.00		501.90	693.10	11782.70
S126RK9W8-12423JA	Cisco 1260 Series IOS Wireless LAN Controller-based Recovery	17	0.00		0.00	0.00	0.00
AIR-AP-BRACKET-1	802.11n AP Low Profile Mounting Bracket (Default)	17	0.00		0.00	0.00	0.00
AIR-AP-T-RAIL-R	Ceiling Grid Clip for Aironet APs - Recessed Mount (Default)	17	0.00		0.00	0.00	0.00
AIR-CT5508-100-K9	Cisco 5508 Series Wireless Controller for up to 100 APs	1	39995.00		16797.90	23197.10	23197.10
AIR-PWR-5500-AC	Cisco 5500 Series Wireless Controller Redundant Power Supply	1	1495.00		627.90	867.10	867.10
SWC5500K9-72	Cisco Unified Wireless Controller SW Release 7.2	1	0.00		0.00	0.00	0.00
AIR-PWR-CORD-NA	AIR Line Cord North America	2	0.00		0.00	0.00	0.00
LIC-CT5508-100	100 AP Base license	1	0.00		0.00	0.00	0.00
LIC-CT5508-BASE	Base Software License	1	0.00		0.00	0.00	0.00
GLC-T	TBASE SFP	4	395.00		165.90	229.10	916.40
			Sub Total Equipment		**$ 18,093.60**	**$ 24,986.40**	**$ 36,763.30**
	Smartnet Services				**100%**		
CON-SNT-LAP1262A	SMARTNET 8X5XNBD 802.11a/g/n Ctrlr-based AP; Ext Ant;	15	96.00		96.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
			Sub Total Smartnet		**$ 96.00**	**$ -**	**$ -**
	Peripherals				**0.00%**		
354980	*2.4/5GHz 6dBi MIMO Omni	15	495.00		0.00	495.00	7,425.00
399808	RPTNC Female / RPTNC Male	30	16.90		0.00	16.90	507.00
324117	0-6 GHz Lightning Protector with RPSMA Plug to RPSMA Bulkhead Jack Connectors. Includes L Shaped Mounting Bracket.	42	25.95		0.00	25.95	1,089.90
NDP-MISC	Mount clamps and ground cable	1	400.00		0.00	400.00	400.00
NDP-CAB	CAT 6 cable run	15	250.00		0.00	250.00	3,750.00
			Sub Total Peripherals		**$ -**	**$ 1,187.85**	**$ 13,171.90**
	4404 Controller Trade In	1	4,000.00				$ (4,000.00)
CTI-INST-LBR	Installation, Configuration and Training	20	148.00			$ 148.00	$ 2,960.00
	THANK YOU FOR YOUR BUSINESS					**TOTAL**	**$ 48,895.20**

Ship To Information:

Customer Name City of Norman
Contact Name Kari Madden
Street Address -
City, State & Zip Code -
Telephone Number -
Fax Number -

E-mail Address Kari Madden

If you have a project deadline please let us know when you place the order.

Account Manager: Aaron McIntyre
Email: amcintyre@chickasawtel.com
Direct Telephone # : 1-405-946-1200
Fax # : 1-405-943-2341
Oklahoma State License # 1190
ONEnet Contract # C070015
Federal Identification # : 73-1354410
Service Provider ID (SPIN) # : 143028698

** Lead time is a Cisco estimate in business days plus shipping.*
All Sales are final. No returns without Manufacturer's approval.

Locke SUPPLY CO.
"An Employee Owned Company"

Fire Stations
Plugs for
Truck chargers

QUOTE

UPC Vendor	Quote Date	Order #
000000		18596823-00
	PO #	Page #
		1 of 2

CUST.#: 800046

SHIP TO: CITY OF NORMAN
ATTN: ACCOUNTS PAYABLE
PO BOX 370
NORMAN, OK 73070-0370

CORRESPONDENCE TO: LOCKE SUPPLY CO.
P.O. BOX 24980

OKLAHOMA CITY, OK 73124-0980

SELLING BRANCH: 060 WE NORMAN
LOCKE SUPPLY
2253 W MAIN ST
NORMAN, OK 73069-6461
(405)360-8976/

BILL TO: CITY OF NORMAN
ATTN: ACCOUNTS PAYABLE
PO BOX 370
NORMAN, OK 73070-0370

INSTRUCTIONS		TERMS
		5%10thNT25th
SHIP POINT	VIA	ENTERED
060 WE NORMAN	CUSTOMER PU	08/28/12

LN#	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY B.O.	QUANTITY SHIPPED	QTY. UM	UNIT PRICE	AMOUNT (NET)
1	p0226 BR3030B150 150A MAIN 30-30 PNL	1			each	132.52	132.52
2	p0175 BR2020 20AIP TWIN-REPLACEMENT	5			each	17.46	87.30
3	p0419 4 SQ 2 1/8" D 11-1/2 6-3/4KO	30			each	1.25	37.50
4	p0446 S.RECPT 4 WORK COVER W/1/2 RAS	25			each	1.37	34.25
5	p0437 BLANK COVER W/1/2 KO F/4"S BOX	5			each	0.35	1.75
6	p0464 4" SQ 1 1/2" DEEP EXT RING	10			each	1.64	16.40
7	p4568 COMM RECEPT 20A WHITE	25			each	1.24	31.00
8	p3749 38AST 3/8" SNAP-2-IT MC CONN	50			each	0.70	35.00
9	P0689 12/2 W/G MC ARMORLITE 250'	500			each	434.88	217.44
10	p0650 1/2" EMT THINWALL CONDUIT 10FT	100			each	17.95	17.95
11	p0619 1/2" EMT RAINTITE COMP CONN	25			each	0.38	9.50
12	p0625 1/2" EMT R/T COMP COUPLING	20			each	0.45	9.00
13	P0495 1/2" HW-TW CONDUIT HANGER	100			each	0.28	28.00
14	p0132 11" CABLE TIE FOR 3" DIAMETER	600			each	4.43	26.58
15	P0728 12 THHN STR BLACK 500 FT	500			each	128.45	64.23
16	P0730 12 THHN STR RED 500 FT	500			each	128.45	64.23
18	p0708 12THHN STR BLUE 500'	500			each	128.45	64.23

Continued on next page ...

Cash Discount 52.50 If Paid Within Terms

United Rentals

800-UR-RENTS (800-877-3687)
unitedrentals.com

LOCATION #J18
2900 NO. INTERSTATE DRIVE
NORMAN, OK 73072
405-360-4322 405-360-1225 FAX

RENTAL QUOTE

105189036

Customer Number	:	519181	
Quote Date	:	8/28/12	
Estimated Out	:	8/28/12	8:00 AM
Estimated In	:	8/29/12	8:00 AM

Job Location: NORMAN, NORMAN
Job Number : 2
P.O. Number : NA
Ordered By : LARRY
Written By : URH30RR
Salesperson :

Job Site

NORMAN
NORMAN
x:NORMAN@NORMAN
NORMAN, OK 73071
Office: 405-292-9708 **Cell:** 405-255-8161

Customer

CITY OF NORMAN
PO BOX 370
NORMAN, OK 73069

RENTAL ITEMS:

Qty	Equipment	Description	Minimum	Day	Week	4 Week	Estimated Amt.
1	3002000	*SCISSOR 19FT ELEC MINI	100.00	100.00	150.00	385.00	100.00
1	3103050	*BOOM 30-33FT ELEC ART NARR	200.00	200.00	500.00	1325.00	200.00

Rental Subtotal: 300.00

SALES/MISCELLANEOUS ITEMS:

Qty	Item		Price	Unit of Measure	Extended Amt.
1	ENVIRONMENTAL CHARGE	[ENV/MCI]	1.620	(EA) EACH	1.62
1	DELIVERY CHARGE OK Mike		90.000	(EA) EACH	90.00
1	PICKUP CHARGE		90.000	(EA) EACH	90.00

Sales/Misc Subtotal: 181.62

Agreement Subtotal: 481.62
Tax: 24.88
Estimated Total: 506.50

COMMENTS/NOTES:

TO SCHEDULE EQUIPMENT FOR PICKUP, CALL 800-UR-RENTS (800-877-3687)
WE ARE AVAILABLE 24/7 TO SUPPLY YOU WITH A CONFIRMATION #
IN ORDER TO CLOSE THIS CONTRACT

$3,000.00 - $4,000.00

Note: This proposal may be withdrawn if not accepted within 30 days.

THIS IS NOT A RENTAL AGREEMENT. THE RENTAL OF EQUIPMENT AND ANY OTHER ITEMS LISTED ABOVE IS SUBJECT TO AVAILABILITY AND ACCEPTANCE OF THE TERMS AND CONDITIONS OF UNITED'S RENTAL AGREEMENT, WHICH MUST BE SIGNED PRIOR TO OR UPON DELIVERY OF THE EQUIPMENT AND OTHER ITEMS.

Locke SUPPLY CO.
"An Employee Owned Company"

QUOTE

UPC Vendor	Quote Date	Order #
000000		18596823-00
	PO #	Page #
		2 of 2

CUST.#: 800046

SHIP TO: CITY OF NORMAN
ATTN: ACCOUNTS PAYABLE
PO BOX 370
NORMAN, OK 73070-0370

CORRESPONDENCE TO: LOCKE SUPPLY CO.
P.O. BOX 24980

OKLAHOMA CITY, OK 73124-0980

SELLING BRANCH: 060 WE NORMAN
LOCKE SUPPLY
2253 W MAIN ST
NORMAN, OK 73069-6461
(405)360-8976/

BILL TO: CITY OF NORMAN
ATTN: ACCOUNTS PAYABLE
PO BOX 370
NORMAN, OK 73070-0370

INSTRUCTIONS		TERMS
		5%10thNT25th
SHIP POINT	VIA	ENTERED
060 WE NORMAN	CUSTOMER PU	08/28/12

LN#	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY B.O.	QUANTITY SHIPPED	QTY. UM	UNIT PRICE	AMOUNT (NET)
19	p0729 12 THHN STR WHITE 500 FT	500			each	128.45	64.23
20	p0731 12 THHN STR GREEN 500 FT	500			each	128.45	64.23
21	p0150 BR120 20A S.P. BREAKER	5			each	3.95	19.75
22	m0059 1/4 X 3 TOGGLE BOLT	150			each	16.61	24.92

21 Lines Total Qty Shipped Total 4151 Total 1050.01
Balance Due: 1050.01

... Last Page Cash Discount 52.50 If Paid In Terms

Norman Fire Department Shore Power Project

Prepared by Stolz Telecom LLC

August 30, 2012

Engines

Engine 31					
	Part Number	Description	Quantity	Price	Total
	1091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		11	$ 65.00	$ 715.00
	TOTAL				**$ 1,627.98**

Engine 18					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	2	$ 154.37	$ 308.75
	Labor		24.2	$ 65.00	$ 1,573.00
	TOTAL				**$ 2,701.01**

Engine 28					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	3	$ 154.37	$ 463.12
	Labor		25.3	$ 65.00	$ 1,644.50
	TOTAL				**$ 2,926.88**

Norman Fire Department Shore Power Project

Engines Continued...

Engine 22					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	Labor		8.8	$ 65.00	$ 572.00
	TOTAL				**$ 867.48**

Engine 34					
	Part Number	Description	Quantity		Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	SRM-24	Interstate Battery 550 CCA Deep Cycle	1	$ 121.48	$ 121.48
	Labor		17.6	$ 65.00	$ 1,144.00
	TOTAL				**$ 2,178.46**

Engine 29					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	199-001	Charge Indicator	1	$ 101.45	$ 101.45
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		19.8	$ 65.00	$ 1,287.00
	TOTAL				**$ 2,301.43**

Norman Fire Department Shore Power Project

Engines Continued...

Engine 23					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	Labor		11	$ 65.00	$ 715.00
	TOTAL				**$ 1,010.48**

Engine 24					
	Part Number	Description	Quantity	Price	Total
	091-170-12-IND	Auto Charge 12 HO	1	$ 618.93	$ 618.93
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		25.3	$ 65.00	$ 1,644.50
	TOTAL				**$ 3,176.40**

Engine 21					
	Part Number	Description	Quantity	Price	Total
	091-170-12-IND	Auto Charge 12 HO	1	$ 618.93	$ 618.93
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		22	$ 65.00	$ 1,430.00
	TOTAL				**$ 2,961.90**

Norman Fire Department Shore Power Project

Engines Continued...

Engine 0020					
	Part Number	Description	Quantity	Price	Total
	091-170-12-IND	Auto Charge 12 HO	1	$ 618.93	$ 618.93
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	8D-XHD	Interstate Battery 1155 CCA	2	$ 234.45	$ 468.91
	Labor		25.3	$ 65.00	$ 1,644.50
	TOTAL				**$ 3,027.82**

Engine 25					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	3	$ 154.37	$ 463.12
	Labor		27.5	$ 65.00	$ 1,787.50
	TOTAL				**$ 3,069.88**

Engine 19					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		14.3	$ 65.00	$ 929.50
	TOTAL				**$ 1,842.48**

Norman Fire Department Shore Power Project

Engines Continued...

Engine 32					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		12.1	$ 65.00	$ 786.50
	TOTAL				**$ 1,699.48**

Engine 30					
	Part Number	Description	Quantity	Price	Total
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	31P-MHD	Interstate Battery 950 CCA	4	$ 154.37	$ 617.50
	Labor		11	$ 65.00	$ 715.00
	TOTAL				**$ 1,627.98**

Command Vehicles & Brush Pumpers

Command 6					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-65	Interstate Battery 850 CCA	1	$ 148.65	$ 148.65
	Labor		25.3	$ 65.00	$ 1,644.50
	TOTAL				**$ 2,088.64**

32-10

Norman Fire Department Shore Power Project

Command Vehicles & Brush Pumpers Continued...

Command 08					
	Part Number	**Description**	**Quantity**	**Price**	**Total**
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-65	Interstate Battery 850 CCA	2	$ 148.65	$ 297.31
	Labor		26.4	$ 65.00	$ 1,716.00
	TOTAL				**$ 2,308.79**

Command Chief Bailey					
	Part Number	**Description**	**Quantity**	**Price**	**Total**
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-65	Interstate Battery 850 CCA	1	$ 148.65	$ 148.65
	Labor		23.1	$ 65.00	$ 1,501.50
	TOTAL				**$ 1,945.64**

Command Assistant Chief					
	Part Number	**Description**	**Quantity**	**Price**	**Total**
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-65	Interstate Battery 850 CCA	1	$ 148.65	$ 148.65
	Labor		23.1	$ 65.00	$ 1,501.50
	TOTAL				**$ 1,945.64**

Norman Fire Department Shore Power Project

Command Vehicles & Brush Pumpers

Brush Pumper					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-78	Interstate Battery 800 CCA	1	$ 142.38	$ 142.38
	Labor		23.1	$ 65.00	$ 1,501.50
	TOTAL				**$ 1,939.37**

Brush Pumper					
	Part Number	Description	Quantity	Price	Total
	091-56-12-IND	Auto Charge 1000	1	$ 523.78	$ 523.78
	091-55-20-120	Super Auto Eject	1	$ 250.27	$ 250.27
	BU-353	USB GPS Receiver	1	$ 45.21	$ 45.21
	MTP-78	Interstate Battery 800 CCA	1	$ 142.38	$ 142.38
	Labor		23.1	$ 65.00	$ 1,501.50
	TOTAL				**$ 1,939.37**

Total for Engines	**$ 31,019.66**
Total for Command Vehicles	**$ 12,167.43**
Grand Total	**$ 43,187.09**

32-12

City of Norman, OK

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

Master

File Number: R-1314-25

File ID:	R-1314-25	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock 2025			**Final Action:**	

Title: RESOLUTION NO. R-1314-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 WEST MAIN STREET)

Notes: **APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013**

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-25; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according theretol

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 33

Attachments: Letter of Postponement, Text File R-1314-25, R-1314-25, 2025 Map, Staff Report, Predevelopment Rose Rock School, 9-12-13 PC Minutes

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass

Action Text: That this Resolution be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/22/2013 by consent roll call

Text of Legislative File R-1314-25

Body

SUMMARY OF REQUEST: The applicant is proposing to operate a private school at 1515 West Main Street. The school will be based on the Waldorf educational system. In keeping with current standards and requests, staff has obligated the applicant to update the Norman 2025 Land Use and Transportation Plan for this site from the current designation of Low Density Residential to Institutional, the designation used by some but not all schools in the City.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. The majority of the area around this noteworthy home has not changed in many years. The site is surrounded on the north, west and east by existing single family homes. The southern property line of this site abuts the north side of Main Street, a Principal Arterial established on the 2025 Land Use and Transportation Plan. As stated, the area has not changed uses for years, only the single family development has increased in density. However, the use of this site as a single family residence is no longer a viable use. When this home site was built many years ago, Main Street was a two lane road with a minimal traffic count to what it is today.

2. There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity. The applicant has taken efforts to establish a staggered drop-off and pick-up schedule for the students. Each drop-off and pick-up window will accommodate approximately twenty students. These students will be between the ages of early childhood to mixed age elementary. With the staggered drop-off and pick-up times established the impacts from the traffic count to the adjacent properties as well as Main Street will be minimal. This staggered drop-off and pick-up schedule will assure that no stacking problems will exist and spill out into neighborhood streets.

STAFF RECOMMENDATION: There are three public schools all within a mile or less of this proposed private school. One of the schools has children of driving age. The impacts this facility will have on the adjacent neighborhoods is minimal in comparison to the number of parents dropping children off at the three neighboring schools. The proposed private school is a suitable use for this site considering its context in a single-family neighborhood.

Staff recommends approval of Resolution No. R-1314-25. At their meeting of September 12, 2013, the Planning Commission recommended adoption of this resolution by a vote of 5-3.

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

DIRECT: (405) 232-0621
BNice@FellersSnider.com

October 16, 2013

VIA FACSIMILE (405) 366-5389

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

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB

R-1314-25

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 West Main Street)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and

§ 3. WHEREAS, Brent Swift, General Contractor for Rose Rock School Foundation, has requested that the following described property be moved from the Low Density Residential Designation and placed in the Institutional Designation for the hereinafter described property, to wit:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 245. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southeast Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58' West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Said tract contains 3.72 acres, more or less.

RECREATION EDUCATION THE CITY OF NORMAN OKLAHOMA RESEARCH HEALTH INDUSTRY

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

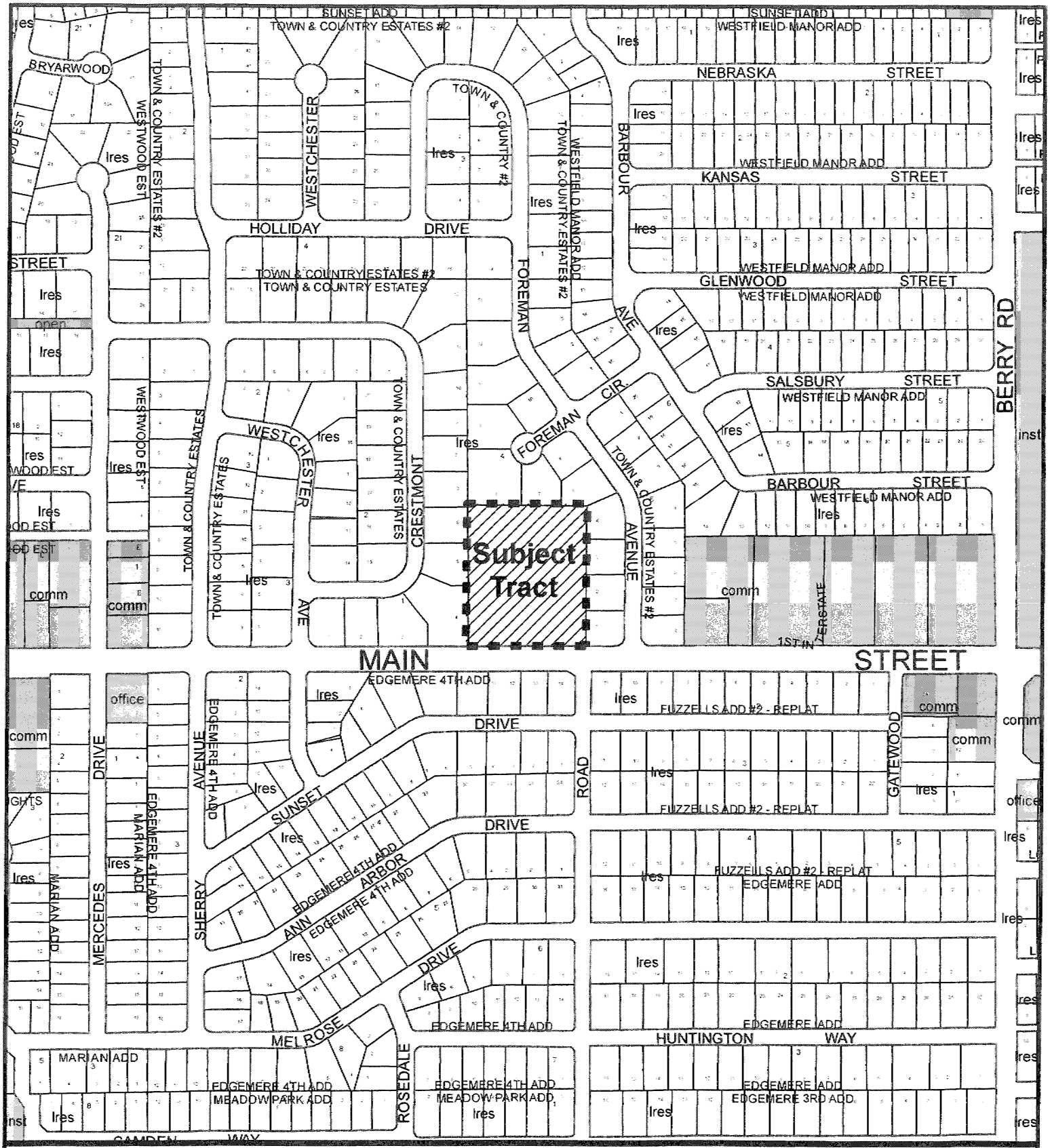
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____day of_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Norman 2025 Land Use Plan

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

N
W E
S

August 20, 2013

0 200 400 Ft.

Subject Tract

Zoning

RESOLUTION NO. R-1314-25 ITEM NO. 8a

STAFF REPORT

ITEM: Brent Swift, General Contractor for Rose Rock School Foundation, requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation for property located at 1515 West Main Street.

SUMMARY OF REQUEST: The applicant is proposing to operate a private school at this location, 1515 West Main Street. The school will be based on the Waldorf educational system. In keeping with current standards and requests staff has obligated the applicant to update the Norman 2025 Land Use and Transportation Plan from the current designation of Low Density Residential to Institutional, the designation used by other schools in the City.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** The majority of the area around this noteworthy home has not changed in many years. The site is surrounded on the north, west and east by existing single family homes. The site abuts the north side of Main Street; a Principal Arterial based on the 2025 Land Use and Transportation Plan, along the south boundary of the parcel. As stated the area has not changed uses for years, only the single family development has increased in density. However, the use of this site as a single family residence is no longer a viable use. When this home site was built many years ago, Main Street was a two lane road with a minimal traffic count to what it is today.

2. ***There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The applicant has taken efforts to establish a staggered drop-off and pick-up schedule for the students. Each drop-off and pick-up window will accommodate approximately twenty students. These students will be between the ages of early childhood to mixed age elementary. The impacts from the traffic count for drop-off and pick-up of the children will be minimal to the adjacent properties as well as Main Street. This staggered drop-off and pick-up schedule will assure that no stacking problems will exist and spill out into neighborhood streets.

STAFF RECOMMENDATION: There are three public schools all within a mile or less of this proposed facility. One of the schools has children of driving age. The impacts this facility will have on the adjacent neighborhoods is minimal in comparison to the number of parents dropping children off at the neighboring schools. The proposed private school is a suitable use for this site.

Staff recommends approval of Resolution No. R-1314-25.

City of Norman Predevelopment **August 22, 2013**

Applicant	Brent Swift for Rose Rock School
Location	1515 W Main Street
Case Number	PD 13-22
Time	7:00-7:45 PM

Attendee	Stakeholder	Address	email	phone
Brent Swift	Applicant	427 Highland Pkwy Norman	brentswift@gmail.com	831-8222
Aaron Pilat	Applicant's architect	Butzer Gardner 628 W Sheridan OKC 73102	apilat@butzergardner.com	601-4949
Shanah and George Ahmadi	Property owners	502 N Park	roserockschool@gmail.com kga@ou.edu	
Collette Fudge	neighbor	104 Foreman		573-5054
Stacy Mix	neighbor		mix_stacy@yahoo.com	
Dale and Judy Sullivan	neighbors	224 Crestmont		
JoeVan and Christi Bullard	neighbors	302 Foreman Ave	jvbullard@ocura-ok.org	321-2576
Earl Waldeck	neighbor	121 Crestmont 127 Crestmont	waldeck@cox.net	360-1313
Barbara Bowman	neighbor	1506 Sunset		321-3953
Libbi Holbrook	neighbor	216 Foreman Cir	robertholbrook@cox.net	310-2767
Dee and Arletta Fink	neighbors	234 Foreman	aknight@ou.edu	364-6464
Anne M. Harp	neighbor	313 Foreman	anneharp@cox.net	360-9146
Jim Miller and Deanna Burger	neighbor	1712 Holliday Dr	dburger741@aol.com	360-5880
Beth Bigfoot	neighbor	119 N Foreman		
Janet Sterling	neighbor	208 Foreman Ave		

Benita Bigfoot	Interested citizen	1106 Garver	
Ken Danner	Public Works		366-5458
Leah Messner	City Attorney's office		217-7748
Susan Atkinson	City Facilitator		366-5392
Terry Floyd	City Mgr's Office		366-5446

Application Summary. The applicants are seeking a preliminary plat and PUD zoning for a 3.72-acre parcel on West Main Street in Central Norman. The parcel is currently zoned R-1, Single Family Residential. The current *Norman 2025 Land Use Plan* designation is Low Density Residential.

Applicant's Opportunity. The applicants seek to rezone this parcel in order to allow them to relocate their school to the site and to reuse the existing house as a residence for a faculty member and his/her family. The proposed school would have a maximum enrollment of 59 students and a maximum of 8 faculty members. The proposal fulfills the Oklahoma DHS requirement of 35 sf of indoor space per child.

The proposed PUD will maintain the site as a single lot and will retain the existing single family character of the existing improvements. The project also aims to maintain the park-like setting and open green space of the site, retaining as many of the healthy old-growth trees as possible. Additional trees and landscaping will be added. Total impervious coverage will be 19.2%. In addition to the house, existing outbuildings will be reutilized.

Site access will be achieved by widening the existing driveway on the east edge of the property. A 36-foot wide driveway and approach will accommodate two-way traffic. Drop-off and pick up will circle one way around a raised landscape bed that will include a bypass lane to avoid stacking traffic. Drop off and pick up will occur at staggered times throughout the early morning and mid-to-late afternoon. There will be 25 parking spaces on site in compliance with all City requirements.

Site lighting, fencing, waste management and signage shall comply with all applicable City ordinances.

At present, Rose Rock School cares for children ages 2-6, with the possibility of educating children in Pre-Kindergarten-elementary. A core mission of the school is to care for and provide early childhood education in a home-like atmosphere, which includes the house, grounds and gardens.

Neighbors' Comments.

General Comments. Several neighbors expressed general opposition to the project, citing concerns that PUD zoning would erode the single family character of their neighborhood and that having the school on Main Street would intensify traffic volumes.

Traffic. Several neighbors expressed concerns about adding more traffic to Main Street. A neighbor referenced a traffic study that was submitted with a previous zoning application for the school which was later withdrawn.

> **Applicant's Response.** Applicant stated that the school had planned staggered drop off and pick up times in response to neighbors' concerns about traffic. He also added that the traffic study reference had stated that a traffic signal would be warranted at the intersection of Main and McGee by the year 2016, regardless of whether the school was added to the mix. He also stated that he was not aware of any City plans to install a signal in that location.

Driveway. Neighbor opined that site circulation would work better with a large circle drive the width of the property that included a second curb cut on Main Street.

> **Applicant's Response.** Applicant responded that the City Traffic Engineer had determined that an additional curb cut on the west side of the side would not be allowed.

Sheds. Neighbors expressed concern over the addition of storage sheds, plural, as described in the PUD narrative. They asked that storage sheds be limited to one 400 sf structure.

Fencing. Neighbor asked about a proposed fence line along the northern property line. She also asked about material composition of that fence.

> **Applicant's Response.** Applicant responded that the fence line was moved southward from the north property line in order to avoid creating a no-man's land that would be difficult to maintain. She added that she also sought to create a deeper buffer from neighboring property. She stated the fence would be 4 foot tall wooden pickets.

Lighting. Neighbor expressed concern about security lighting and that the lighting description in the PUD was not specific enough in stating that all lighting would meet City guidelines.

> **Applicant's Response.** Applicants responded that all site lighting would be required to conform to the City's commercial lighting code which would mandate downcast, full-cut-off fixtures and that the site lighting plan would be designed to take into account neighbors' concerns about light trespass.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 8, being:
RESOLUTION NO. R-1314-25 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO INSTITUTIONAL DESIGNATION FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

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

ORDINANCE NO. O-1314-12 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS REZONING FROM R-1, SINGLE FAMILY DWELLING DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative
4. Site Plan
5. Photos
6. General Information

PP-1314-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ROSE ROCK SCHOOL FOUNDATION (CRAIG OUTLAND/PRIORITY LAND SURVEYING, L.L.C.) FOR ROSE ROCK SCHOOL ADDITION LOCATED AT 1515 WEST MAIN STREET.

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

PRESENTATION BY STAFF:
1. Jane Hudson – As you said, you have two applications regarding this site. There's a Norman 2025 Land Use and Transportation Plan amendment from the residential to institutional. This will allow the use of a private school there on-site. This is the existing 2025 Land Use and Transportation Plan with the residential, commercial to the east and to the west. As proposed, if it is approved, the institutional will take the place there. The second application is for the rezoning from R-1 to a Planned Unit Development. The existing zoning in the area is currently R-1, with additional C-2 to the east and some more C-2 to the west. Existing land use shows residential with an office use to the east and some additional commercial to the east. These are some photos of the site itself. This is looking to the site from Main Street. I believe this is looking to the east. This is looking out toward Main Street on the right. This is from the back of the lot looking south. This is on the east side looking back to the west. This is heavily treed; it's kind of hard to take photos out there. This is looking toward the north, with the residential area in the background. This is on the site looking out to Main Street. This is again looking into the site; the house is there on the north side. This is looking out to Main. This is looking from the site down Wiley. And this is on Wiley looking into the site with the current entrance that they have off of Main Street. Staff is in support of this application – Resolution No. R-1314-25 and Ordinance No. O-1314-12. We do recommend approval. We did have a protest reaching 38% within the area, and we also had support letters reaching 7.9%. I'd be happy to answer any questions. The applicant's representative is here with a presentation as well.

2. Mr. Knotts –The application for a PUD definitely limits the total student population at 59? Maximum? Forever and ever?

3. Ms. Hudson – Correct. As long as this Planned Unit Development is in place for the site, that's what it will be limited to. Yes.

4. Mr. Knotts – So if they wanted more, they would have to come back?

5. Ms. Hudson – Yes.

6. Mr. Sherrer – How is that monitored? I'm just curious, from a number of – we have this in a PUD. Do we have enforcement capabilities within the City to make sure that that's actually the case and we're auditing that?

7. Ms. Connors – If there was a concern that there were more students, we would send Code Enforcement out to research and look into the number of students.

PRESENTATION BY THE APPLICANT:

1. Brent Swift, representing the applicant – I just want to thank you for your time tonight. Obviously, this is a revised PUD from the original PUD that was presented. There has been a change in the architecture group and, with that, obviously the concern of the number of students. The other thing that would come into play with the PUD is that the number of students is also limited to the number of the square footage of the buildings that are available, so any add or alteration to the building would also probably bring them back here to have a conversation to revise that. I'm going to turn it over to Hans Butzer and Aaron Pilate.

2. Hans Butzer, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – We would like to take the opportunity to provide an overview summary of the new PUD application. It is very much an application that is reworked, largely in response to what has come out of a total of eleven public meetings. We feel that we have put a tremendous amount of effort in listening and responding so that all issues that have been raised have been addressed through this PUD. Just in brief summary, Rose Rock School is a Lifeways based curriculum. It is a private school with very discerning parents and is a preschool through mixed-elementary school. In terms of the highlights of the PUD, as was already stated by Tom here, the PUD limits the number of students to 59. If that were ever to go over, a completely new PUD would have to go through the same process – very public, transparent process. It is important to point out that that is a significant reduction from previously applied PUDs. The staff member for the school lives on-site. The new site plan calls for 25 off-street parking spaces that are carefully designated. The drop-off and pick-up times have all been staggered, and this is something that is easily done in a private school, so that any traffic concerns are easily mitigated. Everything is controlled. Just a brief project history. As Brent already mentioned, we were brought in in late spring to help rework this application and, again, the site, we believe, is very compatible with the school. Again, eleven public meetings with a lot of good, meaningful input to which we have attempted to respond. In that response from the previous meeting, a lot of the concerns that were brought up, again, the limitation of the students – no more than 59. The off-street parking. The improvement to vehicle circulation on site. Staggered drop-off and pick-up. And, of course, containing the traffic on the site itself. The site obviously is historic and iconic; it has a lot of meaning to this community. One of the beautiful things about the proposal is it seeks to preserve the identity of that historic building and the site itself. It seeks to preserve the park-like character of the site; in fact, we're making additional landscape enhancements to the site. The historic home and the garage, of course, remain unchanged. The PUD prevents any new structures from being constructed. There are limited accessory structures with already designated locations. Again, all that stays intact. Drainage and lighting should not affect the neighbors. We are enhancing the landscaping on there in large part to create a better buffer in response to concerns from the

neighbors. And, of course, looking at overall traffic concerns. The site plan that you see up here is a revised site plan, again, in response to concerns that have been raised over previous meetings. Along with the staggered drop-off times, we have no more than 14-15 cars per hour, which is very much a very controlled condition. We have 370 feet of stacking space, which is more than enough, so that we shouldn't have any traffic back-up problems. All this is accomplished in part due to a new 36' driveway. There is, of course, 440 feet of designated left-turn on Main, which should definitely help with the few cars that are coming through at drop-off or pick-up times. And, of course, we have the parking spaces on site. One of the things that we did do in revising the site plan was to ensure that during the drop-off and pick-up times that any parked cars could take advantage of a carefully paved bypass lane so that there is very controlled movements on site. One thing that is also important to recognize within this application – it reflects the student bodies themselves – that currently 33% of this is sibling involvement, so you have a lot of kids coming in one car. This isn't just one car for every child that's attending the school. Again, that helps with controlling the traffic.

3. Aaron Pilate, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – To go over some of the PUD details. PUD is the most restrictive zoning. As you know, the PUD regulates site use. It's legally binding. This PUD is modeled after R-1, but is written more restrictive. We'll go over a few of the PUD requirements. Again, 59 students maximum. There are no commercial or other uses allowed on this site. No new buildings. The PUD limits accessory structures. Setbacks, fences, landscape buffers are all provided and the PUD requires compliance with the City's commercial lighting ordinance, so that means zero impact on neighboring properties. A few more PUD requirements. As you know, as we talked about earlier, modifications to the PUD would require rezoning. So this PUD will preserve and protect the character of this historic and iconic site. It also addresses the neighbors' concerns. We'll talk a little bit about the proposed redesigned site plan. Again, 59 students maximum; 25 off-street parking spaces. There's no parking and no driving on grass. All traffic is contained on the site. I'll highlight a few of the features. As Hans mentioned, we have the inner bypass lane and we have the outer parking lane. We have a drop-off area close to the corner of the school. We have designated turn lanes on Main Street with a 36' wide curb cut. In the back right corner of the site is an accessory structure location zone, so new sheds as part of this PUD – storage sheds are limited to three, 400 square foot max. – all accessory structures are limited to 10' high. As we mentioned, existing drainage will be maintained diagonally across the site and it will not have any impact on the neighboring properties. Hans will just make a few closing comments.

4. Mr. Butzer – Ultimately, all efforts have been made here to respond to concerns of the neighborhood as well as respond to this great existing structure. We really do believe that the Rose Rock School is a great project for this location and we have attempted to address issues regarding the student enrollment through this PUD. We feel good about the Planning staff's recommendation for this revised PUD. Again, we provide assurance that there are no new buildings. Again, we have listened very carefully through the course of eleven public meetings to the public's concern, which we take very seriously. Fences, landscape buffers are all provided. Traffic is contained on the site. The PUD, of course, very restrictive in its nature; everything would have to go back to the beginning if anything was to change – that is not the current intention. And, of course, the bottom line is we think this is a great project. We've been listening very carefully. We have made every attempt to address concerns and still retain the beautiful character of this site and to retain the site that this is a great project for this location. Thank you.

5. Mr. Gasaway – On the parking, you said there are 25 spaces. It looks like in front of the garage there's 16? Is that correct? And the other 9 would then be along the circle drive. Is that correct?

6. Mr. Pilate – There's 3 parallel parking spaces near the building on the south edge of the drive, and then the rest of them are angled parking on the east edge of the site.

7. Mr. Butzer – The 16 on the north side. When you come in off of Main and you drive in, you stay to the right, past 3 diagonal spots, and as you continue to move around there will be another 3, then you pass the 16, and then as you move further around there are still the last 3 remaining parallel spots.

8. Mr. Gasaway – And you all feel very certain that on a daily basis that can handle all of the staff, parents, and visitors without parking on the lawn ever?

9. Mr. Butzer – Yes. We do.

10. Ms. Bahan – I have a question related to that. What about when you have events at the school?

11. Mr. Butzer – The process for events at the school – the school currently has an agreement with a church and, because it's a private school, it's very easy for the administration to lay out the game plan for how people would move back and forth between that church parking lot. So the proposal is to have a shuttle that takes people from the event parking to the school itself. So it's a very controlled, very formal process.

12. Ms. Pailes – How far away? St. Stephens, right? How far away is that?

13. Mr. Butzer – It's about a mile. That's why there's a shuttle there. It's further south. The shuttle takes care of that and keeps everything controlled.

14. Ms. Gordon – Do you know how many – I remember that was a sticking point the last time, at least with me, was the shuttle. So, maybe it's me, but I'm just generally kind of a lazy person, and if I have the choice to park my car and take a shuttle or park around the edge a block away in the neighbors' street, then that's probably what I would do, which I suspect most people – I don't know. I can't speak for them. Most of them wouldn't mind if there were only a couple of events a year. Do you know how many special events there are thrown each year?

15. Mr. Butzer – There's no more than four, I believe. And, again, to stress, as a private school, there is a certain reputation to be held for the school and I do feel confident -- certainly the administration feels confident the parents would respect the wishes that people would not invade the neighborhood with their parking.

16. Ms. Gordon – I have another question. The stacking – the staggering of the parking. So when you talk about staggering, how long does this staggering go on? Is that like staggering throughout the day or is it like 3 hours of different waves of students coming in in the morning and then another 3 hours of waves that afternoon? How does that work? I think I've thought about it because you talked about a lot of the students there have siblings and are they staggered by grade? And so if you have two siblings in a house and one is in one grade and another one is in another grade and they have to come later, then your argument that it's just one car – does that make sense?

17. Mr. Pilate – That's a great question. One of the things we did in this PUD is the school's operating schedule is defined as part of the PUD. Item 6 – drop-off varies between 8:00 a.m. and 8:45 in 15 minute intervals. Pick-up will be between 1:00 p.m. and 5:00 p.m.

18. Ms. Bahan – But what about the morning? You said 8:00 to 8:45. You're going to get all 59 of them in there between 8:00 and 8:45?

19. Mr. Pilate – It's staggered drop-off between 8:00 a.m. and 8:45 a.m. 15-minute intervals.

20. Ms. Bahan – So you're going to have 20 cars every 15 minutes?

21. Mr. Pilate – Well, no, because – we expect 14-15 cars – 59 divided by 3 is just less than 20 at the absolute max. But, again, we talked about the 33% of sibling rate.

22. Mr. Sherrer – Is that stratified by age? Or how do you decide you show up at 8:00, you show up at 8:15? And it may be workable in the model. I'm just more curious than anything. That's not how I understand most schools – it's not the school I went to when I was growing up. It always was we all show up at this time. How does that work?

23. Shanah Ahmadi – This is largely an early childhood program, and so they come between 8:00 and 8:45 based on the time that the parent goes to work. So some of them have to be at work at 8:00/8:15 and those children – we organize them to come then. Some don't have to be at work until 9:00. Kindergarten class starts at 8:30. So those children are there between 8:15 and 8:30.

24. Mr. Sherrer – So you would restrict enrollment if you had a maximum number during that time of 15 and it was the 16th person – you couldn't have them come to your school, then, is what you're stating?

25. Ms. Ahmadi – I'm sure we could manage something to where they could come at the appropriate time. We are dedicated to having it be organized, and that's the way we operate now, is in an organized fashion. Answering the question about if they were coming at different times – they would come at the earlier time and the child – if that child started class later, they would just stay there and play in a designated play space. It's the same if they were needing – if one got out of class early and the other one was being picked up later, the parent would pick them up later – the child would stay there and play on-site, so they wouldn't have to come twice.

26. Mr. McCarty – I have several questions. I'll start with, first off, fire trucks. Would you just address the egress of fire and safety into the site and how that would be addressed? And I assume, if this was to pass, how the building would be brought up to meet the code of schools – fencing, fire, sprinkler, FDC connections, and just what all and how that would come together, and on-site drainage as well?

27. Mr. Pilate – Well, the first issue, fire trucks would enter through the driveway. There is adequate turn-around space for a fire truck. The school compliance issue is a little bit tricky and it's sort of beyond the scope of planning. As far as the building goes, there are multiple avenues for compliance. It's a concrete structure. There are ways to insure that the structure is rated so that fire protection system would not be required. There is also the fire protection system avenue. So that would be explored further in the process.

28. Mr. Butzer – It's all part of the permitting process for any changes to the building itself.

29. Mr. McCarty – So how about the fencing requirements for private schools? How are you going to keep the kids off Main Street and the safety of the students?

30. Mr. Pilate – There's a fence – it's all the way across from the building to the edge of the site, all the way back, all the way back here, and back again into the garage. So the children are contained in the back of the property. However, the fence is pulled in to provide an additional landscape buffer between the children's play area and the neighbors. And the

school feels like that is the best way to (1) maintain the property and keep the landscaping nice and (2) maintain an additional buffer between the neighbors. I guess I would also point out that children will not be playing in the large open space in the front yard.

31. Mr. McCarty – So that has changed from our last time we heard this, because that was a big play area out there.

32. Mr. Pilate – That's not part of this application.

33. Mr. McCarty – So, lastly on the fire. So the Fire Department has looked at this and this loop is sufficient for protection for fire?

34. Mr. Butzer – In crafting the site plan in our office we have the basic radius diagrams for fire trucks which we overlay on this site plan.

35. Mr. Pilate – I guess I will respond by saying if it's deemed that a fire protection system would be required, adequate accommodations can be made for an FDC that's located close to fire truck access.

36. Ms. Pailes – You may have said this and I didn't understand. Is there fencing along the front anywhere -- between the building and Main Street, is there a fence at any point?

37. Mr. Butzer – No.

38. Ms. Pailes – Would that not be a good idea?

39. Mr. Butzer – There's no need to for the simple reason there's nothing to contain in the front.

40. Ms. Pailes – You're not likely to leak children onto Main Street – or soccer balls – or throwing pine cones or anything else? I'm not sure why I should be assured that that isn't so. It's such a huge area. I can't imagine that you don't occasionally have a kid out there kicking a soccer ball that would go out into Main Street.

41. Mr. Butzer – Again, up on the screen, Aaron will point out where the fencing is that contains the children.

42. Ms. Ahmadi – There will be no children on the front two acres of the property – ever. They will always be at the back behind the fence. It bisects the property. You can hardly see it because there are trees sort of outlines there. It kind of comes from the side of the house in the middle. So that's the child play area – that back two acres.

43. Ms. Pailes – And the living area and the school – they're both in the big main building? I mean, there's no building labeled school here. It's labeled main building and garage.

44. Ms. Ahmadi – That's the school. That's why there's only 59 children. The residence is in the upper floor, which isn't for children.

45. Ms. Pailes – And the garage is actually a garage?

46. Ms. Ahmadi – Right now, yeah.

47. Mr. Gasaway – I think you all had mentioned there was 400' on Main Street that's available for stacking for a left turn. Do you know how many cars that stacks in that 400'?

48. Mr. Pilate – 20' per car. It's 440 – so 20.

49. B.J. Hawkins, Traffic Engineer for the applicant, 404 SW 171st Street – The actual fifth lane going down Main Street is actually almost a continuous left-turn lane from – it actually goes from Thompson Drive, which is a ways west, to Gatewood Drive – approximately 3,200 feet, actually, of mountable, brick-paved fifth lane. All along there there is striping and turn lanes on top of it going to each side street and everything. So there's actually quite a bit more than the 400 and some odd feet they're saying from the drive to Westchester – I mean, it's a continuous fifth lane, so I don't know the exact number of feet.

50. Mr. Knotts – I thought that the 400' was the stacking inside the property for a left turn onto Main Street. Is that not correct?

51. Mr. Hawkins – There are two lanes exiting the site. One for through and left turns, and then one for right turns so they don't get delayed by anyone trying to turn left or go through across Main Street.

52. Mr. Knotts – So what is the stacking on the property?

53. Mr. Pilate – Exiting the property from the drop-off area designated on site, we have 291 feet of stacking space until you get to Main Street. At 20' per car, 14 cars. It depends on where people need to go. There's room for stacking in both left turn and right turn lanes.

54. Mr. McCarty – So this brings up an interesting topic. Last time we had a discussion on stop lights that potentially is going to be put in at this intersection and it would align with Wiley. Is that still in discussion?

55. Mr. Hawkins – The traffic signal is not – it will not be warranted by this school. The only reason it was warranted was because of the existing traffic on Main Street and Wiley, and if you project that out to 2016, which at the time was the full build-out of the school – it did meet warrants based on Wiley and Main Street. If this lot was a vacant lot, it would still meet traffic signal warrants. That's not to say that a signal would go in because you'd have to get with the City and a lot goes into that. But based on the existing traffic out there projected out, it will meet traffic signal warrants. So this school doesn't have any bearance on that signal being warranted – just the existing traffic.

56. Mr. McCarty – Do you plan to apply for a school zone?

57. Mr. Pilate – I think there is a City Traffic Engineer. I think they need to address how that would work.

58. David Riesland, Traffic Engineer for the City – There are private schools – some that do have, some that don't have. It really depends on whether or not we anticipate students crossing the street to get to the school. We would expect, in this case, that there would be some who would try to cross Main Street, so we think it's a good idea, yes, that they have a school zone.

59. Mr. McCarty – Who makes that decision – the City or the school?

60. Mr. Riesland – Ultimately, the school does. Or we can work together somehow.

61. Mr. McCarty – I think you're the one that addressed the stop light last time. Do you agree with what he is saying about the stop light.

62. Mr. Riesland – Yeah. The study showed that it would be warranted three years out. Obviously, we'd have to conduct counts at that time. We'd have to go about securing funding for it, so there's no guarantee it will go in.

63. Mr. McCarty – So would they be responsible for the funding for part of the light?

64. Mr. Riesland – Based on the way we typically do traffic impacts, there is some small contribution to it. It's very minor.

65. Mr. Knotts – So we would have to wait until the impacts were felt before any judgment could be made whether to have a light?

66. Mr. Riesland – Just because we think it's going to be warranted in 2016 doesn't mean plan on one in 2016. That's probably when we start. We have a lot of locations where we're looking at signals and this is not at the top of our list by any means.

67. Mr. Gasaway – I've got a question for someone on the school staff, please. Since this is a fairly significant change in the number of students, and our discussion tonight is based on the number of 59, I guess my question is is that a long-term figure? If we're basing our discussion on 59 and 2, 3, 10 years from now the school is anticipating going to 100 or 130, that kind of changes the dynamic of the question. So I guess I'm asking for an assurance, to the best of your knowledge, is that number going to stay at 59?

68. Ms. Ahmadi – Yes. We proposed the previous idea as sort of a pipe dream maximum capacity sort of what-if scenario. What we found is the what-if is that won't work there. But this will work and this is still a huge expansion for us. It's a big growth and it will take us a long time to reach 59.

69. Mr. McCarty – Are you currently having school there now?

70. Ms. Ahmadi – No.

71. Mr. McCarty – What is your employee staffing type of scenario if you reach 59 students?

72. Ms. Ahmadi – Our employee staffing when we get to that point? Typically, we have one staff for about 7 or 8 children. They break out into a kindergarten setting and there are more children per one teacher – like 15.

73. Ms. Pailes – Mixed elementary – that's like 1 through 3rd grades, roughly?

74. Ms. Ahmadi – Yes. Right now, the big focus is on early childhood. We don't have any 1st graders or 2nd graders, and so it would likely be a mixed age program where the class is mixed.

75. Mr. Knotts – What are the nature of these once a quarter activities?

76. Ms. Ahmadi – Easter, Christmas -- Easter egg hunts, and the like.

77. Mr. Knotts – Okay. So they are a group gathering, not a parent-teacher conference or something like that that is very limited.

78. Ms. Ahmadi – Seasonal festivals. It is limited to the 59 children.

AUDIENCE PARTICIPATION:

1. David Spradling, 134 Crestmont – I'm here to stand for the Rose Rock School. I want to say, first, that it's interesting to be involved in the civic process. I've never done this before, so thank you for the opportunity to come speak. I'm not here to spend a lot of your time, but I do have a couple of points I'd like to make. First, there is some reasonable opposition to this, and there are some really intelligent people in this room. I just want to present a different opinion. First, I like the idea of the Rose Rock School in my neighborhood. Cleveland Elementary is in our neighborhood and I think we're a better community for it. Cleveland houses about 600 kids, one of them mine, and the traffic issues around pick-up and drop-off time seem, to me at least, to be manageable. I drop off David every morning; we're in, we're out, 15 minutes. Now, they've got a different situation there, but with 59 kids, I can't imagine that it's going to be worse than 600 kids. There have been some very reasonable objections to Rose Rock's plan. Folks on Foreman could be looking at a whole lot of parents at pick-up and drop-off times, and there are some really nice houses over there, and I wouldn't want that, either. But it seems to me that Rose Rock has done its best to work with those reasonable objections. They've drawn – they've redrawn their plans and, obviously, there's some objection to that. But I feel that any group or family that's willing to work with the neighborhood, as opposed to on top of the neighborhood, would be welcome in my neighborhood. The Rose Rock School will also keep in place an historic green space on Main Street and I like trees. The Rose Rock plan will also keep the historic landmark – the Maguire House – as part of the Norman landscape, and I think it should remain that way. And any other plan – and I understand that there are some floating around – would make no such assurances. And, finally – and this may be less relevant to the facts and figures that help you make this decision – but I've known George and Shanah for a couple of years and I like them and I trust them, and they're exactly the kind of good, honest, hard-working people I want as my neighbors. That's kind of all I have. I hope you decide in Rose Rock's favor, and thank you very much for the opportunity to speak.

2. Sean Rieger, 136 Thompson Drive, representing Robert Holbrook – I sent you all some information earlier today about this, and I think it's important that we go through it. I'll be very brief, because I know a number of people want to talk. But what is foremost in this – and you've heard it tonight – is will they adhere to 59 students? Will they do that? Well, right now they have more than 7 students, it's our understanding; and right now their website today showed 4 faculty members for this location. Right now, they're operating under R-1 zoning. R-1 only allows for a family daycare home. That's it. You're not allowed to have employees there and you're not allowed to go over 7 kids. They're doing it right now. So it's relevant to consider will they outpace their zoning as you approve in the long-term. It's relevant to look at 2025. They have zoned – they had to do this – this was required and this was key in how they withdrew before – but they were required to file for a 2025 Plan change. If you approve that site – and if you look at that screen, it is a sea of R-1, Low Density Residential. I remember when we did the Johnny's location and when we did the Cain & Cain, it was very important to this entire neighborhood that that stay R-1, Single-Family. If you change that 2025 to Institutional, then as a matter of presumptive right, an applicant has the right to do anything within the Institutional categories going forward on that site. So if this school ever failed or changed hands, anybody could come back in with an institutional use of any kind or size and they have a presumptive right to get it once you change that site to Institutional. There is a large protest – 38% protest. We think, actually, it's larger than that. We're checking that now. But if you look at nothing else tonight, I want you to look at that. That is a graphic that shows you the traffic counts in our community. That was 2009 data. You see the yellow highlighted is Main Street, and that is ranked in order of the most cars that travel every day on a quarter in the City of Norman. Five of the top seven counted quarters in our community were Main Street – West Main Street. You are considering – and I'm glad that Mr. Gasaway suggested that we're looking long-term, because that really is your decision. Your decision tonight is not what this applicant will do, but what will the property do as a use right going forward. These particular people – me and all of us – will probably be gone in 10 years. Who knows? It will be somebody else that has the right. You are talking about

putting an elementary school and school zones – and every elementary school has crossing guards – on West Main Street. On that. It is preposterous. It is a preposterous use on West Main Street to put an elementary school on that location with four-foot picket fences as the only barrier between kids and Main Street. It is an isolated site. There's no alternative to that. There's no way to go to any other street. The only way to get in and out of this property is the 30,000 cars a day of West Main Street. So we encourage you to oppose it. We thank you for your time. And thank you for your consideration.

3. Clarence Worley, 1620 Holliday Drive – I'm quite familiar with the traffic situation. One time, about a year ago, you closed the north side of Main Street westbound. I had to sit in my driveway for 10 minutes trying to get on Holliday Drive. Finally, I forced someone to let me in. Now if you believe that you're only going to have 59 students in the future – is Norman going to quit growing? There's going to be a requirement come in to you very shortly to increase that from 59 to a larger number. And when you do that, you're going to increase the traffic on my street. I've lived there 40 years. One of the things that I like about Holliday Drive is when I want to get in and out of my driveway, I can. If you increase the number of students and you increase the number of people that are driving up and down my street, I won't be able to get in and out. That's the thing that bothers me. I would like to think 59 students would be all they'd ever have. But you know and I know that 59 will not be all the students that will be at that school. Thank you very much.

4. Dee Fink, 234 Foreman Avenue – When Rose Rock came to you a year and a half ago, I also spoke up in opposition to the school. But my main opposition was because of the size of the school and the problems that generated. In those comments I also added that if they reduced the size of the school I would withdraw my opposition. They have done that and I now support the school coming into that area. If I tried to look at this from your angle, it would seem to me that three questions would need to be answered; I'd like to share my thoughts on those three questions. First, is this proposal substantially different than the previous one? Have the traffic issues been adequately addressed? And what about the zoning change? Is this a substantially different proposal? I think the answer is pretty obvious at this time. They've reduced the student count by 75%. They've reworked substantially the traffic flow in and out of the property. They've reworked the fences, the lighting, the landscapes, etc. All of that after seeking and listening to neighborhood input. I would note that very few other private residences moving in or commercial properties moving in would make the effort that Rose Rock has to seek out and respond to community input the way they have. So different proposal on the table. Traffic issues. I think they have solved that problem. If you do the math, with 59 students, and a third of those from the same family, that comes down to about 40 cars staggered in four different groups over the drop-off time, four different groups over the pick-up time – that comes out somewhere between 10-15 cars for a 15-minute period. If you collapse that down into the worst possible scenario so they all come in a 5-minute period, that's like 1-3 cars per minute, which is a fairly long time. Given the amount of traffic that the lawyer just showed us goes on Main Street, 1-3 cars per minute is going to be hardly discernible. When they come out and turn onto Main Street – I think coming in is not going to be the problem, it's when they come out that's going to be the issue I worry about. I think they're going to do what all of us on Foreman Avenue, which is where I live, do now. If they come out and want to turn right, you just turn right when you find a break in traffic. When you want to turn left, if there's a break you turn left – sometimes you can, sometimes you can't. When I come out of there and want to turn left and I can't do it, I turn right, go down to the stop light, turn around and come back. I think some of the parents will do that, too, at the rate of 1 or 2 a minute. Not a big deal. Finally, what about zoning change? I think one of the things we have to face is no matter whether you decide yes or whether you decide no on this, we don't know what all is going to happen in the future. There's no way to predict with certainty what's going to go in there. But there are a few things I think we can say we know. If you vote yes and let Rose Rock come into this school, I think they're going to bring with them the kind of characteristics they have shown to date: an interest in the community, a

readiness to listen. They want to interact with the neighborhood. They will provide a tranquil, quiet atmosphere just like they do at their current school, and they've shown a desire to have neighborhood/school collaborative projects. All of those are pluses for our neighborhood.

5. Joe Van Bullard, 302 Foreman Avenue – Christy, my wife, and I live in a house that her mom and dad built on Foreman in 1960. We chose to move in when her mom passed away. We like the neighborhood very much. These people are my friends. I hate to be standing up here. But the question comes down to two issues. The traffic – 30,000 cars is hardly comparable to dropping off kids at Cleveland. Come on. Give me a break. That wasn't even a close call. But the traffic is not solved. I could, you know, suggest that they leave out their left turn lane exiting from 8:00 'til 8:45 in the morning when the kids are dropped off. You're not going to be able to turn left; you've got to turn right. I don't know why they're even putting that lane in there. But the real issue to me – and it comes down to the rezoning. When you lose R-1 zoning, that's the first chink. It makes it a lot easier for number 2, number 3, number 4, and number 5 to go. We all know that. And this thing has been – it's been two years running. It started, the first meeting, I believe, on October 11, 2011. They've worn us down. When we were ready for the City Council meeting in April of this year, we had better than a 70% protest and we will go back out and work some more before it gets on to City Council. The real question is, they could have a school there. They could have that school there, leave it R-1, get a special permit, but yet that's the one thing they will not negotiate on. They have gone out of their way to try to meet the standards of what everybody wants, but it's just unfortunate that we can't leave it R-1, which we could. You could have Rose Rock School there. It could be there. And I would be just like my good buddy Dee Fink, I'd go to the other side. I'd be with them. And they say they have met and mitigated all of the problems we have – no. The big problem I have is the rezoning. Thank you very much for your time.

6. Libbi Holbrook, 216 Foreman Circle – We're really having a conversation tonight that is all about location, location, location. You know, there are two main problems that I see that arise with Rose Rock School being in this particular location. And those two problems are with regard to zoning and traffic. I just feel that we need to protect the residential designation, and that's of ultimate concern, both in zoning and in Norman's 2025 Land Use Plan, not only for protecting the integrity of our neighborhood, but also for establishing the precedents in Norman. Allowing residential area to crumble sends a message that no area is sacred. What's next? Rezoning the large lots at Boyd and Pickard? Or at McGee and Highway 9? Preserving our core Norman neighborhoods is of priority. 1515 West Main Street must not go to that Institutional designation on the 2025 Land Use Plan. The traffic concerns I have I feel like are insurmountable. I will agree Rose Rock has worked tirelessly to create the ultimate drive on that property, but they follow one assumption and that's all drivers are rationale, and there's just not enough room for error. There's not room for a frazzled mom picking up two kids, but one is missing. There's not enough room for an upset toddler who won't buckle in, or the dad who is late for work and is trying to zoom around that circle. And that's a concern during pick-up and drop-off every single day. Special events like Cleveland's 50th anniversary celebration, going on right now, are another animal entirely. Again, we're assuming that people are rationale – not only rationale, but on time. And even with a small school, you have to account for not only those 59 students and their parents, but also extended families who may be coming into the picture, and they are likely to be just as supportive as the parents. Are they going to really park a mile away? Are they all going to be on time and catch the shuttle? I just don't feel like there is enough parking on that site to account for the number of vehicles per child who would show up for a special event. So then where do they go? The grass? The streets in our neighborhood? I'm only bringing up that this plan assumes that everything will go right. 15 cars will be added on Main Street per hour, but we're not even talking about them slowing down. We're not talking about the ones that aren't very good drivers who are really scared when they turn into that skinny area 'cause there's oncoming traffic coming toward them. We're assuming they're happy kids, and rationale parents. And I can personally guarantee that that assumption – the rationale one – will

occasionally get thrown out the window. For any of you who have ever dropped off a child or who have seen a drop-off or pick-up situation, you all know sometimes parents are not just rationale. I'd appreciate your vote in opposition to this plan. Thank you.

7. Dee Bigfoot, 119 North Foreman – I have been there for 30 years. The neighborhood is one of the most established in Norman. It has wonderful resale value. People look to see if there are homes that are for sale in that area. Family members who were raised there come back into that community – into that area to buy homes. We really have a jewel in that area. Residential – to change from a residential would be a great disservice to Norman. It would be a great disservice even to the Cleveland school. I understand completely about education. I am a child psychologist. I'm at the University of Oklahoma. I have in my backyard Crossroads School – Headstart – daycare. So when people say, "Not in my back yard," – well, unfortunately, it is in my backyard and Rose Rock would be in my front yard. So I would like to maintain the integrity of the community, of our residential streets there. We would have many, many, many more people here saying no. I guess it's beyond my comprehension why an organization would want to come into community where so many people are saying please do not build a school in our neighborhood. Please do not come and knock on my door every time there's a meeting to ask if I would change my mind. Please do not come and make me – I'm glad that I can have the opportunity for civil discourse and to communicate with you as Planning Committee, but I have a granddaughter at home that I would love to be attending to. I have other family events that I would love to go to. I would love to go to Cleveland School 50th anniversary, but I'm here because it keeps being persistent. We heard that it's two years now. And our sentiments have not changed – maybe there might be a few, but I think for the most part the community is saying please recognize that we want to maintain a stable residence and our homes – the integrity of the community – the integrity of the neighborhood. The thing is, our neighborhood is limited in how many people we have. Unfortunately, with this organization, they can bring other people in and give you information or even come and walk up and down our streets, but we are limited in terms of how many people we have in our neighborhood. But the majority of them are saying please let's maintain the integrity of our neighborhood. Thank you.

8. Harold Heiple, 2011 Morgan Drive – I'm not representing anybody. I'm here as a private citizen and somebody who uses the traffic. I've been a resident of Morgan Drive for more than 40 years, which is close to Cleveland School. I drive through there typically at the time the school takes up in the morning and the time the school lets out in the afternoon. I have to disagree with my neighbor. I don't think that the traffic around Cleveland is truly manageable. I came through there tonight at 6:00 on the way down here. They're having a special event. In the space of one block, I had to come to four complete stops and sit there before moving one block through that area. My kids graduated from Norman High School in the early 80s. I have to take issue with the staff report on page 8a-2 that says the use of this site as a single family residence is no longer viable, because the house was built by Big Boy Johnson when it was a two-lane road and small traffic. That's right. It was built a long time ago by Big Boy Johnson, but Dot and Jim Maguire lived in that thing as a very viable single-family house for more than 30 years. To say it's not still a viable single family use is a mis-description. What really bothers me is the fact that – when I think about how many times I've asked to change the Norman 2025 Plan, and I've sat through every comprehensive plan group that has been put together in this town in the last 50 years – and when I see changing the 2025 Plan from Low Density Residential to Institutional in this area – surrounded like it is by R-1 – I can't believe, frankly, that the staff is supporting it. Now, as a developer who has pushed a lot of commercial stuff through this town, I'm saying hooray! It's creating a helluva precedent. But I think it's one of the most egregious variations from 2025 that I could imagine. My problem initially with the school there has been the fact that I also travel that same stretch of Main Street going to my office, typically when school starts and when school is out. I think they did address a lot of their problems, if you'll look at their page 8b, when they talk about the staggered drop-off and pick-up times. For 59 cars that can work. But still coming out of there – that three-lane drive and turning left onto Main

Street to go east on Main Street – two lanes of traffic – that's not good planning. I was a little surprised to hear about probably wouldn't be any charge for a traffic light. If I was bringing this in as a developer on a 2025 Plan change, I promise you that we'd be talking about six figures to be posted to be paid toward the future traffic light that's going to be put up there. The one thing I'm concerned about, again, on the same page where they talk about drop-off, is the special events. If needed they'd have buses coming in. I've been a patron of Norman schools for more than 40 years. I'm not going to take a bus; I'm going to park on the grass when I'm going in to see my kid or grandkid. I like the idea of the education. This is not the place for this school to get its nose under the tent. Thank you.

9. John Banas, 1521 Ann Arbor Drive – It is an honor to address this prestigious group of individuals. I am a parent of a child at Rose Rock. Her name is Maria Banas. She's two and a half years old, and she is the cutest thing in Norman – an asset to our city. Just briefly. Traffic is a big concern. It's a concern for everywhere I've lived. We're spoiled here in Norman. I moved here from Washington, D.C. You have no idea what traffic is. But I don't want you to know what traffic is. Traffic is horrible. That's why I live at 1515 Main. I was never consulted by any petitions. This is in my neighborhood. This is where I live and we will be walking on a daily basis to school to prevent traffic problems. I don't assume people are rationale at all, because that's not the kind of arguments we've heard tonight. We've heard some fuzzy math. The majority of people oppose it – 38%. I don't want to tell people what's what, but that's not the majority. Furthermore, I really do appreciate people's concerns, but we have a situation here where – I mean, I moved to Norman, Oklahoma – I could have moved any one of 15 places in the world. I moved here because I believe in family – which I think is a strong family values town. I believe in education – I mean, we're propping up all of Oklahoma statistics here in Norman because we're intelligent individuals. And I believe in business. I'm a pro business American, and I am proud of this private business. There's already a school. I mean, if you're worried about the integrity of these people, most people here are saying we know the future, and we've heard some fallacious arguments about that. We know they're going to expand. We know they're going to do a school. Obviously, we can't know those kind of things. If we know anything about their past actions, we know they're honest individuals and good members of this community. So I am in support of this. I will make sure that my family doesn't contribute to any traffic problems. And thank you for your time.

10. Jim Kee-Rees, 135 Crestmont Avenue – On the northwest corner of the property that we're discussing today. Thank you very much for having just a few moments to speak. I came here from work, so that's why I'm dressed the way I am this evening. I grew up in southern Oklahoma and we moved here – my family – in 2006. We picked this neighborhood. We fell in love with it very quickly. One of the biggest things was when we walked through our house into our back yard, it looked like we had a park. We had a park in our back yard with just a simple chain-link fence. I grew up in the country and working on ranches in southern Oklahoma as a boy and as a young man, and I love the outdoors. That was the feeling I had as soon as I saw that property. With this property, we're their neighbors. We have had the best experience on Crestmont. I don't know the other neighbors as well, except we trick-or-treat on everyone else's streets, which will be happening pretty soon. But on our street we take care of one another; we check on the elders in the community. We have a grapevine that passes along pretty quickly. The benefit of that is that we watch out for each other. When a house gets broken into, someone needs something from the store – we care for each other. That's been the most difficult thing for me in this whole process, is that we have moved away from this in our greater neighborhood. I think it was at one of the very first meetings that took place here about this property when the owner was talking about selling. I remember sitting at the table and him mentioning that he had a couple of other proposals – one was from a developer for condominiums or homes, another was a business, another was this school. So it terrified me. It terrified me as a neighbor and being on this property of seeing that destroyed – those beautiful trees and oaks. My family and children – I have two young children – we've walked on the

property many times. To see all of that destroyed for something else. So at the beginning we were supportive of the school in that it would keep the integrity of the property. That's what I see with this new plan, is that what we fell in love with to move into that neighborhood will remain. The other thing is we didn't know the current owners before all of this process started, and they have become very good neighbors for us and for our children. So they have been inviting to us. They have listened to some of my concerns – concerns about fencing, concerns about lighting -- I've had some similar concerns as I've heard spoken over here. I feel like they're a school that will be a good neighbor. They're not an outside group that will be invading and taking over. I've seen a number of private schools that have worked well in neighborhoods and this is very small. So I'm in support of Rose Rock. Thank you for your time and your attention.

11. Anne Harp, 313 Foreman Avenue – I'm the last one, I believe, because I just signed in five minutes ago, and I look like this because it's raining outside – just nicely. We're getting a nice good soak right now. I have resided at that address for about 14 years now. I've been involved in the process since we've gotten it started and I just wanted to say that there have been some moments that have been uncomfortable for everybody and some contentious moments. I wanted to say thank you to George and Shanah – they've been very patient with us. They've tried to address our concerns throughout the process. Sometimes it hasn't been easy and sometimes things have been a little heated, and I appreciate their patience and their spirit of trying to approach this as a neighbor. But even with that said there are still some concerns in the neighborhood, which I'm sure you've got an earful of this evening. They're very valid concerns. If you do choose to approve their petition for the zoning change and for the PUD, I think it would be a good thing for us to consider some sort of mediator being appointed by the City to address the concerns that remain. So I would ask you to take that into consideration. Thank you very much.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Sherrer – Talk to me why we chose PUD instead of the R-1 with Special Use -- the thought process.

2. Ms. Connors – The R-1 zoning district does allow schools, both private and public, in the R-1 district as a Special Use. However, in the 1970s an amendment was made to that to not allow rooms regularly used for housing and sleeping. Go back and look at the history of how that occurred – the minutes of the meeting – we do believe they were talking generally about dormitories, however that didn't get actually incorporated into the ordinance. So no sleeping rooms are allowed, and that's why we had to suggest that they go to PUD, because there isn't opportunity in R-1 because of that.

3. Mr. Boeck – And that is ironic. A couple of comments. I live on Schultz Drive, which is not very far from Gingerbread, which is a really great private school right on the corner of Alameda and – I can never remember those streets. They've been there for 20 some years. All three of our kids went through there. There's traffic every day, and there's a lot more than 59 kids that play at Gingerbread and it was a wonderful experience. Fortunately, we were able to walk there. But dealing with the traffic that comes in and out of there off of Alameda – I've been there when the kids were getting dropped off and the kids were getting picked up and it's never really been a big enough issue to make it an issue. The school does what it wants to do. I love the concept of this school and I love the people that I've met that go and that participate in this school. I understand the traffic thing. I understand the people that live on Foreman. Joe Von Bullard is a friend of mine and we've talked about this a lot. But when you look at the alternatives to what that could become – you know we had the owners here the last time we met and they said they had to sell for whatever million dollars because that's what they had to sell it for. You don't make that a single-family residence when you do that. I understand why

they wanted to get that. But that piece of property could turn into a lot of different things that would make a lot more traffic than a school. Those are my comments.

4. Ms. Pailes – The first presentation, it looked like the school would be rather comparable to Lincoln Elementary in terms of enrollment, and I thought that would just not work. With the new enrollment it's basically comparable to Montessori, which is embedded in the neighborhood around Santa Fe, and that basically works. They kick a lot of soccer balls into the street. I'm a little dubious about that four foot fence. But basically it functions. I love the neighborhood input. I try hard, really, to honor neighborhood feelings about things. I think the worst thing that could happen to the neighborhood would be to have this property zoned residential but multi-family and you'd end up with a four-story apartment with balconies 20 feet from your back yard, and I think that would be the worst thing that could happen. This, I think, will try to be a really good neighbor and I think, based on looking at daycare, small schools, private schools embedded in neighborhoods, it'll probably work.

5. Mr. Gasaway – I've got a question for Susan. For the benefit of the audience, it sounds like one of the major concerns is, I guess, if the school is wildly successful and would like to expand, what's the process of coming back to change the PUD? Or the alternative, if, for some reason, the school leaves that location and it's designated PUD, what happens for the next applicant, regardless of what they want to do? What do they have to do to make that anything else? Could you go through that for us, please?

6. Ms. Connors – Yes. If the school wanted to expand then there would be another zone change application and it would have to go through a public hearing process just as they are doing now. So we go both to Planning Commission and City Council with any change. The site plan only allows the buildings they have on site, so it's restricted to the proposal before you this evening. The only other use that would be allowed – if the school wasn't on the site, it could still be a single-family home. It could be either the school as proposed or a single-family home.

7. Mr. Gasaway – Any other use, then, would have to come back for a change in the PUD – it would remain a PUD, but they would have to come back for a change?

8. Ms. Connors – Someone could request an amendment to the PUD or a new zone category.

9. Ms. Gordon – So if we change the 2025 Plan to whatever they're asking for – institutional -- and they do the zoning change, and they get so big they want to move somewhere else, everything you just said still – the only person or the only thing that could go in after that would be a school or a single-family residential. Is that correct?

10. Ms. Connors – That's all this zone category allows.

11. Ms. Gordon – So I guess I'm confused, because Mr. Rieger presented a list of all these things that could go in – apartments and daycares and all this stuff under a change to the 2025 Plan. Is that not correct?

12. Ms. Connors – Well, he was projecting, but that's not what the zoning would allow and, therefore – the zoning dictates. Maybe Ms. Messner would like to come up.

13. Ms. Messner – What we're talking about with the 2025 Land Use and Transportation Plan and the zoning ordinance are two separate sets of regulations. They're asking for a change in both tonight. Ultimately, if the Land Use Plan and the Zoning Ordinance were to conflict, the Zoning Ordinance controls. So if the school were to move across town or go out of business and the 2025 Plan is Institutional and the zoning is PUD and they wanted to change it to a completely

different institutional use, they would have to have a zone change, but not necessarily the Plan change. But if they wanted to do commercial, they would need a Plan change and a zone change.

14. Ms. Gordon – I think I got it. Well, that's a big deal for me, because my biggest sticking point on this was the zoning issue – the issue of, if they were to leave, or what could go in there. Because I think they've addressed the parking issues and the traffic issues with good faith and I think it would work. I don't think that four times a year, even if there was overflow in the neighborhood parking – I don't think that four times a year overflow parking is that unacceptable. Before anybody flames me, I live next to a park, so I get a lot of overflow parking in my neighborhood. So I'm glad that was explained to me.

15. Ms. Bahan – My primary concern with this is the traffic on Main Street. I genuinely feel you're going to have to have a traffic light there at some point in the not-too-distant future, because, having taught at Norman High School and driven Main Street for years, the traffic is too heavy. That time of morning, when you're dropping off kids, trying to get in and get out, it's a nightmare. Even 59 cars – or 45 cars, or whatever – I just don't think that, realistically, you're not going to have some real problems. That's my primary concern with the whole thing.

16. Mr. McCarty – I have some questions for the traffic engineer again. At what point would a deceleration lane/acceleration lane be required for a rezoning?

17. Mr. Riesland – Requirements for deceleration lanes are obviously based on the volume that would be turning right. In this case, 59 cars would fall short of that. Usually it's around 100 where you'd consider a deceleration lane. Even if they were all turning right. In an hour.

18. Mr. McCarty – My biggest concern about this is traffic. Most of these people, I understand, don't have cars – or that's what was presented to us before. So how are they going to cross the street from wherever they're coming from to get to the school? But if they do present to us a school zone and a crosswalk, we have another one half a mile away. I just see a huge traffic problem. Cars stopping, stacking down Main Street during the busiest time of the day – 8:00 to 8:45 a.m. down Main Street is not a pleasant time. Right now there's no school zone or crossing on the site plan proposed. What is that process? I wasn't real clear on what that process is for someone to be able to do that. Would the City allow that at this site – at Wiley and their driveway to get into their property?

19. Mr. Riesland – Would we allow a school zone?

20. Mr. McCarty – A school zone with a crossing and a crosswalk, because I think that would be just detrimental to Main Street.

21. Mr. Riesland – Yes, we would allow that.

22. Ms. Pailes – I did that at the school where my kids went to school, so this was some time ago. But we requested of the city to get a crosswalk and the city said no. So I think that power resides with the city.

23. Mr. Riesland – I was saying yes to the school zone. A crosswalk at an intersection is one thing. We like to have that protected as much as possible. The discussion about the traffic signal obviously helps the protection of that crosswalk. We have unprotected crosswalks that don't seem to work very well.

24. Mr. McCarty -- Well, if you ever travel down Main Street when Norman High is crossing, the traffic stacks all the way past Berry Road west, and this would just add additional problems

to get into the property at the same time. 8:00-8:45 – high school, I think, starts at 8:45. It's going to be around the same timeframe. My biggest concern – the site plan has been improved. I think the agreement of 59 students is great. But my biggest concern is traffic down Main Street and how that is going to flow. We're going to increase the curb cut at that point, which makes it further away from Wiley, the way that I look at their site plan, which makes that stop light a little bit more difficult than we talked about last time and how that would be affected and staggered. I'm just having a hard time with the traffic. Thank you.

25. Mr. Boeck – I'm thinking about out in front of Lincoln on Classen, and Classen is a pretty busy street. There is a light there that's activated by the crossing guard to get kids across when they need to get across, and people stack up. I drive Main Street all the time and Norman High is a huge number of students crossing that street at 8:30. Again, if you've got 15 or 20 kids walking across the street in a 45 minute period, I just don't see traffic as being an issue.

26. Mr. Sherrer – I'm going to kind of contradict. At least my opinion on a couple of things. Like Commissioner Boeck said, I also had children at Gingerbread School and I will tell you that was a nightmare picking up people as I waited in line on Alameda to actually pull in to pick up my children. I was scared. Not scared of the part to your point, Commissioner Pailes, about whether or not they were fenced in or they had proper protection, but I was scared when they went out the front door and didn't go – they ran out and they lost the ball and they went out – I think that is a concern. Anywhere there's a drive, I think that is absolutely a concern that we need to have for safety. We're seeing on every news channel now talking about storm shelter safety. I think safety has to be paramount. In fact, my kids go to Cleveland Elementary. I'm, like many people here, missing the opportunity to be there this evening for the 50th anniversary. But the discussion there, and the principal states this every year, and I think Ty Bell is his name – he does an excellent job – but when we go to the parent-teacher meeting the first thing he always says is safety is the very first thing I care about your kids. Scholastic opportunities, cultural enrichment – all the things that I think everybody in this room wants for our children – he starts with safety. I think, when you're talking about safety as it relates not only to protection within the actual environment of where the school is and the location there, I think you're talking about pick-up time. I think you're also talking about transportation. Just like Commissioner Bahan and Commissioner McCarty, I have very serious concerns as a person who goes by there twice a day at least as a commuter living just down the street, and from that to where I work every single day, it's a busy area. It's a very challenging area always. It's different than Classen, and no offense – I've been at that light, too. I've been at the light on Norman High and I've seen how that slows things down. But I truly believe that there is a concern here about going from East Norman to West Norman, too, and not only do I think it affects traffic, I think it impacts our ability to have traffic flow throughout our community. We all have been a part of this Lindsey Street discussion lately and, frankly, depending upon what happens there, there's going to be more traffic on Main Street. I don't think there's any doubt of what happens there – at least what has been discussed at the City Council. I know that has not been decided and I know there's a master transportation plan going on right now that will help decide that. But I'm deeply concerned about protecting Main Street as a nice, quick way to get across our community. I only think this inhibits that. I love the school. I think the model – I think the idea of the school, I think what it's about is something I'm very for and it's certainly something I want in my community. But I just haven't, frankly, been able to get over this transportation concern, and then also the safety concern.

27. Mr. Gasaway – I think one thing we ought to look at are the possible uses of the property. The original owner came I think when this was presented last time and the best of my memory the school as the only party interested in that property. I think the three uses that it could be would be a single-family residence, as it was in the past, which doesn't sound that that's very likely based on the amount of activity on that property. It could be what is proposed tonight. I think there's a high probability that someone would come with a commercial application for this

property. I think that's the highest probability. Whether or not that's acceptable, I think, is certainly up to future debate. Or there could be large-scale residential – either single-family homes or some type of apartment complex, duplexes in that area. I think of those uses, if it can't be single-family residential such as it is now, this is probably the best option of those that I listed. It's an unusual property from a different time in the City of Norman that makes it very difficult for someone to want that as a single-family residential property any longer. That's just my opinion. I had two objections originally when this came last time. One was the traffic stacking on West Main, which I think has been solved by the school's changing the size. I think the worst thing that we could possibly do on West Main is have a large stacking where we cut it down to one lane in one direction. This certainly seems to have solved that. Parking on the lawn – I think last time there was kind of free-for-all parking on the dirt. As Code Compliance here knows, I'm very much a stickler for not parking on places in Norman that are not paved, and I would be one of the first ones calling Code Compliance to see that happen. But, again, I think, with 25 parking places, on a daily basis that should handle it, and I think there are some other options for special events that the school has addressed. I do want to emphasize again – I think staff has covered this – this change does not open up this property to other uses without coming back to Planning Commission and to City Council. I want to ask Susan one more time – what is a correct statement, is it not?

28. Ms. Connors – That's correct.

29. Mr. Gasaway – I'm asking that simply as protection for the residents that are worried what will happen in the future.

30. Ms. Connors – Yes. The Planned Unit Development limits the uses of this property to the school and a single-family home if the school were not there.

31. Mr. Gasaway – Or if the school wants to enlarge, it has to come back to this body as well as the City Council. So I think there's some significant protection there. So I'll be supporting this plan for tonight.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and PP-1314-5, the Preliminary Plat for ROSE ROCK ADDITION, A Planned Unit Development, to City Council. Roberta Pailes seconded the motion.

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

YEAS	Jim Gasaway, Roberta Pailes, Cindy Gordon, Dave Boeck, Tom Knotts
NAYS	Curtis McCarty, Andy Sherrer, Sandy Bahan
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and Preliminary Plat No. PP-1314-5 to City Council, passed by a vote of 5-3.

* * *

RECESS
8:17 to 8:25 p.m.

* * *

City of Norman, OK

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

Master

File Number: O-1314-12

File ID:	O-1314-12	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock Rezoning			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Notes: **APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013**

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 34

Attachments: Letter of Postponement, Text File O-1314-12, O-1314-12, Location Map, Staff Report, PUD Narrative, Site Plan Rose Rock, Rose Rock Photographs, History of the House, Protest-Support Map - 9/11/13, Protest Letters, Letters of Support Rose Rock, Letter of Support Oct 8 2013, 9-12-13 PC Minutes - O-1314-12

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/08/2013		Pass
	Action Text:	That this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/8/2013 by consent roll call					
1	City Council	10/08/2013	Introduced and adopted on First Reading by title only				Pass
	Action Text:	That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call					

Text of Legislative File O-1314-12

Body

SYNOPSIS: The house located at 1515 West Main Street has been purchased so a new Waldorf-based educational system, a private school named Rose Rock, can be established on-site. The applicant is requesting a rezoning from R-1, Single Family Dwelling District to a PUD, Planned Unit Development District. The purpose of the rezoning is to allow the director of the school to live on-site while managing the daily responsibilities of running the school. The current R-1 zoning district would require a Special Use to allow a school to operate on-site; however, that Special Use does not allow the director to live on-site. Therefore, the applicant has requested the Planned Unit Development District to allow for living arrangements on-site. The children attending this school will range in age from early childhood to mixed age elementary.

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

USE: The character of the site for this school will be a park-like green space. In keeping with Rose Rock/LifeWays/Waldorf curricula, the landscaping for the property shall be enhanced with new tree plantings, gardens, paths and fields for recreation for the students.

OPEN SPACE: The parcel is approximately 3.72 acres. The proposed open space is approximately 80%; this area is reserved for gardens and student recreation areas.

PARKING: On-site parking will be provided. Parking areas shall be constructed of approved materials. At maximum student capacity there will be 59 students. The proposed site plan depicts 25 parking spaces with additional area for drop-off and pick-up of the children in the circle drive.

During special events at the school, arrangements have been made with a local church to allow for off-site parking. Shuttle service to and from the school will be provided.

BUFFERS: The setbacks are noted along the sides and rear of the property at 20 and 30 feet, respectively. These setbacks are clear of buildings or parking and will remain open. The southeast property line, abutting the residential area along the drive, has approximately ten feet between the proposed drive and the adjacent lots. This is a large, almost four-acre lot. There is sufficient space and landscaping buffers that will reduce any impact on the neighboring residences.

ALTERNATIVES/ISSUES:

IMPACTS: The PUD narrative states that there will be 20 and 30 foot setbacks required along the sides and rear of the property to help alleviate any impacts. These property lines abut a single family subdivision which has been in existence for many years.

TRAFFIC: All traffic will access the site from Main Street. The existing drive will be widened, repaved and

improved for accessibility. There is not a gate proposed at the entry.

With the design proposed, adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the staggered drop-off/pick-up process by the school will help assure that no stacking problems will exist and spill out into neighborhood streets.

OTHER AGENCY COMMENTS:

PARKS BOARD: There are no additional requirements for parkland with this private school.

PUBLIC WORKS: Street, sidewalk, water and sanitary sewer improvements are existing on-site. If any additional impervious areas are created, a privately maintained detention pond will be utilized.

STAFF RECOMMENDATION: As requested by the neighbors, through neighborhood meetings, the applicant has developed a PUD narrative that established safeguards which should minimize any adverse impacts on nearby single family residences. The site plan shows designated setbacks to reduce impacts on adjacent property owners. The areas designated for the outdoor activities and children's play area are setback from the property lines creating additional separation/buffer from the residential areas. The children's play area is fenced and slightly offset behind the front of the house, on the west side. This area is far from Main Street.

Staff recommends approval of Ordinance No. O-1314-12.

The Planning Commission, at their meeting of September 12, 2013, recommended adoption of this ordinance by a vote of 5-3.

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

DIRECT: (405) 232-0621
BNice@FellersSnider.com

October 16, 2013

VIA FACSIMILE (405) 366-5389

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

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB

O-1314-12

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25) OF TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 West Main Street)

§ 1. WHEREAS, Brent Swift, General Contractor for Rose Rock School Foundation, the owners of the hereinafter described property, has made application to have the subject property removed from the R-1, Single Family Dwelling District, and placed in the PUD, Planned Unit Development District; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the R-1, Single Family Dwelling District, and place the same in the PUD, Planned Unit Development District, to wit:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 245. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southeast Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58' West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Said tract contains 3.72 acres, more or less.

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

a. The site shall be developed in accordance with the Site Development Plan (Exhibit A) and the PUD Narrative (Exhibit B), approved by the Planning Commission on September 12, 2013, and supporting documentation submitted by the applicant and approved by the Planning Commission, and made a part hereof.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

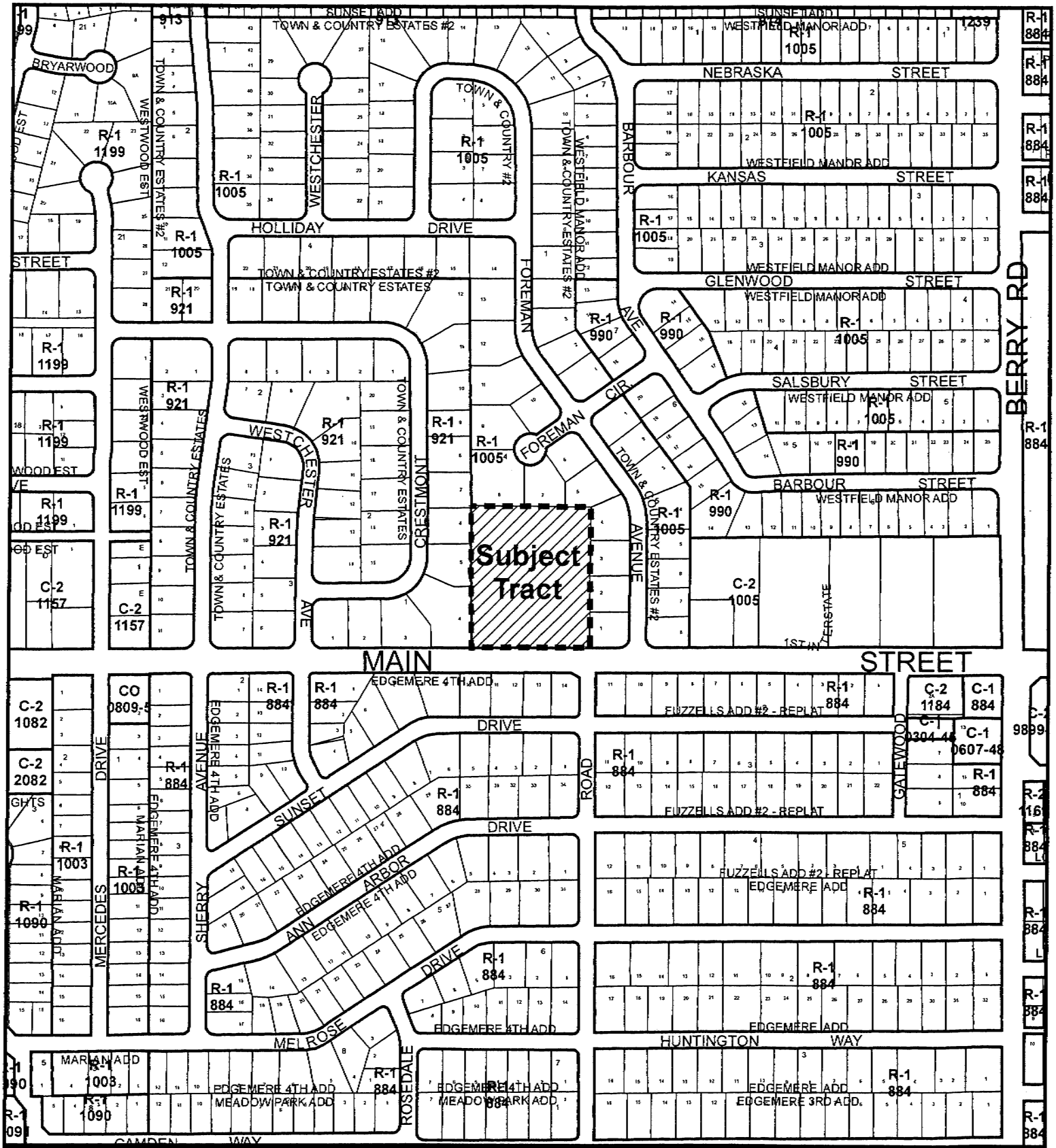
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

GIS10 MapTemplates\8x11_LocationMap\ArcMap10.mxd

ORDINANCE NO. O-1314-12 ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Brent Swift, General Contractor for Rose Rock School Foundation
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1 East: R-1 South: R-1 West: R-1
LOCATION	1515 West Main Street
SIZE	3.72 acres, more or less
PURPOSE	Private School
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential East: Residential South: Residential West: Residential

SYNOPSIS: The house located at 1515 West Main Street was purchased so that a new Waldorf based educational system school could be established on-site, Rose Rock School. The applicant is requesting a rezoning from R-1, Single Family Dwelling District to a PUD, Planned Unit Development. The purpose of the rezoning is to allow the director of the school to live on-site while managing the daily responsibilities of running the school. The current R-1 zoning would require a Special Use to allow a school to operate on-site; however, that does not allow the director to live on-site. Therefore, the applicant has requested the Planned Unit Development to allow for living arrangements on-site. The children attending this school will range in age from early childhood to elementary.

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

USE . The character of the site for this school will be a park-like green space. In keeping with Rose Rock/LifeWays/Waldorf curricula, the landscaping for the property shall be enhanced with new tree plantings, gardens, paths and fields for recreation for the students.

OPEN SPACE The parcel is approximately 3.72 acres. The proposed open space is approximately 80%; this area is reserved for gardens and student recreation areas.

PARKING On-site parking will be provided. Parking areas shall be constructed of approved materials. At maximum student capacity there will be 59 students. The proposed site plan depicts 25 parking spaces with additional area for drop-off and pick-up of the children in the circle drive.

During special events at the school, arrangements have been made with a local church to allow for off-site parking. Shuttle service to and from the school will be provided.

BUFFERS The building setbacks along the side and rear of the property are 20 and 30 feet, respectively. These setbacks are clear of buildings or parking areas and will remain open. The southeast property line, abutting the residential area along the drive, has approximately ten feet between the proposed drive and the adjacent lots. This is a large, almost four-acre lot. There is sufficient space and landscaping buffers that will reduce any impact on the neighboring residences.

ALTERNATIVES/ISSUES:

IMPACTS The PUD narrative stated there will be 20 and 30 foot setbacks required along the side and rear of the property. These property lines abut a single family subdivision which has been in existence for many years.

TRAFFIC All traffic will access the site from Main Street. The existing drive will be widened, repaved and improved for accessibility. There is not a gate proposed at the entry.

With the design proposed, adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the staggered drop-off/pick-up process by the school will help assure that no stacking problems will exist and spill out into neighborhood streets.

OTHER AGENCY COMMENTS:

PARKS BOARD There are no additional requirements for parkland with this private school.

PUBLIC WORKS Street, sidewalk, water and sanitary sewer improvements are existing on-site. If any additional impervious areas are created, a privately maintained detention pond will be utilized.

STAFF RECOMMENDATION: As requested by the neighbors, this PUD has established safeguards that should minimize any adverse impacts on nearby single family residences. The

site plan shows designated setbacks to reduce impacts on adjacent property owners. The areas designated for the outdoor activities and children's play area are setback from the property lines creating additional separation/buffer from the residential areas.

Staff recommends approval of Ordinance No. O-1314-12.

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

Introduction:
The Rose Rock School in Norman is planning to relocate to its purchased property at 1515 W. Main St. property and seeks to rezone it from R-1 to a Planned Unit Development (PUD).

Rose Rock School Mission:
"The Rose Rock School offers an education that respects the developmental stages and unique qualities of each child. Our curriculum fosters acute cognitive skills, keen emotional awareness, and meaningful worldly activity. Our long-term goal is to help lead children toward conscious adulthood, in which they respect diversity, interact harmoniously with all people, nurture and protect the natural world, and give joyfully to the communities in which they live."

"Rose Rock offers innovative education in a nurturing environment. Our Kindergarten is held in a comforting home-like atmosphere that provides many natural opportunities for learning. We offer a mixed-age setting, where the children socialize in a close-knit community, cooperating with and caring for each other. The children interact daily with the natural world. They care for our garden, relate with animal life, and play outside in all seasons. Each meal is homemade with fresh, whole, organic food and served family-style around a beautiful, simply set table. The older children help with all aspects of meal preparation and clean-up. Each day is infused with the joyful work of a happy home, and the crafts and tasks change as we progress through the seasons."

Project Description:
The partially wooded 4-acre site consists of a centrally located historic home with a detached garage. The Rose Rock School is seeking to rezone the site from R-1 to a PUD in order to relocate their school to this site and provide housing for a faculty member and his/her family. The proposed PUD will maintain the site as a single lot. This project aims to maintain as many of the existing healthy old growth trees on the site as possible, enhance the site with additional landscaping and refashion the existing drive way and parking areas in order to provide adequate parking, vehicle circulation and drop-off areas. The open green space and park-like character of the site will be preserved. Landscape areas will combine open grass areas with drought-tolerant and native plants. The existing site is within the R-1 residential district and is surrounded by single-family homes.

Project Schedule:
The construction of proposed site improvements and building improvements, where required, is anticipated to begin following all required City approvals. Improvements will be phased as needed to accommodate enrollment and City requirements. The proposed site improvements indicated, once constructed, are intended to accommodate a maximum of 59 students.

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

Proposed PUD Zoning Requirements:

PUD Statement of Purpose:
The intent of this PUD is to develop zoning guidelines that will support the mission and needs of the Rose Rock School, preserve and enhance the existing site as well as the character of the surrounding residential neighborhood.

1. Permitted Principle Use:
    1a. School for pre-K through elementary level education.
    1b. Housing for one faculty member and his/her family.
    1c. Accessory structures. Permitted structures include:
        - Existing one-story garage shall remain.
        - New storage sheds. Storage shed location zone as indicated on Site Plan. Storage sheds shall have a maximum size of 400 square feet. The total number of storage sheds shall not exceed (3) three.
        - New trash and recycling enclosures.
        - New children's play structures and equipment, with a height not to exceed 10 feet.

2. Other Permitted Uses
    2a. If the permitted principle use, as stated in #1 above, is discontinued, the property may be used for a detached one family dwelling

3. Area Regulations:
    3a. The existing land area of approximately 3.72 acres, or 162,043 square feet shall remain as a single lot. Subdivisions are not permitted.
    3b. Front Yard: All accessory structures shall be set back from street right-of-way lines at a minimum of 50 feet.
    3c. Side Yard: All accessory structures shall be set back at a minimum of 20 feet.
    3d. Rear Yard: All accessory structures shall be set back at a minimum of 30 feet.
    3e. All existing structures to remain are located within the stated setbacks.
    3f. No additional buildings or structures are permitted other than noted on the site plan submitted.

4. Height Regulations:
    4a. Existing building height of (3) stories shall remain.
    4b. Existing (1) story garage remains.
    4c. New accessory structure height shall not exceed 10 feet.

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

5. Student Count:
   5a. Rose Rock School will serve a maximum of 59 students ranging from early childhood to mixed age elementary, per Oklahoma DHS.

6. Operating Schedule:
   6a. A Rose Rock School staff member will live in residence on site.
   6b. School day operating hours will be from 8am to 5pm, Monday through Friday.
   6c. Staggered drop-off and pick-up times in 15 minute intervals shall be utilized
      6c1. Staggered drop-off times will be from 8:00 am through 8:45 am. Each drop-off interval will accommodate approximately 15 students.
      6c2. Staggered pick up times shall be from 1pm through 5pm. Each pick-up interval will accommodate approximately 20 students.

7. Landscaping
   7a. Landscaping as shown on the site plan.

8. Site Lighting
   8a. Existing light fixtures on the existing buildings remain.
   8b. New light fixtures shall comply with the City of Norman's Commercial Lighting Ordinance.

9. Waste Management
   9a. Trash and Recycling shall comply with City of Norman standards for commercial pick-up.
   9b. Trash receptacle and enclosure as shown on Site Plan.

10. Parking
   10a. Parking and paving areas shall comply with City of Norman standards and be constructed with approved materials.
   10b. (25) Twenty-five parking spaces shall be provided, which meet code requirements.
   10c. If needed, special event parking shall utilize designated areas of the drive-ways. Off-site parking will be available at St. Stephen's Methodist Church at 1801 W. Brooks St. Norman, OK 73069, along with a shuttle or carpool service to Rose Rock School.

11. Fencing Walls and Screening.
   11a. All fences, walls and screens shall comply with City of Norman requirements.

12. Signs
   12a. All signage shall comply with City of Norman requirements.

End of Proposed PUD Zoning Requirements.

ZONING SUMMARY

SITE LOCATION
1515 W. MAIN ST
NORMAN, OK 73069

CURRENT ZONING R-1 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING PUD

SETBACKS PROVIDED
50' FRONT
25' SIDE
30' REAR

OFF-STREET PARKING 25 SPACES PROVIDED

LOT AREA
3.72 ACRES (162,043 SF) - NO CHANGES PROPOSED

BUILDING FOOTPRINT
EXISTING HOUSE 7,152 SF - NO CHANGES
PROPOSED
EXISTING GARAGE 1,332 SF - NO CHANGES
PROPOSED
TOTAL 3,484 SF
BUILDING AREA SITE AREA =
3,484 SF 162,043 SF = 2.15%

PROPOSED IMPERVIOUS PAVING AREA (INCLUDES BUILDINGS) SITE AREA =
31,148 SF 162,043 SF = 19.2%

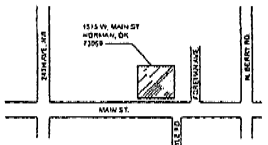
PROPOSED GREEN SPACE = 130,895 SF OR 80% OF SITE
(130,895 / 59 STUDENTS = 2,219.3 GREEN SPACE SF PER STUDENT)

PROJECT NOTES

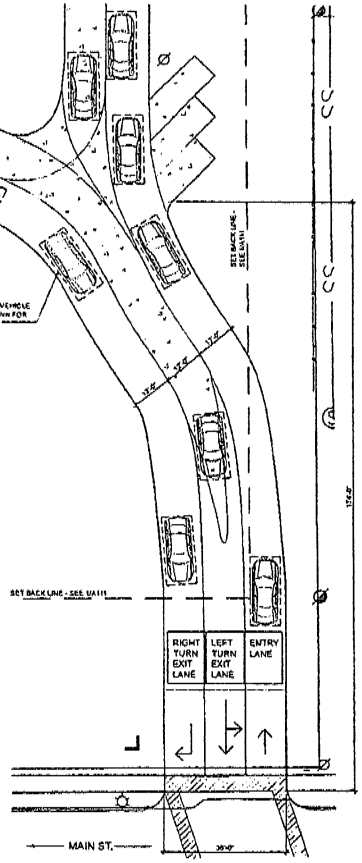
1. REFER TO PUD NARRATIVE FOR ADDITIONAL INFORMATION.

2. NEW CURB WITH RAISED CONCRETE PAVING IS PROPOSED AT PERIMETER OF BUILDING TO DIRECT DRAINAGE AROUND BUILDING. ALL OTHER NEW PAVING TO BE FLUSH WITH ADJACENT LANDSCAPING TO ALLOW EXISTING SITE DRAINAGE PATHS TO REMAIN. NO CHANGES TO OVERALL SITE DRAINAGE PATTERNS ARE PROPOSED.

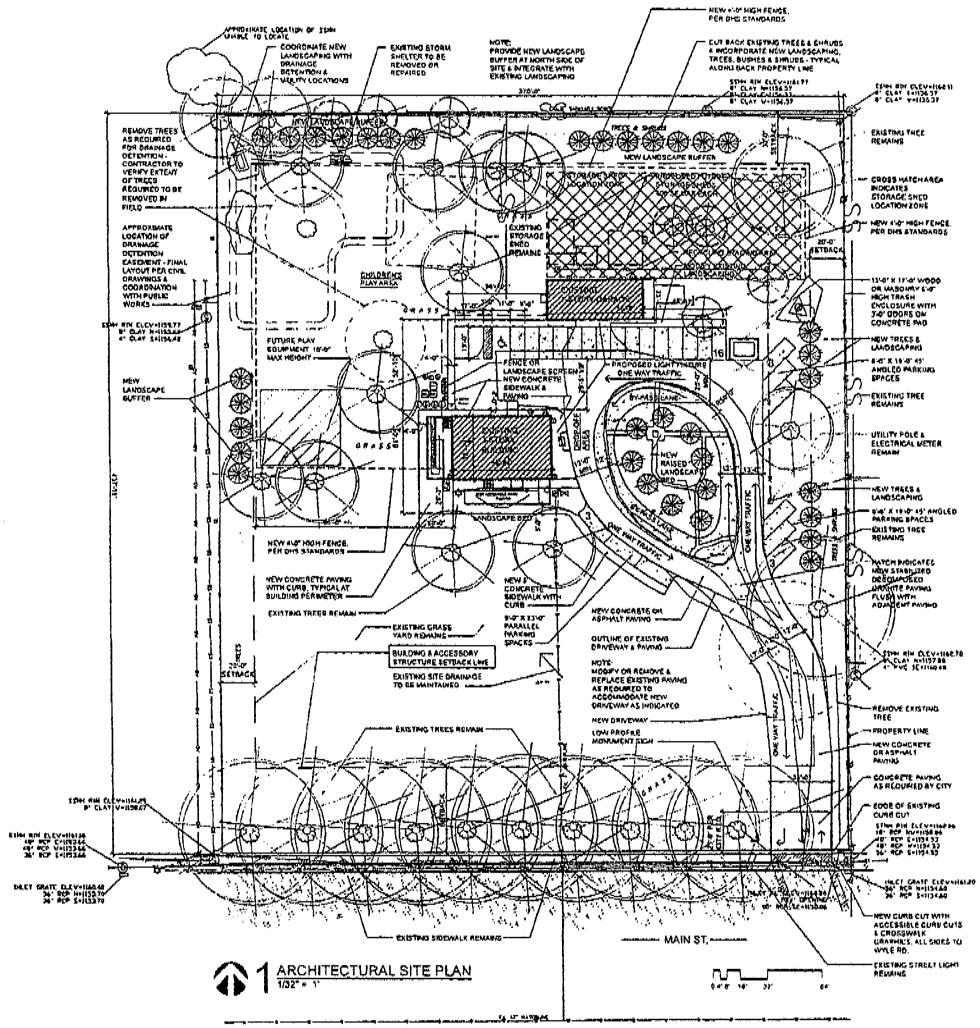
HATCH INDICATES NEW STABILIZED DECOMPOSED GRANITE PAVING FLUSH WITH ADJACENT PAVING



2 LOCATION MAP
NOT TO SCALE



1A ENLARGED SITE PLAN
TRAFFIC DIAGRAM
1/16" = 1'



1 ARCHITECTURAL SITE PLAN
1/32" = 1'

bgA
Butzer Gardner Architects
420 West Sheridan Avenue
Oklahoma City, Oklahoma 73102
405.601.4005 www.bgarchitects.com

PRELIMINARY - NOT FOR CONSTRUCTION

STATE OF OKLAHOMA
JAMES R. GARDNER
REGISTERED ARCHITECT
5 DEC 2013

ROSE ROCK SCHOOL
1515 W. MAIN ST.
NORMAN, OK 73069

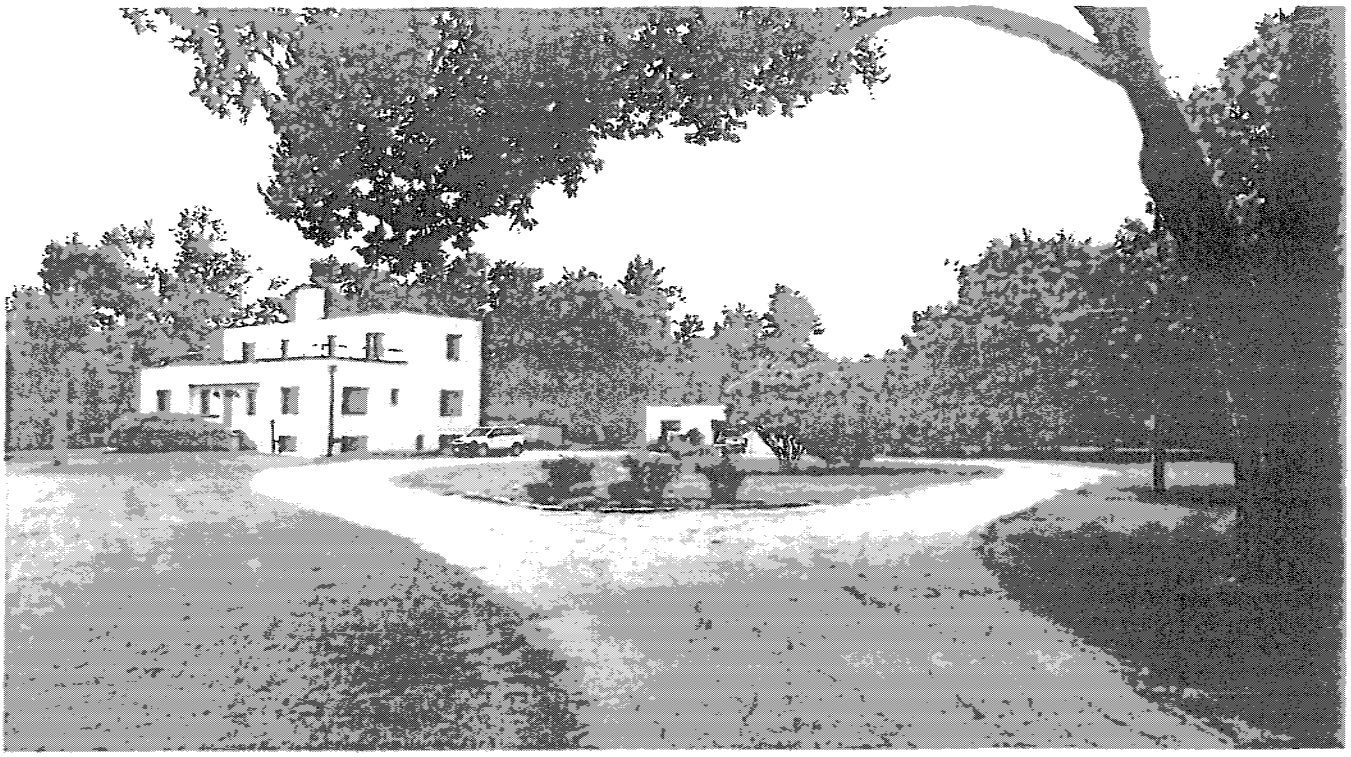
Design by: bgA
Drawn by: bgA
Review by: bgA

Date:
08.05.2013
PLANNING COMMISSION
08.29.2013
PLANNING COMMISSION - REVISED PER PRE-DEVELOPMENT MEETING COMMENTS

All drawings, and written material herein constitute original work by the Architect and the same may not be duplicated, used or disclosed without written consent of the Architect.
Copyright 2013 © Butzer Gardner Architects

Drawing Title
ARCHITECTURAL SITE PLAN

Sheet No
A111



EXISTING

PROPOSED

Butzer Gardner Architects

ROSE ROCK SCHOOL 2013.08.05

Rose Rock School – Planning Commission Submittal - General Information Only
Submitted: August 5, 2013
Revised: August 29, 2013

Johnson House
1515 W Main

Introduction
The purpose of this document is to provide general information about the existing site and residence. This document is not part of the PUD.

General House History

1. In 1939 Mr. and Mrs. E. G. Johnson built one of the largest homes constructed in Norman that year on a 4-acre tract west of Norman. The house is 74 years old.

2. Mr. Johnson, known by friends as Big Boy, due to his 6'6" stature, first bought a concrete company and then began construction of the house, which has 14" thick reinforced concrete walls.

3. The house is designed in an Art Moderne style—one of only a few remaining such structures in Norman.

4. Art Moderne was very streamlined and was most commonly in use between 1930s-1950s.

5. Big Boy Johnson was a founding member of the Touchdown Club and according to town lore, legendary OU Football Coach Bud Wilkinson was hired in the basement bar of the Johnson House in 1946.

6. As the town grew around and past it, the Johnson house has become a Norman landmark.

Historic Preservation
Given its architecture, its setting and the sheer size of the lot, the Johnson House makes a significant contribution to Norman's sense of place.

Sense of place refers to the feelings emotions and attachments that people have for a particular location—a site, a district, a community. Sense of place is the feelings and emotions we have about buildings, neighborhoods and features that we value and that make our community different from everywhere else.

The Johnson House's style and setting are a stark contrast to the suburban setting where all of the surrounding houses face away from Main Street and are hidden behind privacy fences.

The house's landmark role in Norman is due to its size, its distinctive Modernistic architecture and the fact that it faces Main Street surrounded by a 4-acre parcel. A canopy of mature oak trees lines the sidewalk. Coupled with the open expanse of lawn, the Johnson House feels like a park to everyone who passes whether by car or on foot.

The Rose Rock School is seeking to preserve all of those elements of the landmark—the house, the grounds and the setting—not just for the school but for the benefit of the entire Norman community.

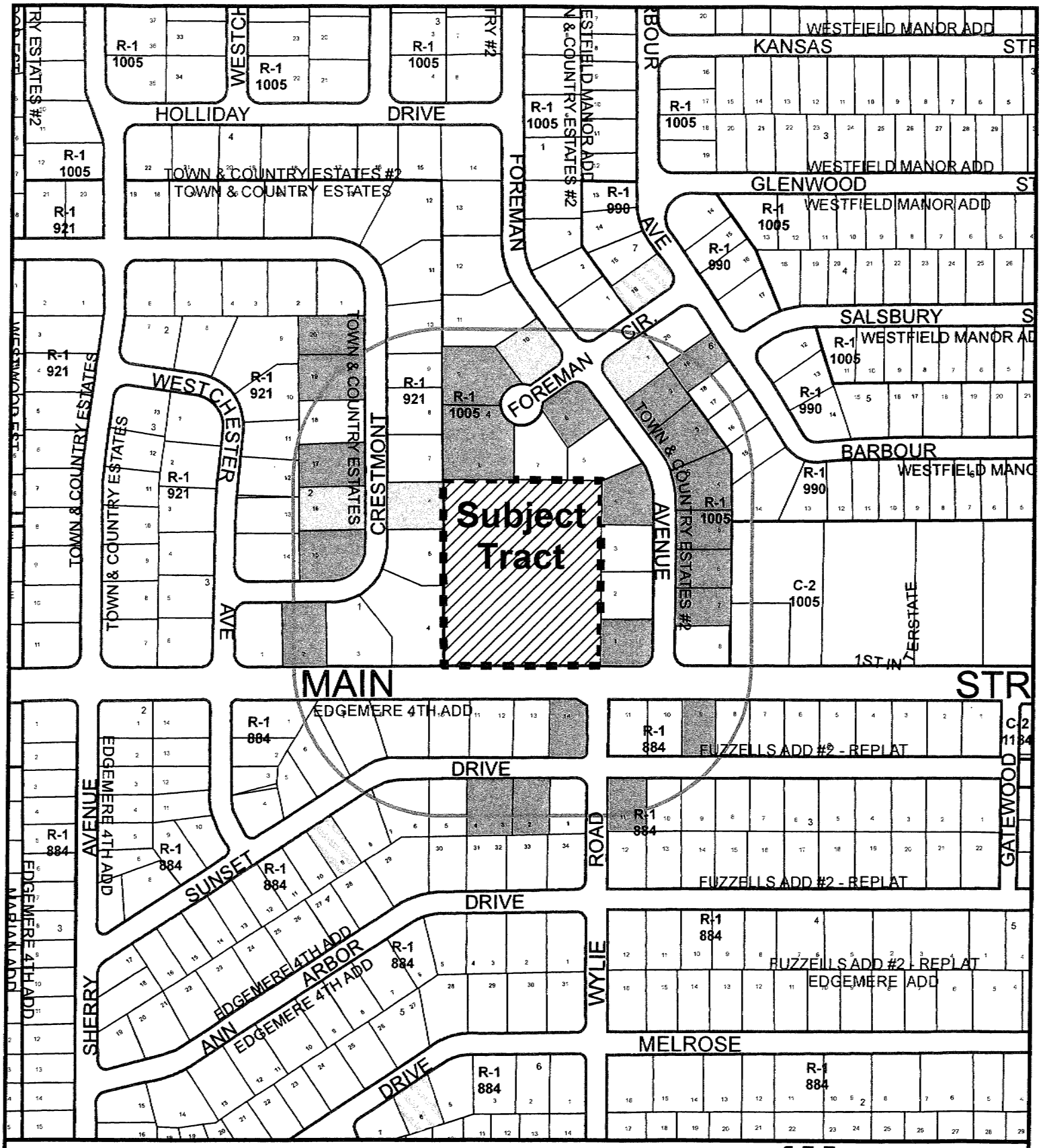
The notion of adaptive reuse of buildings is quite common in historic preservation. Throughout the country and the world, historic buildings often outlive one use and are adapted for a new and productive use. Adaptive reuse allows community landmarks to remain in place and community history to survive

Historic preservation is the ultimate green activity. After all, the greenest building is the one already built!

Investing in historic preservation conveys value not only on the property itself but that reinvestment creates value for surrounding properties.

Preserving such a landmark that contributes to Norman's sense of place creates value for everyone.

Imagine the site without the Johnson House. Imagine the site as an office park or a collection of single family houses, none of which could address Main Street but would all turn inward aware from the arterial street as current subdivision regulations require.



Protest & Support Map

38.0% Protest Within Notification Area

7.9% 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

N W E S

Scale: 1" = 300'

September 11, 2013

- Subject Tract
- Protest
- Notification Area
- Support
- Protest Outside Notification Area
- Support Outside Notification Area

34-15

August 30, 2013

Planning Commission
c/o City Clerk
City of Norman
201 West Gray, Bldg. A
City of Norman, Oklahoma

Honorable Commissioners:

I am writing this letter to oppose the rezoning of the property located at 1515 West Main Street.

It is already quite difficult for a vehicle to enter Main Street from Foreman Avenue. So, to add additional traffic to Main Street so close to Foreman Avenue, especially traffic slowing down to make a turn into 1515 West Main, would make our access to Main Street almost impossible.

Further, Norman presently has only three major East-West streets that have a relatively free flow of traffic. For the commission to permit a private school on Main Street and Wylie Road would create unnecessary congestion both directions on Main and also south bound on Wylie Road.

Further, I am concerned such zoning change will have an unfavorable, adverse and unfair impact on my and my neighbor's home values.

Lastly, the noise associated with a school will disrupt the tranquility and peace of our homes and that is not fair.

So, please do not approve this zoning change to impair this fine and established neighborhood.

Respectfully,

James F. Ryan

James F. Ryan, O.D.
211 Foreman Avenue
Norman, Oklahoma 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-3-13

FILED IN THE OFFICE
OF THE CITY CLERK
ON Sept. 3, 2013 (lb)

Sept 1, 2013

The City of Norman
201 West Gray, Bldg A
P.O. Box 370
Norman, Ok 73069

Attn: Planning Commission
RE: Requested Land Use Plan Amendment + Rezoning of 1515 West Main St. Norman-Ok

I am opposed to the rezoning from single family Dwelling to PUD. As stated in my previous opposed Statement made earlier this year.

The Home & land was purchased as single family dwelling. If the owners were planning to move their school to this address they should have gone through the proper proceedures before purchasing the home. This I feel is inconsiderate to all the neighborhood!

This is a well established quiet neighborhood which many of the owners have lived for a long time. The PUD rezoning would disrupt the entire neighborhood. Causing more congestion to our streets. Main ST already has numerous accidents each year at Wylie St and Foreman Ave, both which enter onto to Main St. The proposed drawing submitted by Rose Rock School, adds to the congestion at their driveway which they want both entrance & exits at the same locations which would go into Main St. adding yet even more traffic congestion. Plus the fact that they will have faculty parking in the same area consisting of 6 rows total parking and will also use the same driveway in + out. We have 4 schools in the same area which all of us have to deal with each day. Since my home is on the corner, I will have traffic on 3 sides of my home making it even harder to enter + exit my driveway. The majority of homeowners do not want this change. Ambulances, fire trucks & police cars also use Main St extensively which would cause them delays due to traffic congestion. We have 6 traffic lights already between flood + 24th St., this add to the congestion also.

I ask the the Rezoning for PUD be denied

Sincerely
Lottie Fuchs
34-17 Foreman Ave
Norman, Ok

PLEASE PROTECT OUR NEIGHBORHOOD!

We the undersigned protest the proposed Land Use, Zoning, and platting Applications submitted by Rose Rock School Foundation for the Property located at 1515 West Main Street in Norman, OK. The proposed school is an inappropriate use for this Property and will cause severe and lasting damage to the tranquility, livelihood, and safety of the neighborhoods around the Property, as well as severe traffic problems on West Main Street.

Printed Name	Signature	Address	Date
Dolores Bigfoot		119 N. Foreman	8 SEPT 2013
Tom Amos		224 Barbour Ave	8 Sept 2013
HOWARD D. AMOS		240 BARBOUR AVE	8 SEPT 2013
Jerry Timmons	Jerry Timmons	203 Foreman	8 Sep 13
Anita Jones	Anita Jones	133 FOREMAN	09-08-13
LeAnn Crane	LeAnn Crane	125 Foreman Avenue	09-08-13
Odette Judge		104 Foreman Ave	09-08-13

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(dh)

1/3

PLEASE PROTECT OUR NEIGHBORHOOD!

We the undersigned protest the proposed Land Use, Zoning, and platting Applications submitted by Rose Rock School Foundation for the Property located at 1515 West Main Street in Norman, OK. The proposed school is an inappropriate use for this Property and will cause severe and lasting damage to the tranquility, livelihood, and safety of the neighborhoods around the Property, as well as severe traffic problems on West Main Street.

Printed Name	Signature	Address	Date
Robert Holbrook			
Libbi Holbrook	Libbi R Holbrook	216 Foreman Cir	9/8/13
Tim W Grizzle	[illegible]	1503 Sunset dr	9/8/13
Larry Corrales	[illegible]	1505 Sunset	9/8/13
David Donaghe	[illegible]	1502 Sunset	9/8/13
Wm. Russell	[illegible]	1317 Sunset	9/8/13
Marilyn Cain	Marilyn Cain	1322 Sunset	9/8/13
[illegible]	[illegible]	1321 Sunset Dr	9/8/13
Janet Sterling	Janet Sterling	208 Foreman Ave	9/8/13
Margaret Barbour	Margaret Barbour	208 Crestmont	9-9-13
Mary Anne Tullius	Mary Anne Tullius	111 Foreman Ave.	9/10/12
Betty L. Walden	Betty L. Walden	121 Crestmont	9-9-13
Earl E Walden	Earl E Walden	129 Crestmont	9-9-13
Kathryn Salyer	Kathryn Salyer	220 Foreman Cir	9-9-13
Michelle Arnold	Michelle Arnold	128 Foreman Ave	9-9-13
Nathan Arnold	[illegible]	128 Foreman Ave	9/9/13

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(lbs)

2/3

PLEASE PROTECT OUR NEIGHBORHOOD!

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Printed Name	Signature	Address	Date
Kimberly Cooper	Kimberly Cooper	1501 Sunset Dr	9-8-13
Dillon Travis	[illegible]	1507 Sunset Dr.	9-8-13
KENT A. RAY	Kent A. Ray	1504 SUNSET DR.	08 SEP 13
Stephen McDonald	[illegible]	111 Crestmont Ave.	9/8/2013
Thomas H Kennedy		126 Crestmont	9-8-2013
BARBARA Kennedy	Barbara Kennedy		
Debbie Raison	Debbie Raison	140 Crestmont	9-8-2013
Rebecca Roby	[illegible]	219 Crestmont	9-8-2013
Charlotte Caldwell	[illegible]	218 Crestmont	9-8-2013
DALE SULLIVAN	[illegible]	224 CRESTMONT	9-8-2013

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(clk)

3/3

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

We, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in Norman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been addressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the property throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent school movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, community involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman community and this will contribute to and support the local economy.

	Name	Address	Email
1	Debby Williams	3924 Coventry Lane Norman 73072	williams.debby49@yahoo.com
2	G.F. Lacquement	510 Miller Ave. Norman 73069	lintegritas@Gmail.com
3	Matthew Leal	1308 Glenwood	lealforward2@yahoo.com
4	Caitlyn Morris		caitlyn.morris84@gmail.com
5	Mia Kile	1302 Sunset Dr., Norman	—
6	Gloria Leal	2619 S. 27th St. Duncan	
7	Amy James	1813 Oakhill Drive, Norman	abking5@att.net
8	Dena Peck	2316 Memphis Norman	
9	Deandra Cole	2316 Memphis Norman	tigerkatoldc@aol.com
10	Patrick Peck	2316 Memphis Norman	
11	Grant Peck	" "	
12	Logan Jobe	" "	
13	[illegible] Murphy		
14	Cybele Hsu	612 Classen Blvd Norman	cybele.hsu@gmail.com
15	Joy Hsu	612 Classen Blvd, Norman	joy10180@yahoo.com
16	Cammi Bain	8535 Alameda St	
17	Doug Bellis	8535 Alameda St	doug.bellis@chk.com
18	Shanna Linton	1420 24th Ave SE	
19	Kevin Harris	1420 24th Ave SE	
20	Diane VanLandingham	426 W. Eufaula St 73069-5625	d.gardendancer@gmail.com

34-21

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

We, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in Norman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been addressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the property throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent school movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, community involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman community and this will contribute to and support the local economy.

	Name	Address	Email
1	Hester Baer	421 College Ave Norman 73069	hesterbaer@yahoo.com
2	Kimberly Privett		
3	Morgan Hudson	2505 Black Oaks Cir	morgan.d.hudson@gmail.com
4	Kira Maryaski	113 Monticello Rd Norman OK	
5	Coco Aguayo	3001 peasant 173	
6	Melodi Byrd	417 Margaret Norman	
7	[redacted]	[redacted]	[redacted]
8	Ann Reza	1508 Melrose Dr Norman	annreza@gmail.com
9	Enriqueta Guerra	805 N. 4th Ave.	
10	Carol Dr Crawley	2881 Jefferson St	Norman OK 73072
11	Cameron Steele	4069 Cardinal Creek Blvd 7307	—
12	Jimmy & Ward	2840 Dalewood Pl	Norman 73071
13	Thom Marak	313 Sequoyah Dr. 73071.	t.marak@att.net
14	Linda Sullivan	1913 Sequoyah	
15	Donna Lindsay	122 Comanche Purcell	
16	[redacted]	[redacted]	[redacted]
17	Dan Ernest	4701 S Fernwood Ave	
18	Meredith Everitt	310 E. Boyd St Apt 7	everitt@ou.edu
19	Barbara C Yoder	1400 Brighton Ave OKC	
20	Brooklyn Jackson	1222 Windsor Way 73069	jackson.brooklyn@yahoo.com

34-22

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

Ve, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in lorman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been ddressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the roperty throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent chool movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, ommunity involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman ommunity and this will contribute to and support the local economy.

	Name	Address	Email
1	Frances whalen	700 Iowa St. Norman, OK 73069	ffwhalen@gmail.com
2	CHERYL YAROSLAVSKI	1029 MADISON NORMAN "	cyaros@cox.net
3	Andrea Peery	15900 96th St. Lexington OK 7305	andrea.peery@yahoo.com
4	Maggie Milliken	1508 Charles St. Norman 7306	9
5	Valerie Wintrow	2118 S Santa Fe Apt 101 Moore 73160	
6	Char Bradley	600 Nebraska St, Norman, OK 73069	
7	Elyse Bogart	309 Merkle Dr Norman 73069	
8	Nelida Alvarez	218 Collier Dr. Norman, OK 73069	
9	Erika Larkins	516 Macy St Norman OK 73071	erika larkins @ gmail.com
10	[illegible]	25428 Soonar ave	
11	Dena Hays	1115 Arkansas 73071	denahays@yahoo.com
12	[illegible] Kee-Rees	135 Crestmont Ave, Norman	jkeerees1@gmail.com
13	Kristie Crouch	4400 W. main #125 Norman 73072	KSkipton@gmail.com
14	Julie Adams	225 SW 148th OKC, OK 73170	valentine72@att.net
15	Theresa Fulk	1320 Aspen Lane Norman 73072	Theresa.M.Fulk-1@ou.Edu
16	Justin Jackson	508 Saratoga Ln Norman 73071	
17	Aaron Mckey	1105 McNamee, Norman 73069	
18	Amanda Jenks	3003 River Oaks Dr #252 Norman 73072	
19	Dace Demia	2804 VICTORIA DR, NORMAN OK 73072	ddemia@ou.edu
20	RYAN PRUETT	113 MONTICELLO RD. NORMAN, OK 73072	PRUETTRYAN8@GMAIL.COM

34-23

Subject: RE: Rose Rock School - email in support
Date: Monday, April 1, 2013 7:33:56 AM CT
From: shanah vassar
To: Ahmadi, Kasra G.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

> Date: Mon, 1 Apr 2013 01:44:39 -0400
> From: stephanieroyse@cox.net
> To: howyougonnalive@hotmail.com
> Subject: Rose Rock School - email in support
>
> March 30, 2013
>
> To Whom It May Concern:
>
> I am writing this letter to express my support for the development of Rose Rock School on the property adjacent to the Town & Country addition in Norman. It is my opinion that the establishment of a Waldorf school that can serve a greater number of students in central Norman will be an asset to our neighborhood and the entire community.
>
> My children attended Children's House Montessori School in Norman when they were small. While Montessori and Waldorf schools are not identical in philosophy, I do believe they both offer very young learners an understanding about their place in the world and incorporate the vital concept of social responsibility into the students' curriculum at a very early age. The more children who can be exposed to this philosophy the better. They will be the ones caring for our community as we grow too old to do so ourselves.
>
> I realize that some of my neighbors have concerns about having the school located near our homes. Of the concerns that were voiced, I felt the only truly legitimate issue was the prospect of rezoning the area. Now that I understand how the change in zoning would be dealt with if someone wanted to build a strip mall or other commercial venture on the property, my concerns have been assuaged.
>
> Perhaps most importantly, I am eager to see this piece of property remain in the hands of one owner. Knowing that there are no plans to divide and sell off the property to a variety of owners or tear down the existing home are of great comfort to me. Open spaces are at a premium in our beautiful community and the idea of placing the Rose Rock School on this piece of property sounds like the ideal use for this unique piece of land. Thank you.
>
> Sincerely,
>
> Stephanie Royse
> 224 Foreman Circle
> Norman, OK 73069
> (405) 615-5879
> stephanieroyse@cox.net

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

TO: Norman City Council

FROM: Mr. L. Dee Fink, resident Dee Fink
234 Foreman Avenue, Norman

RE: My Support for the Proposed Location of Rose Rock School on West Main Street

DATE: March 25, 2013

I am a person who has changed my position regarding the proposed location of Rose Rock School on West Main Street in Norman. At the Planning Commission meeting in May, 2012, I spoke in opposition to the school locating here, citing its excessive size (~250 students) and the resulting traffic/parking problems. But I also said if the school reduced the number of students to, say, 150, I would withdraw my opposition.

Since that time, Rose Rock has drastically reduced the number of students it proposes to have, to 59, and has worked extensively to solve the traffic and parking issues. As a result, I now **SUPPORT** their location on this site, for three reasons:

1. **Rose Rock has worked very hard to hear the community concerns and has made significant changes in an effort to accommodate those concerns.**
   - They have arranged to meet with people in this community, in our community, multiple times.
   - They have made extensive changes in their plans for the school, for example:
     - Reducing the size of the school
     - Re-arranging the traffic flow in and out of the school grounds
     - Reducing the total "footprint of the school" on the lot, e.g., no new buildings, reduced light glare to the immediate neighbors, etc.
2. **Rose Rock will be a good neighbor in this community.**
   - If Rose Rock does not come into this location, something else will.
   - There are very few home owners or business owners (if that were allowed) who would work as hard as Rose Rock has, to listen to and adjust their plans to our expressed needs.
   - The desire to be a good neighbor is part of their whole educational philosophy; that attitude will not go away "tomorrow".
3. **Our community should work to accommodate special schools; that is a responsibility we should take on gladly.**
   - All schools are in a general sense "good" but not all schools have the special character of Rose Rock, to promote a green attitude toward the environment, a "let's learn how to get along" attitude towards other people, and let's help each other learn. This is a very special kind of school.
   - When we have the opportunity to keep and support this kind of school in Norman, we should work hard to do that, not create roadblocks for it.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

Mary Jo Tinsley
1512 Sunset Drive
Norman, OK 73069
March 30, 2013

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

I live just outside the 350 foot area, at 1512 Sunset Drive., that has received the notice from the City of Norman about the Rose Rock School zoning at 1515 W. Main Street. I would like to express my wholehearted support for the school.

I am glad that the property was purchased by someone that is interested in keeping the structure same and who is interested in residing at the house to give it a home feel. I was worried that the property would be purchased and torn down to build another gas station, strip mall, more unnecessary houses, etc.

Rose Rock School has done a lot to alleviate traffic concerns by proposing a school of only 59. I appreciate that they have added parking and widened the driveway to accommodate the extra traffic flow. I go through that intersection every day and I just don't see how this could be an issue, especially since they reduced their student numbers. I appreciate Rose Rock School's approach of minimal impact to the neighborhood and support their PUD application.

Rose Rock School has been working with neighbors for about a year in addressing our concerns since the Planning Commission meeting in May 2012. I sincerely appreciate that about them. They have demonstrated to me that they will be strong partners in our neighborhood and our community.

Sincerely,

Mary Jo Tinsley

Mary Jo Tinsley

March 25, 2013

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

To Whom it May Concern;

My name is David Spradling. My family and I live at 134 Crestmont Avenue. This letter is to voice our support for George and Shanah Ahmadi and the Rose Rock School at 1515 W Main.

Our family has discussed this matter and we feel there are several important reasons to support the Rose Rock School and their proposal. These reasons include historic preservation, community and neighborhood growth and property value.

Firstly though, I have had the pleasure to know and spend time with the Amhadis over the last 5 years and I have found them to be honest, forthright and upstanding members of our city. They are exactly the sort of neighbors we want living and working in our neighborhood. Over the course of the last few months I have seen the Ahmadis work very hard to discover and address reasonable neighborhood concerns. It is clear to me they are trying to work with neighbors. I believe they will work diligently to improve the area, serve their clients and make our neighborhood a better place.

The house at 1515 W Main is an historic fixture in Norman and the Rose Rock School plans to keep and use it. Our family is deeply concerned that were any other plan for that property by any other business or development be approved the house would come down. I know the Rose Rock School plans to improve the grounds as well. We are anxious to see the results.

The Rose Rock School also means a chance for our neighborhood and community to grow. The plan is to create a small private elementary school. Our family thinks kids are great and is in favor of more and different educational choices for them. More and different choices is one of Norman's strong points and we shouldn't shrink from it now.

Our last and perhaps most important reason for supporting the Rose Rock School is property value. It is my understanding that having a school in the area will neither increase or decrease the value of our home. However, the same could not be said were another, larger business to decide to move onto that property. We would like to see this community come together to support this locally based business because the alternatives are much less appealing.

Our one significant concern about the proposal is much the same as many others; traffic. Having the Rose Rock School at 1515 W Main will mean more traffic in the area. Rose Rock School has a viable plan to accommodate the extra traffic and lessen the impact on the surrounding neighborhood. We believe this concern to be less significant that the possible benefits of having the Rose Rock School in our neighborhood.

I came to Norman in 1987 and have made this my home. Norman is a city of independence, thoughtful rebellion and boundry pushing free thinkers. We strongly believe the Rose Rock School fits that

mindset and fits our community and our neighborhood. We should welcome their efforts to make our city a better place.

There are many views and many voices in this debate, most all of them important and worth hearing. Thank you for the opportunity to make ours heard.

David Kelso Spradling and Family

TO: Barbara Hall, City Clerk
City of Norman

FROM: Arletta Fink Arletta Fink
234 Foreman Avenue
Norman, Oklahoma 73069

RE: The PUD Proposal for Rose Rock School

DATE: September 26, 2013

It is my understanding that the City Council will hold a hearing about the PUD Proposal for Rose Rock School on October 22, 2013.

As one of the residents near the location of the proposed school, I would like to place on record my support for the location of Rose Rock School at 1515 Main Street, Norman, Oklahoma.

I think Rose Rock personnel have listened well to the residents in this area and have made numerous, substantial adjustments in their proposal. As a result, the size of the school is much smaller and the traffic flow patterns appear to minimize traffic issues.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-1-13

October 7th, 2013

Dear Brenda Hall,

This is a letter of wholehearted support for the Rose Rock School's new location at 1515 Main Street!

My son James is nearly 3 years old. Like every parent, I want my child to get the best possible education, taught to him by teachers who see him as the sweet individual soul that he is. Just after we settled here about a year and a half ago, I dove in and started my search for the best Pre-K and Kindergarten program in town.

I visited and observed at several popular local preschools, interviewed a lot of caregivers and teachers, and read extensively about all the different early childhood philosophies. Norman is blessed with a lot of great schools, but I couldn't find one that felt quite right for us. I thought I was going to have to compromise. But then I found Shanah Ahmadi and the Rose Rock School, and my search for the right school was over. I have never met a more content, harmonious and peaceful group of people working together than the teachers and students of the Rose Rock School.

And now I hear they are set to officially relocate just a stone's throw from our home, in the beautiful historic white house! Please, please let it be so! We live just across Main Street on Sunset Drive, and my husband and I are thrilled by the prospect of being able to walk or bike our son to school and the other community events held at Rose Rock, and to subtract one of our cars from the morning crush of traffic.

My own selfish, time-saving reasons aside, I know that the Rose Rock School will be nothing but an asset to the area. My family is invested in this neighborhood and we're in favor of anything that adds value, safety, beauty and positivity to our surroundings. The principles on which the school is founded inspire compassion, personal responsibility, community-mindedness and the joy in simple things. These are elements every place needs more of, and the Rose Rock School will be a valuable presence. I am so happy that the school is here in Norman, and even more excited to be living so close to its beautiful new location!

Please count me, my husband and my son as neighborhood voices in favor of Rose Rock School coming to 1515 Main Street.

Sincerely,
Alicia M. Collins

Alicia M. Collins

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-8-13

City of Norman, OK

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

Master

File Number: PP-1314-5

File ID:	PP-1314-5	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock School Prelim Plat			**Final Action:**	

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

Notes: **APPLICANT HAS REQUESTED POSTPONEMENT UNTIL NOVEMBER 12, 2013**

ACTION NEEDED: Motion to approve or reject the preliminary plat for Rock Rock School Addition.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 35

Attachments: Letter of Postponement, Text File Prelim Rose Rock, ATTACHMENT A.pdf, Location Map, Preliminary Plat Rose Rock Addition, Staff Report, Transportation Impacts, Rose Rock Site Plan, Greenbelt Comments Rose Rock Addition Prelim, 9-12-13 PC Minutes - Rose Rock School

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass

Action Text: That this Preliminary Plat be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/22/2013 by consent roll call

Text of Legislative File PP-1314-5

Body

BACKGROUND: This item is a preliminary plat for Rose Rock Addition, a Planned Unit Development, and is

located at 1515 West Main Street. This property consists of 3.72 acres and one (1) residential lot for the purposes of a private school serving kindergarten through 5th grade including the applicant's ability to live on site. Prior to annexation in 1956, this property was part of the Johnson Dairy Farm. The 3-level house was built in 1940. This is an unplatted parcel of land. City Council, at its meeting of August 14, 1956, adopted Ordinance No. 1005 annexing and placing this property in the R-1, Single Family Dwelling District. The plat of Town and Country Estates Addition located to the west of this property was annexed in the City in 1955. The plat of Town and Country Estates 2nd Addition located to the north and east was annexed in the City in 1956. Both additions were zoned R-1, Single Family Dwelling Districts.

Planning Commission, at its meeting of September 12, 2013, recommended amending the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation and recommended approval of the request to place this property in the Planned Unit Development District. At its same meeting, Planning Commission recommended approval of the preliminary plat for Rose Rock Addition. The proposed school will facilitate 59 students and 5 faculty members for students in grades kindergarten through 5th grade. There are no plans in the current proposal for new structures on the property. The current proposal for the school is to remodel the existing structure to meet the requirements of the school.

DISCUSSION: The proposed private school will utilize the existing buildings on this site rather than constructing a new building. Ultimately, the school will accommodate up to 59 students. At full build-out, the proposed 59 students in this private school are expected to generate approximately 146 trips per day. The traffic capacities on the surrounding streets 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 location of the development, the applicant was required to submit a traffic impact study. The subject study was received from Traffic Engineering Consultants, Inc., on April 24, 2012.

The installation of a traffic signal is recommended for the intersection of Main Street and Wylie Road. The access for the proposed Rose Rock School intersects Main Street slightly west of the existing Wylie Road intersection. However, under the proposed scenario, the future traffic signal will control movements on and off Wylie Road as well as in and out of the school. The traffic impact study shows that the proposed signal will be warranted with or without the development of the proposed Rose Rock School by the year 2016. Staff will continue to monitor the intersection moving forward to determine if, and when, a traffic signal might be warranted.

In response to neighborhood concerns regarding potential queuing on Main Street during the after school pick-up times, the traffic engineering consultant provided additional information. Adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the drop-off/pick-up process by the school, coupled with the decreased enrollment from what had previously been shown, 265 students, to the current 59 student enrollment, will help to assure that no traffic safety problems will result from this proposed development.

The proposed location of Rose Rock School along a principle arterial such as Main Street where there is a fairly high likelihood their students and/or parents with children could cross Main Street to get to/from the school should be equipped with a flashing school beacon on both eastbound and westbound Main Street approaches to the school. Flashing school beacons require vehicles to reduce their speed to 25 mph during certain hours of the day. The applicant should fund or partner with the City to have these beacons installed. The only exception to this requirement for previous schools has been those locations where it is impractical to assume that students would cross the street to get to/from the school such as Community Christian School on Interstate Drive south of Tecumseh Road.

Public improvements for this property consist of the following:

Storm Sewers. Storm water will be conveyed to a proposed privately maintained detention facility in the northwest corner of the property and storm water will be conveyed to the existing public drainage system.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

Traffic Items. Install, or provide funding for installation by city forces, solar powered flashing school beacons on eastbound and westbound approaches to proposed Rose Rock School. Estimated cost is $ 11,000.

RECOMMENDATIONS: Based on the above information, Staff recommends approval of the preliminary plat for Rose Rock Addition, a Planned Unit Development, subject to the approval of Resolution No. R-1314-25 and Ordinance No. O-1314-12.

ATTACHMENT A

Preliminary Plat for Rose Rock Addition

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Main Street	5	30,150	146	30,296	36,000	83.75	84.16

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

DIRECT: (405) 232-0621
BNice@FellersSnider.com

October 16, 2013

VIA FACSIMILE (405) 366-5389

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

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

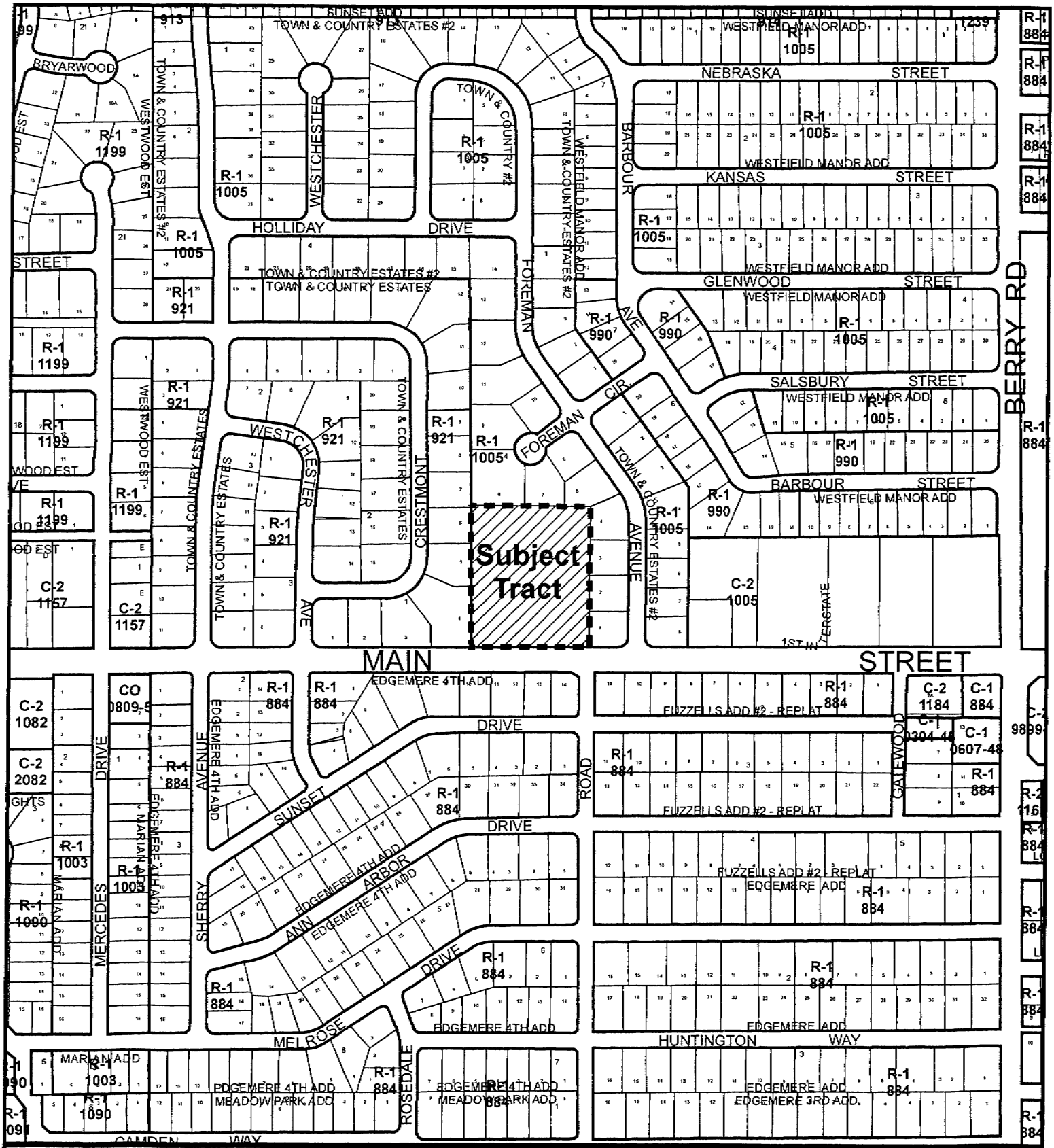
The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB



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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

3510 MapTemplates\8x11_LocationMapArcMap10.mxd

Preliminary Plat

Rose Rock School Addition
Planned Unit Development

A Subdivision of part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian to the City of Norman, Cleveland County, Oklahoma

Vicinity Map
(Not to Scale)

NORTH
GRAPHIC SCALE
0 30 60
1 INCH = 30 FT.

Property Description:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 243. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southeast Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58, West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Easement Information:

First American Title Insurance Company, Commitment No.: 1630696-NC01, Effective Date: October 14, 2011 was relied upon for easements of record for this property.

Elevation Information:

Datum used for contour elevations per City of Norman Survey Control Monument Station No. 340.

Note:

1. The Private Well is to be used for irrigation purposes only and there will be no cross contamination with Public utilities.

Name and Address Information:

Owner: Rose Rock School Foundation, 502 N. Park Avenue, Norman, OK 73069

Architect: Aaron Pilat, 828 W. Sheridan Avenue, Oklahoma City, OK 73102

Engineer: Rizwan Najmi, 4106 N.W. 143rd Street, Oklahoma City, OK 73134

Land Surveyor: Robert P. Outland, P.O. Box1394, Norman, OK 73070

Legend:

- TREE
- TRANSFORMER POLE
- POWER POLE
- AIR CONDITIONER UNIT
- GAS METER
- TELEPHONE RISER
- SANITARY SEWER CLEANOUT
- HOSEBIB
- WELL
- WATER METER
- WATER VALVE BOX
- FIRE HYDRANT
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- Corrugated Iron pipe
- OVERHEAD ELECTRIC LINE
- STOCKADE FENCE
- CONCRETE
- ASPHALT
- GRAVEL

Detail - Drainage Easement
(NOT TO SCALE)

Flood Information:

By graphic plotting only, this property is in Zone "X" per Flood Insurance Rate Map, Community No. 40027C0260H, Panel 260 of 475, which bears an effective date of 9/26/2008.

Underground Utility Locations:

No under ground utilities were located.

Zoning Information:

Current Zoning - Zone: R-1 (Single Family Dwelling District)

Proposed change of Zoning - P.U.D. (Planned Unit Development)

Zoning was obtained per the city of Norman,
Web site: www.ci.norman.ok.us/planning/planning-zoning

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 ROSE ROCK SCHOOL 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.

PRIORITY
Land Surveying, LLC

Preliminary Plat
Rose Rock School Addition
Planned Unit Development

Date: 8/12/2013

Project Address:	1515 W. Main Street
Project Location:	Norman, Oklahoma
Project Name:	Rose Rock School
Job Number:	10465

Sheet 1 of 1

Drawn By:	ZC
Job Number:	10465
Checked By:	RFO
Date:	3/29/12
Scale:	1"=30'

35-4

PRELIMINARY PLAT — ITEM NO. 8c

PP-1314-5

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for ROSE ROCK SCHOOL ADDITION, A PLANNED UNIT DEVELOPMENT.

LOCATION: Located at 1515 West Main Street.

INFORMATION:

1. Owner. Shanah Ahmadi.
2. Contractor. Brent Swift.
3. Surveyor. Priority Land Surveying, L.L.C.

HISTORY:

1. August 14, 1956. City Council adopted Ordinance No. 1005 annexing this property into the City limits and placing this property in the R-1 zoning classification.
2. May 10, 2012. Planning Commission, on a vote of 8-0, recommended denial of Ordinance No. O-1112-36, placing this property in the Planned Unit Development (PUD) and removing it from R-1, Single-Family Residential zoning district.
3. May 10, 2012. Planning Commission, on a vote of 8-0, recommended to City Council denial of the preliminary plat for Rose Rock Addition, a Planned Unit Development.
4. March 12, 2013. City Council postponed first reading of Ordinance No. O-1112-36 at the request of the applicant.
5. March 26, 2013. City Council approved first reading of Ordinance No. O-1112-36.
6. April 9, 2013. The applicant requested postponement of Ordinance No. O-1112-36 until April 23, 2013.
7. April 23, 2013. The applicant withdrew Ordinance No. O-1112-36 and the preliminary plat.
8. September 12, 2013. Agent for the owner has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation for property located at 1515 West Main Street.

9. September 12, 2013. Agent for the owner has made a request for rezoning from R-1, Single Family Dwelling District to PUD, Planned Unit Development for property located at 1515 West Main Street.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrant is existing serving the existing structures.

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

3. Sanitary Sewers. Sanitary sewer mains are existing.

4. Sidewalks. Sidewalks exist adjacent to West Main Street.

5. Storm Sewers. Storm sewer and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately-maintained detention facility will be utilized for any new impervious paving.

6. Street. West Main Street is existing.

7. Traffic Signal. The Traffic Impact Analysis has been submitted by the owners. It has been determined a traffic signal is warranted at the intersection of Main Street and Wylie Road in the future. The owner will contribute to this proposal.

8. Water Mains. There is an existing twelve-inch (12") water main adjacent to West Main Street.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. Street right-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The developer/owner is proposing a private school with the capability for caretakers to live on the property. Staff recommends approval of the preliminary plat subject to Planning Commission's recommendation of the amendment of the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation and Ordinance No. O-1314-12 placing this property in the Planned Unit Development (PUD).

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Rose Rock School Addition.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 4, 2013

STAFF REVIEW BY: David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Rose Rock School
PROJECT TYPE: Private School PUD

Owner: Rose Rock School Foundation
Developer's Architect: Priority Land Surveying
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Low density residential development surrounds the proposed school site. Commercial development exists to the west just east of Mercedes Drive and to the east just west of Berry Road.

ALLOWABLE ACCESS:
Proposed access will meet Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Main Street: 5 lanes (existing and future). Speed Limit - 35 mph. No sight distance problems. Center turn lane in median.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐
Proposed access for the development will be in compliance with what is allowed in the City's Engineering Design Criteria.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	150	75	150
A.M. Peak Hour	56	31	25
P.M. Peak Hour	31	15	16

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The proposed private school will be developed to provide education for 59 students with eight (8) instructors. At full build-out, the proposed 59 students in this private school are expected to generate approximately 150 trips per day. The traffic capacities on the surrounding arterial and collector roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

The installation of a traffic signal is recommended for the intersection of Main Street and Wylie Drive. The access for the proposed Rose Rock School intersects Main Street slightly west of the existing Wylie Drive intersection. However, under the proposed scenario, the traffic signal would control movements on and off Wylie Drive as well as in and out of the school. The traffic impact study shows that the proposed signal will be warranted with or without the development of the proposed Rose Rock School by the year 2016. Impact fees attributable to the school to fund their share of the project, based on a $150,000 construction cost, are $250. In addition, the existing striping on eastbound Main Street will need to be modified to provide dedicated left-turn storage into the school access drive and school beacons will need to be provided for both Main Street approaches to the school driveway. Estimated cost for the striping modifications and two solar school beacons installed is approximately $12,000.

In response to neighborhood concerns regarding potentially queuing during the after school pick-up times, the traffic engineering consultant provided additional information. Adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the drop-off/pick-up process by the school will help to assure that no stacking problems will exist and spill out into neighborhood streets. The staggered start/end times are part of the current application, as well.

ZONING SUMMARY

SITE LOCATION:
1515 W. MAIN ST.
NORMAN, OK 73069

CURRENT ZONING: R-1 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING: PUD

SETBACKS PROVIDED:
50' FRONT
20' SIDE
30' REAR

OFF-STREET PARKING: 28 SPACES PROVIDED

LOT AREA:
3.73 ACRES (162,943 SF) - NO CHANGES PROPOSED

BUILDING FOOTPRINT
EXISTING HOUSE: 3,152 SF - NO CHANGES PROPOSED
EXISTING GARAGE: 1,332 SF - NO CHANGES PROPOSED
TOTAL: 3,484 SF
BUILDING AREA : SITE AREA =
3,484 SF / 162,943 SF = 2.13%

PROPOSED IMPERVIOUS PAVING AREA (INCLUDES BUILDINGS) : SITE AREA =
31,149 SF / 162,943 SF = 19.2%

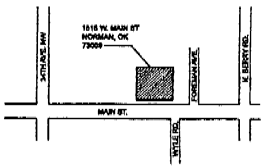
PROPOSED GREEN SPACE = 130,866 SF OR 80% OF SITE
(130,866 / 68 STUDENTS = 3,219.6 GREEN SPACE SF PER STUDENT)

PROJECT NOTES

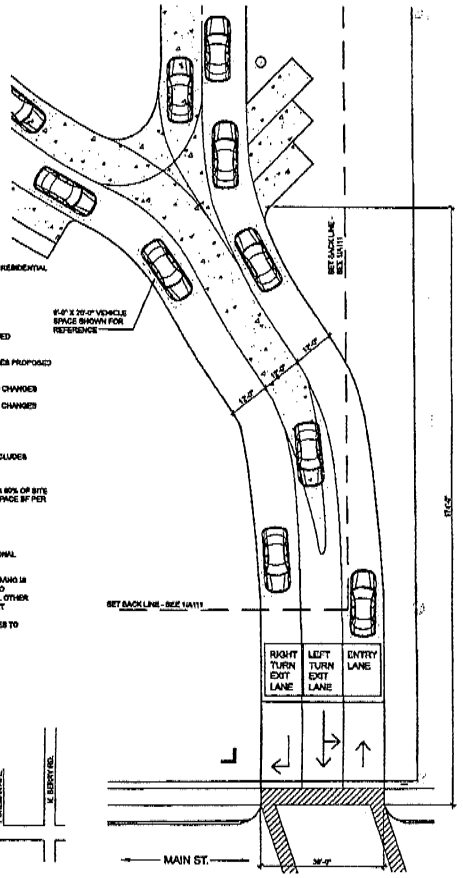
1. REFER TO PUD NARRATIVE FOR ADDITIONAL INFORMATION.

3. NEW CURB WITH RAISED CONCRETE PAVING IS PROPOSED AT PERIMETER OF BUILDING TO DIRECT DRAINAGE AROUND BUILDING. ALL OTHER NEW PAVING TO BE FLUSH WITH ADJACENT LANDSCAPING TO ALLOW EXISTING SITE DRAINAGE PATHS TO REMAIN. NO CHANGES TO OVERALL SITE DRAINAGE PATTERNS ARE PROPOSED.

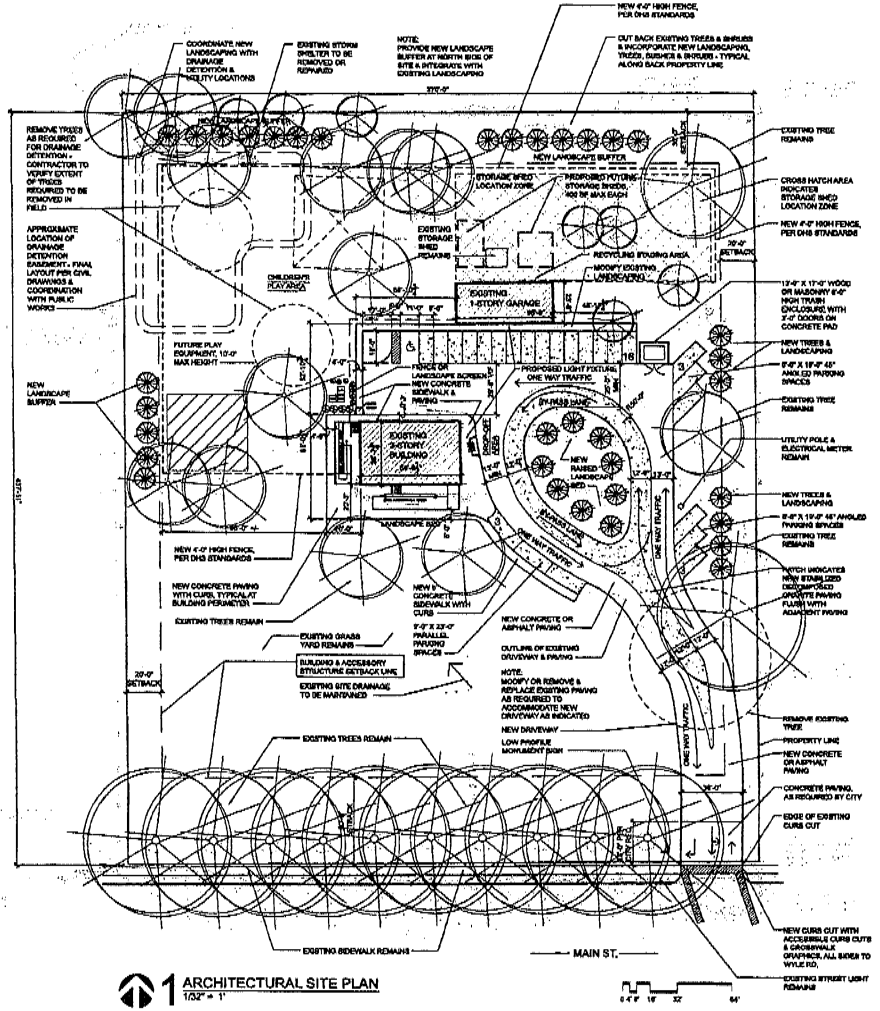
HATCH INDICATES NEW STENCILIZED DECOMPOSED GRANITE PAVING FLUSH WITH ADJACENT PAVING



2 LOCATION MAP
NOT TO SCALE



1A ENLARGED SITE PLAN
TRAFFIC DIAGRAM
1/16" = 1'



1 ARCHITECTURAL SITE PLAN
1/32" = 1'

bgA
Butzer Gardner Architects
638 West Sheridan Avenue
Oklahoma City, Oklahoma 73102
405.601.4946 www.butzergardner.com

PRELIMINARY - NOT FOR CONSTRUCTION

STATE OF OKLAHOMA
BRIAN T. GARDNER
REGISTERED ARCHITECT
5 AUG 2013

ROSE ROCK SCHOOL
1515 W. MAIN ST,
NORMAN, OK 73069

Design by: bgA
Drawn by: bgA
Review by: bgA

Date:
08.05.2013
PLANNING COMMISSION
08.29.2013
PLANNING COMMISSION - REVISED PER PRE-DEVELOPMENT MEETING COMMENTS

All drawings and written materials herein constitute original work by Butzer Gardner Architects and may only be used with their written consent.
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Drawing Title:
ARCHITECTURAL SITE PLAN

Sheet No.
A111

GBC 13-24

Applicant: Brent Swift (Rose Rock School)
Location: 1515 West Main Street
Proposal: Land Use Plan Amendment and Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-24
Meeting of August 19, 2013

The Greenbelt Commission sends the application forward with no additional comments.

City of Norman, OK

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

Master

File Number: PP-1314-3

File ID:	PP-1314-3	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Sooner Legends Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. ONE ADDITION. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LINDSEY STREET BETWEEN 24TH AVENUE S.W. AND I-35)

Notes: ACTION NEEDED: Motion to approve or reject the preliminary plat for Sooner Legends Addition, a replat of Dickerson No. One Addition.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 36

Attachments: Prelim Sooner Legends, Attachment A.pdg.pdf, Location Map, Preliminary Plat Sooner Legends, Staff Report, Transportation Impacts, Site Plan Sooner Legends, Predevelopment Summary, Greenbelts Commission Final Comment Sooner Legends, 9-12-13 PC Minutes - PP-1314-3 Sooner Legends

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	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass

Action Text: That this Preliminary Plat be Recommended for Adoption at a subsequent City Council Meeting. to the City Council by consent roll call

Text of Legislative File PP-1314-3

body

BACKGROUND: This item is a preliminary plat for Sooner Legends Addition, a Replat of Dickerson No. 1 Addition, and is generally located on the south side of West Lindsey Street between 24th Avenue S.W. and Interstate 35. This property consists of approximately 5.03 acres. The existing hotel/conference center facility is to remain.

City Council, at its meeting of October 11, 1966, adopted Ordinance No. 1925 placing this property in the C-2, General Commercial District.

The final plat for Dickerson No. 1 Addition was approved by City Council October 12, 1971 and filed of record with the Cleveland County Clerk on November 15, 1971.

DISCUSSION: The existing hotel/conference center facility is not changing. However, with future construction related to Interstate 35, a temporary easement has been requested from the owner of this property by the Oklahoma Department of Transportation. The proposed temporary easement impacts the parking lot for Sooner Legends. The owner owns property east of his facility that fronts Briggs Street. The owner is proposing to construct a new, paved parking lot with 23 permanent parking spaces. Existing mature trees on this parcel will be retained. This property is properly zoned for a commercial parking lot, but needs to be incorporated into the existing facility as one contiguous commercial lot. As a result, the owner has chosen to replat his entire property.

There is no planned building expansion with this application. As such, no new traffic will be added to the surrounding street system as the size of the existing restaurant will remain unchanged. The traffic capacities on the affected roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. When the ODOT Interstate 35 Project is complete, the existing parking spaces will be restored. See Attachment A.

Public improvements for this property consist of the following:

Alley. An alley (Briggs Street) will be constructed and connected to the existing alley constructed with Dickerson No. 1 Addition. Staff is recommending deferral of the alley improvement based on the fact it would be removed at such time as the West Lindsey Street Bond Project (drainage) commences.

Fire Hydrants. Existing fire hydrants are adequate.

Sanitary Sewers. Sanitary sewer main is existing.

Sidewalks. There is an existing sidewalk adjacent to 24th Avenue S.W.

Drainage. A fee in lieu of detention will be utilized due to the location of this property within the drainage basin. Storm water runoff currently goes to the I-35 right-of-way. In the future when the Lindsey Street drainage system is constructed this site will utilize the proposed drainage structure that will be constructed under Briggs Street.

Streets. Twenty-fourth Avenue S.W. is existing.

Water Mains. Water mains are existing.

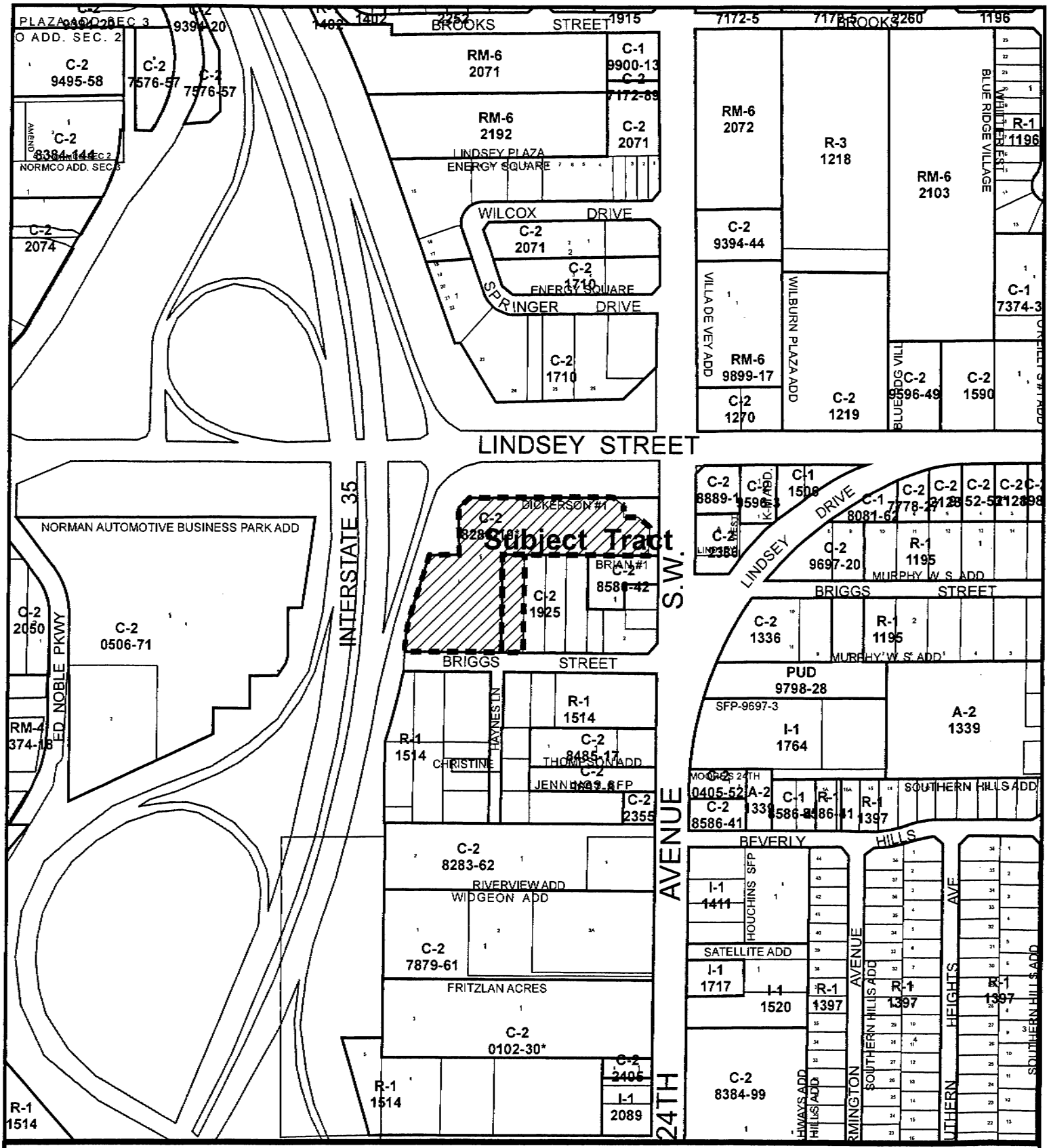
Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

STAFF RECOMMENDATIONS: Based on the above information, Staff recommends approval of the preliminary plat for Sooner Legends Addition, a Replat of Dickerson No. 1 Addition.

ATTACHMENT A

PRELIMINARY PLAT-SOONER LEGENDS ADDITION

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Lindsey Street	4	23,037	0	23,037	34,200	67.36	67.36
24th Avenue SW	4	11,618	0	11,618	34,200	33.97	33.97



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

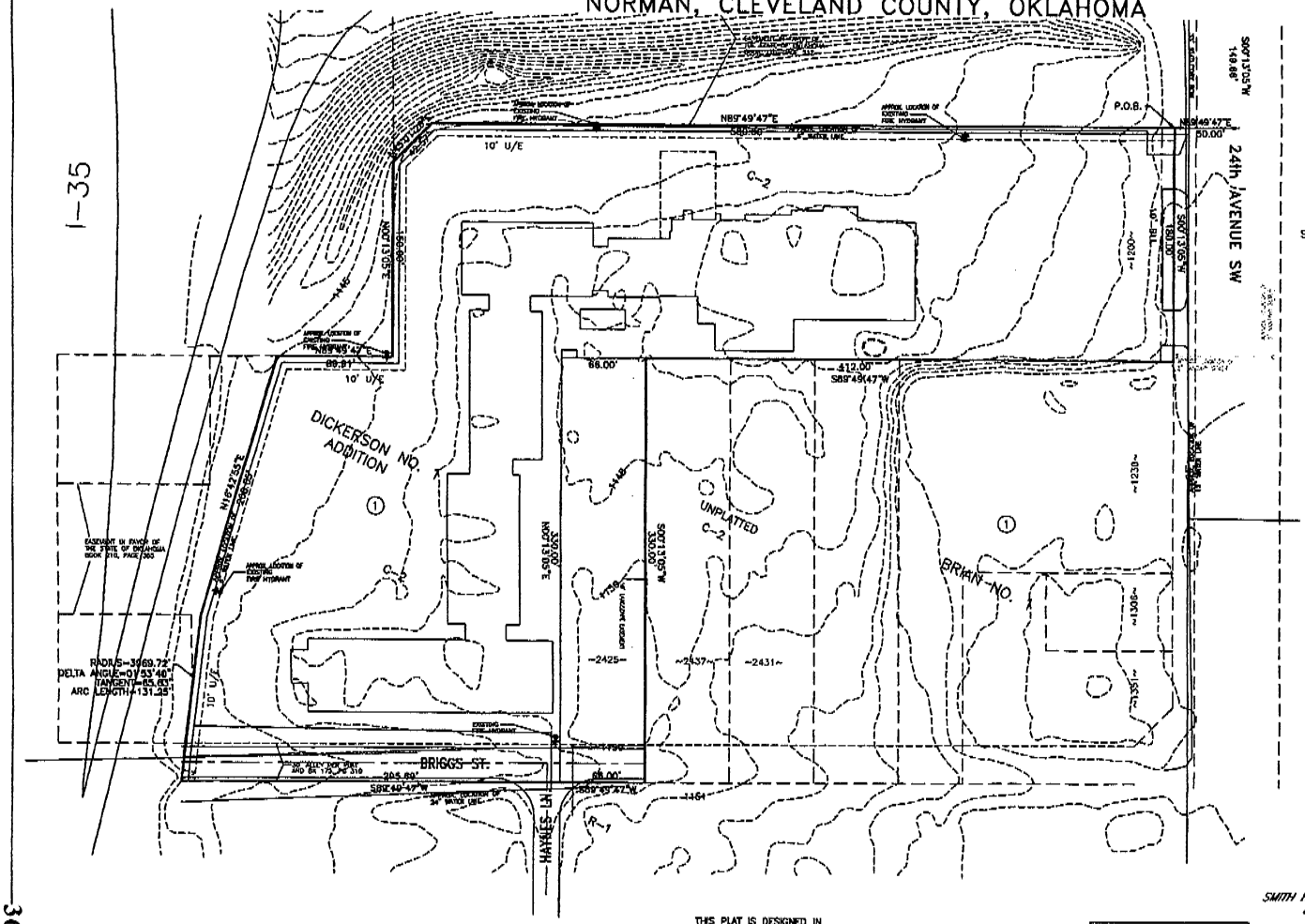
August 7, 2013

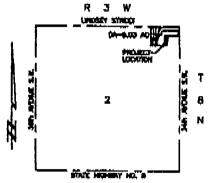
0 200 400 Ft.

Subject Tract

Zoning

PRELIMINARY PLAT
OF
SOONER LEGENDS
A REPLAT OF DICKERSON NO. 1 ADDITION
A PART OF THE NE/4 OF SEC 2, T-8-N, R-3-W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





VICINITY MAP
1" = 2000'

SCALE: 1" = 40'

DEVELOPER
SOONER LEGENDS, LLC
1200 24th AVENUE SW
NORMAN, OK 73072
PHONE: (405) 326-5432
KENNETH D. KENNON

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION TWO (2); THENCE S00°13'05"W A DISTANCE OF 149.86 FEET; THENCE N89°49'47"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING S00°13'05"W A DISTANCE OF 180.00 FEET; THENCE S89°49'47"W A DISTANCE OF 412.00 FEET; THENCE S00°13'05"W A DISTANCE OF 330.00 FEET; THENCE S89°49'47"W A DISTANCE OF 88.00 FEET; THENCE CONTINUING S89°49'47"W A DISTANCE OF 295.69 FEET TO A POINT ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 3969.72 FEET, A DELTA ANGLE OF 01°53'40", A CHORD BEARING OF N06°34'24"E, AND A CHORD DISTANCE OF 131.25 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 131.25 FEET; THENCE N16°42'55"E A DISTANCE OF 208.65 FEET; THENCE N89°49'47"E A DISTANCE OF 89.91 FEET; THENCE N00°13'05"E A DISTANCE OF 150.00 FEET; THENCE N45°01'26"E A DISTANCE OF 42.57 FEET; THENCE N89°49'47"E A DISTANCE OF 580.00 FEET TO THE POINT OF BEGINNING. EXCEPT A STRIP OF LAND 30 FEET IN WIDTH ALONG THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT TO BE USED FOR ROAD EASEMENT AND PUBLIC UTILITIES USAGE. SAID TRACT CONTAINING 5.03 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY OF RECORD.

THIS PLAT IS DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN ORDINANCES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

LEGEND
U/E UTILITY EASEMENT

SURVEY BY:
SMITH ROBERTS BALDISCHWILER, L.L.C.
DARIN FAIRCHILD, P.L.S.
OK 1949 EXP. 6-30-15
100 NE 10th STREET
OKLAHOMA CITY, OKLAHOMA 73104
405-840-7094

DATE: 08-27-13	PRELIMINARY PLAT
SCALE: 1" = 40'	SOONER LEGENDS NORMAN, OK
JOB NUMBER: KEN13044	
DRAWN BY: S.C.B.	ANCHOR ENGINEERING, L.L.C. Specializing in Subdivisions CA No. 4161 Exp. 06/30/14 10804 Quail Pointe Dr. Suite 200 Okla. City, Ok. 73120 (405) 748-9998 (405) 748-9997 Fax
APPROVED BY: D.H.B.	
SHEET 1 of 1	

36-3

PRELIMINARY PLAT ITEM NO. 4

PP-1314-3

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for SOONER LEGENDS ADDITION (A Replat of Dickerson No. 1 Addition).

LOCATION: Generally located on the south side of West Lindsey Street between 24th Avenue S.W. and I-35.

INFORMATION:

1. Owner. Sooner Legends, L.L.C.
2. Developer. Kenneth Kennon
3. Engineer. Anchor Engineering, L.L.C.

HISTORY:

1. July 9, 1963. City Council adopted Ordinance No. 1514 annexing this property into the City of Norman.
2. September 20, 1966. Planning Commission, on a vote of 7-1-0, recommended to City Council that this property be placed in C-2, General Commercial and removed from R-1, Single Family Dwelling District.
3. October 11, 1966. City Council adopted Ordinance No. 1925, placing this property in C-2, General Commercial District and removing it from R-1, Single Family Dwelling District.
4. April 8, 1971. Planning Commission, on a vote of 7-1, approved the preliminary plat.
5. April 8, 1971. Planning Commission, on a vote of 7-1, recommended to City Council that this final plat be disapproved.
6. October 12, 1971. City Council approved the final plat for Dickerson No. 1 Addition.
7. October 14, 1971. Planning Commission, on a vote of 6-0, took no action on the final plat for Dickerson No. 1 Addition.
8. November 15, 1971. The final plat for Dickerson No. 1 Addition was filed of record with the Cleveland County Clerk.

9. September 16, 1982. Planning Commission, on a vote of 7-0, recommended to City Council that this property be placed in C-2, General Commercial District with Permissive Use for a Night Club and removed from C-2, General Commercial District.

10. October 12, 1982. City Council adopted Ordinance No. O-8283-19 placing this property in C-2, General Commercial District with Permissive Use for a Night Club and removing it from C-2, General Commercial District.

IMPROVEMENT PROGRAM:

1. Alley. An alley (Briggs Street) will be constructed and connected to the existing alley constructed with Dickerson No. 1 Addition. Staff is recommending deferral of the alley improvement based on the fact it would be removed at such time as the West Lindsey Street Bond Project (drainage) commences.

2. Fire Hydrants. Existing fire hydrants are adequate.

3. Sanitary Sewers. Sanitary sewer main is existing.

4. Sidewalks. There is an existing sidewalk adjacent to 24th Avenue S.W.

5. Drainage. A fee in lieu of detention will be utilized due to the location of this property within the drainage basin. Storm water runoff currently goes to the I-35 right-of-way. In the future when the Lindsey Street drainage system is constructed, it will utilize the proposed drainage structure that will be constructed under Briggs Street.

6. Streets. Twenty-fourth Avenue S.W. is existing.

7. Water Mains. Water mains are existing.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. All required rights-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The existing facility is not changing. However, with future construction of I-35, a temporary easement has been requested of the owner. This request impacts the parking lot for Sooner Legends. The owner owns a lot east of his facility that fronts Briggs Street. This property is properly zoned, but needs to be incorporated into his existing facility. As a result, the owner is going through a Replat. Staff recommends approval of the preliminary plat for Sooner Legends Addition, a Replat of Dickerson No. 1 Addition.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Sooner Legends, a Replat of Dickerson No. 1 Addition.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 4, 2013 **STAFF REVIEW BY:** David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Sooner Legends Preliminary **PROJECT TYPE:** Parking Lot
Owner: Sooner Legends, LLC
Developer's Engineer: Anchor Engineering, LLC
Developer's Traffic Engineer:

SURROUNDING ENVIRONMENT (Streets, Developments)
Residential zoning surrounds this site to the south with some commercial to the north and west. Lindsey Street is the main east/west roadway. 24th Avenue SW is the main north/south roadway.

ALLOWABLE ACCESS:
A single point of access for the new parking lot will be provided along Briggs Street.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Lindsey Street: 5 lanes (existing and future). Speed Limit - 35 mph. No sight distance problems. No median.
24th Avenue SW: 4 lanes (existing and future). Speed Limit - 35 mph. No sight distance problems. No median.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐

The proposed access to Briggs Street will have adequate separation and intersection corner clearance.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	0	0	0
AM Peak Hour	0	0	0
PM Peak Hour	0	0	0

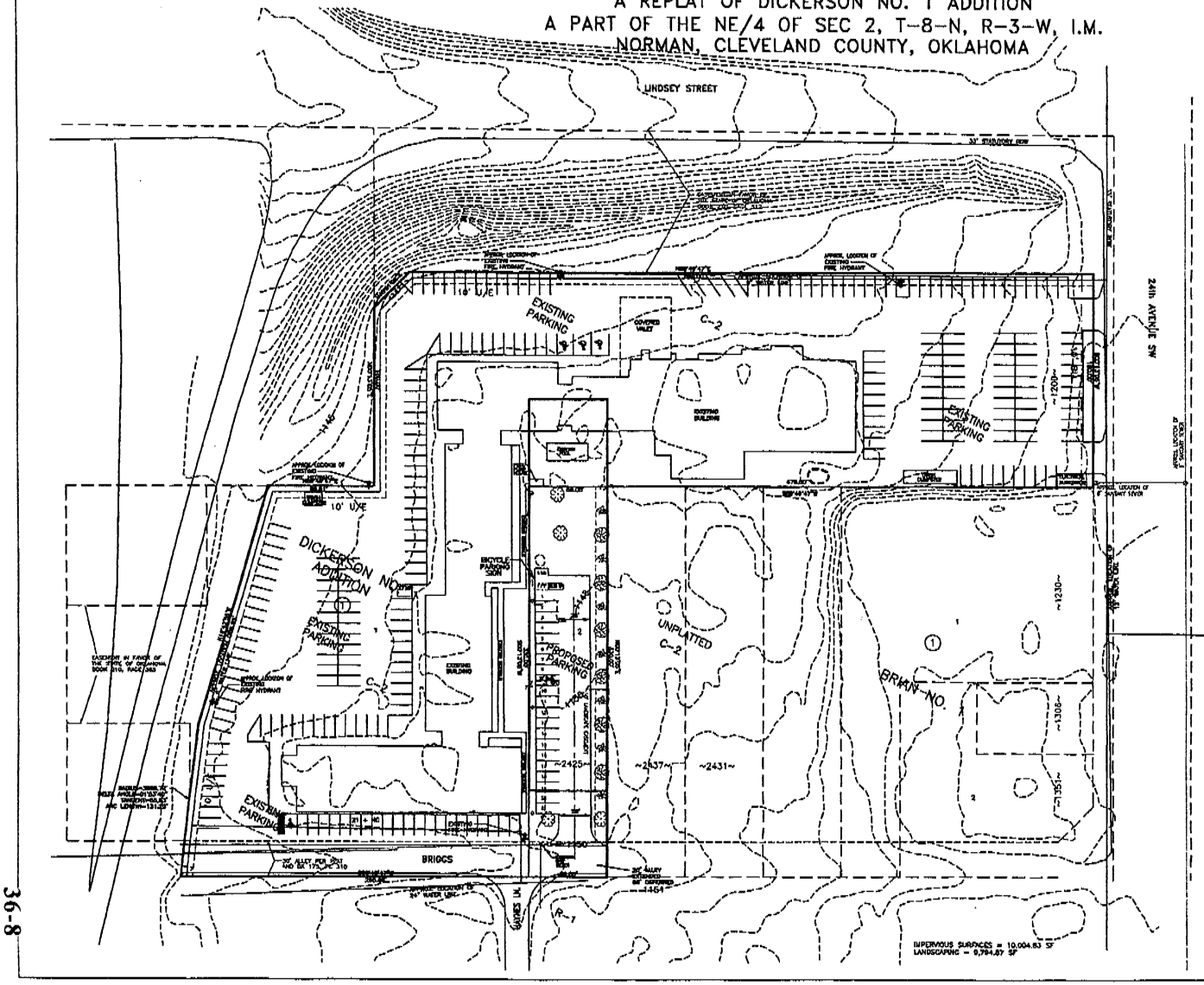
TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■

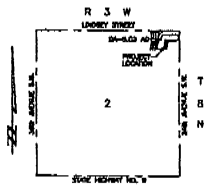
RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The existing restaurant and hotel at the southwest corner of the intersection of Lindsey Street and 24th Avenue SW is creating a new parking lot to account for parking spaces that will be temporarily lost as a result of construction along I-35 to the west. The landowner has acquired the parcel to the east along Briggs Street for the construction of the new parking lot. There is no planned building expansion with this application. As such, no new traffic will be added to the surrounding street system as the size of the existing restaurant will remain unchanged. The traffic capacities on the affected roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

SITE PLAN
OF
SOONER LEGENDS
A REPLAT OF DICKERSON NO. 1 ADDITION
A PART OF THE NE/4 OF SEC 2, T-8-N, R-3-W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





VICINITY MAP
1" = 2000'

SCALE 1" = 40'

DEVELOPER
SOONER LEGENDS, LLC
1200 24th AVE. SW
NORMAN, OK 73072
PHONE: (405) 326-5432

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWO (2), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION TWO (2); THENCE S00°13'05"W A DISTANCE OF 149.66 FEET; THENCE N89°49'47"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING S00°13'05"W A DISTANCE OF 180.00 FEET; THENCE S89°49'47"W A DISTANCE OF 412.00 FEET; THENCE S00°13'05"W A DISTANCE OF 330.00 FEET; THENCE S89°49'47"W A DISTANCE OF 66.00 FEET; THENCE CONTINUING S89°49'47"W A DISTANCE OF 295.69 FEET TO A POINT ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 3959.72 FEET, A DELTA ANGLE OF 01°53'40", A CHORD BEARING OF N06°34'24"E, AND A CHORD DISTANCE OF 131.25 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 131.25 FEET; THENCE N16°42'55"E A DISTANCE OF 208.65 FEET; THENCE N89°49'47"E A DISTANCE OF 89.91 FEET; THENCE N00°13'05"E A DISTANCE OF 150.00 FEET; THENCE N45°01'26"E A DISTANCE OF 42.57 FEET; THENCE N89°49'47"E A DISTANCE OF 580.00 FEET TO THE POINT OF BEGINNING. EXCEPT A STRIP OF LAND 30 FEET IN WIDTH ALONG THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT TO BE USED FOR ROAD EASEMENT AND PUBLIC UTILITIES USAGE. SAID TRACT CONTAINING 5.03 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY OF RECORD.

		DATE: 07/30/13	SITE PLAN
		SCALE: 1" = 40'	Sooner Legends New Parking Lot Norman OK
		JOB NUMBER: KEN13044	
		DRAWN BY: S.G.B.	ANCHOR ENGINEERING, L.L.C. Specializing in Subdivisions CA No. 4161 Exp. 06/30/14 10804 Quail Plaza Dr. Suite 200 Okla. City, Ok. 73120 (405) 749-9998 (405) 749-9997 Fax
		CHECKED BY: M.J.M.	SHEET 1 of 1
REVISIONS	DATE	APPROVED BY: D.H.B.	

Project Name: Sooner Legends Project No.:

City of Norman Predevelopment **August 29, 2013**

Applicant	Sooner Legends LLC
Location	1200 24th Avenue SW
Case Number	PD 13-21
Time	5:30 PM

Attendee	Stakeholder	Address	email	phone
Jane Hudson	Principal Planner			366-5344
Ken Danner	Public Works			366-5458
Leah Messner	City Attorney's office			217-7748
Susan Atkinson	City Facilitator			366-5392

Application Summary. The applicants are seeking a preliminary plat for a .45-acre parcel in southwest Norman. The parcel is currently zoned C-2. The current *Norman 2025 Land Use Plan* designation is Commercial.

Applicant's Opportunity. The applicants are seeking to expand their existing parking lot at Sooner Legends Hotel by incorporating this parcel. Proposed parking on this parcel, which will be accessed off of Briggs Street, will be located on the east side of the hotel's south wing. This action is being done to compensate for lost parking due to ODOTs widening of the I-35/Lindsey Street interchange.

Neighbors' Comments. Neither the applicant nor any neighbors attended the Predevelopment meeting.

GBC 13-23

Applicant: Sooner Legends, LLC (parking lot)
Location: On the southeast corner of Lindsey Street and I-35.
Proposal: Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-23
Meeting of August 19, 2013

The Greenbelt Commission sends the application forward with no additional comments.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 2, being:
CONSENT DOCKET
Vice Chairman Knotts read the titles of Consent Docket items, consisting of the following:

Item No. 3, being:
APPROVAL OF THE AUGUST 8, 2013 REGULAR SESSION MINUTES

Item No. 4, being:
PP-1314-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENNETH KENNON/SOONER LEGENDS, L.L.C. (DWIGHT BUTLER/ANCHOR ENGINEERING, L.L.C.) FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. 1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF I-35 AND LINDSEY STREET.

Item No. 5, being:
PP-1314-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JASON ANDES (SMC CONSULTING ENGINEERS, P.C.) FOR ANDES ADDITION, INCLUDING A PART OF LOT 1, BLOCK 1, P.B. ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY MIDWAY BETWEEN MOSIER STREET AND HIMES STREET.

*

Vice Chairman Knotts asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to speak regarding any item. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYES	None
ABSENT	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 8-0.

* * *

Item No. 3, being:
APPROVAL OF THE JULY 11, 2013 REGULAR SESSION MINUTES

This item was approved as presented on the Consent Docket by a vote of 8-0.

* * *

Item No. 4, being:
PP-1314-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENNETH KENNON/SOONER LEGENDS, L.L.C. (DWIGHT BUTLER/ANCHOR ENGINEERING, L.L.C.) FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. 1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF I-35 AND LINDSEY STREET.

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

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: PP-1314-4

File ID:	PP-1314-4	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Andes Addition Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR ANDES ADDITION, INCLUDING A PART OF LOT ONE, BLOCK ONE, PB ADDITION, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE MIDWAY BETWEEN MOSIER STREET AND HIMES STREET)

Notes: ACTION NEEDED: Motion to approve or reject the preliminary plat and waiver of alley requirements for Andes Addition, including a part of Lot One, Block One, PB Addition.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 37

Attachments: Text File Andes Addition, Attachment A.pdf, Location Map, Preliminary Plat/Site Plan, Staff Report, Transportation Impacts, Alley Waiver, Predevelopment Andes, Greenbelt Commission Comments, 9-12-13 PC Minutes - PP-1314-4 Andes

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	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass

Action Text: That this Preliminary Plat be Recommended for Adoption at a subsequent City Council Meeting. to the City Council by consent roll call

Text of Legislative File PP-1314-4

body

BACKGROUND: This item is a preliminary plat for Andes Addition and is generally located on the west side of Flood Avenue approximately 685' south West Robinson Street. This property consists of 0.57 acres and one (1) commercial lot. City Council, at its meeting of October 26, 1954, adopted Ordinance No. 899 annexing and placing this property in the C-2, General Commercial District. Planning Commission, at its meeting of September 12, 2013, recommended approval of the preliminary plat for Andes Addition with alley waiver.

DISCUSSION: This parcel is currently developed including a commercial building and parking lot. The proposed plat will add 8,910 square feet of open space along the west side of the property. This area will remain undeveloped; however, the owner may store equipment on this portion of the property.

The proposed development will include the renovation of an existing 7,000 square foot building along the west side of Flood Avenue between Mosier Street and Himes Street. The use will be office/warehouse space. As such, this addition is expected to generate 174 trips per day and 40 PM peak hour trips. As such, the trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. See Attachment A.

Access to the proposed development will be from a single driveway located on the west side of Flood Avenue at the location of an existing driveway. The development of this tract will eliminate the open frontage along Flood Avenue on either side of this driveway.

Public improvements for this property consist of the following:

Alley. The engineer for the owner has requested waiver of the alley requirements. The site plan shows adequate circulation for delivery trucks and sanitation vehicles. The alley where it would be located on the western boundary of the property would not function.

Fire Hydrants. Fire hydrants are existing.

Sanitary Sewers. Sanitary sewer main is existing.

Sidewalks. Sidewalks exist adjacent to Flood Avenue. However, if any of the sidewalks are damaged with the removal of asphalt paving, those areas will be required to be replaced.

Storm Sewers. There are no proposed additional paving or structures. As a result, there are no additional drainage requirements.

Streets. Flood Avenue is an existing street. However, an additional four feet (4') to five feet (5') widening is required. Staff will recommend deferral of these improvements with the final plat. Also, it should be noted the existing paving on each side of the drive approach in the right-of-way needs to be removed.

Water Mains. Water main is existing.

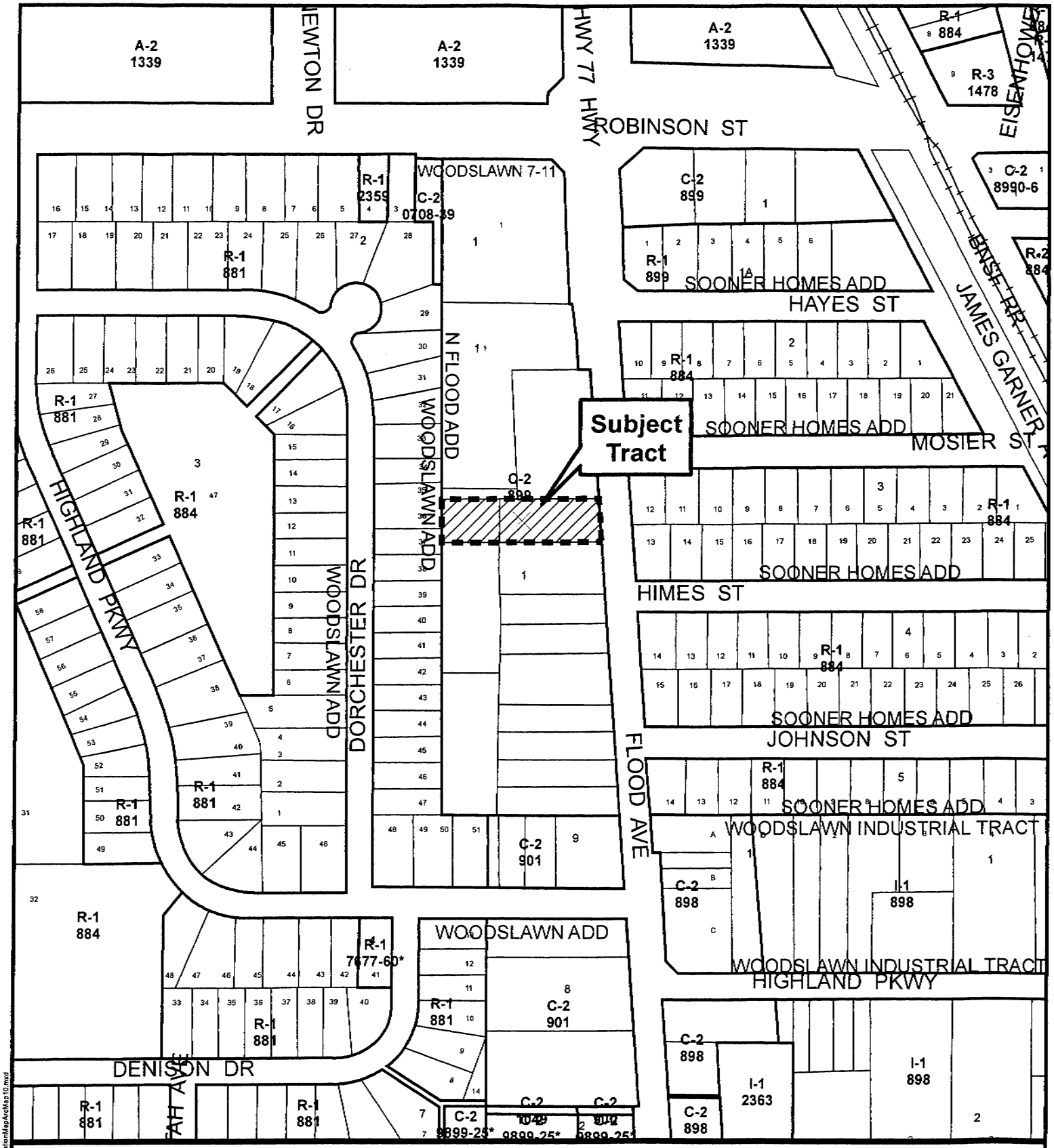
Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

RECOMMENDATIONS: Staff recommends approval of the preliminary plat for Andes Addition with alley waiver.

ATTACHMENT A

PRELIMINARY PLAT-ANDES ADDITION

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Flood Avenue	2	10,091	174	10,265	17,100	59.01	60.03



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 9, 2013

0 125 250 Ft.

Subject Tract

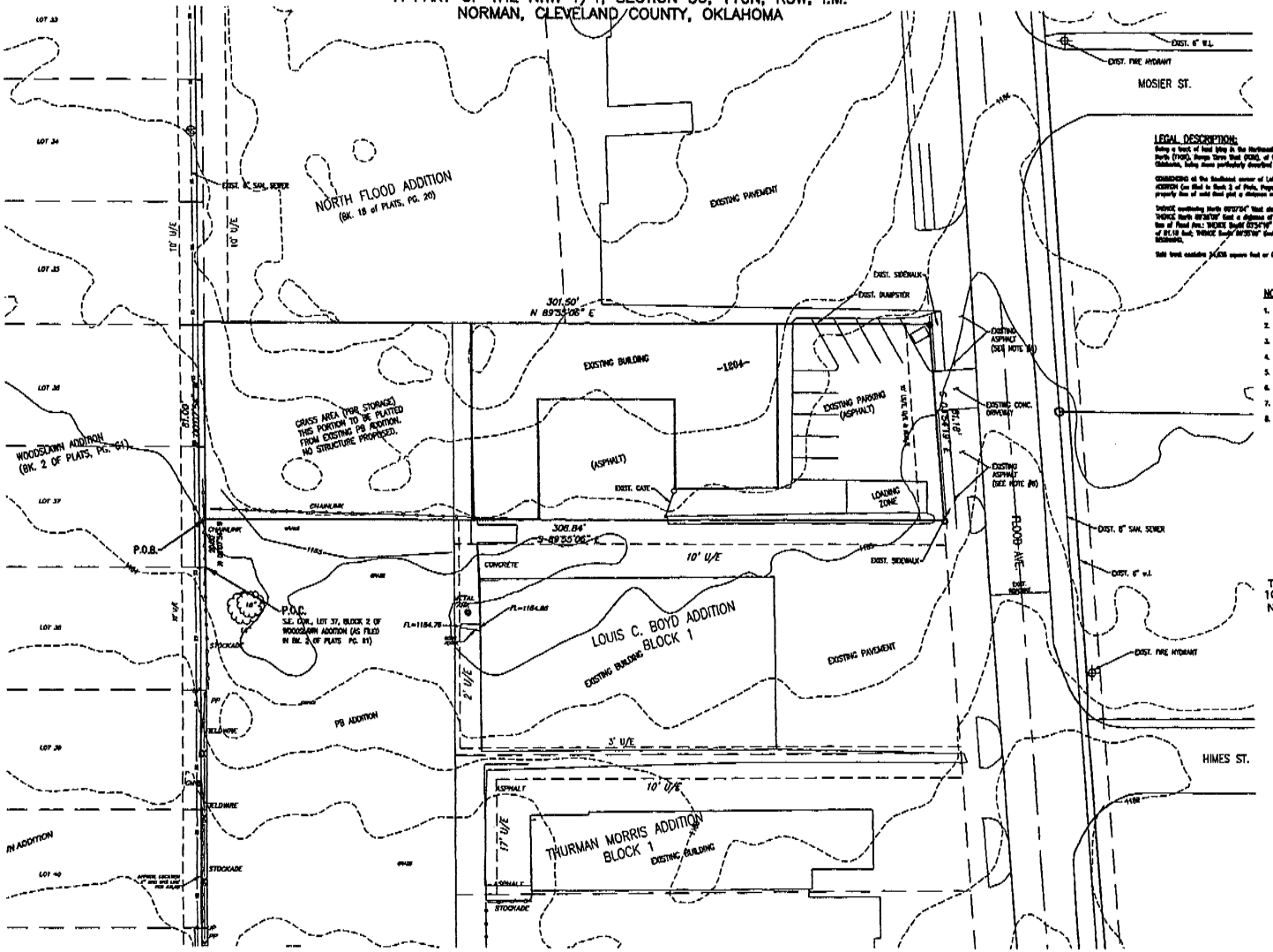
Zoning
37-2

I:\Requests\RoneTrimble\070913_1204\Flood\LocationMap\8x11_LocationMapAreaMap10.mxd

PRELIMINARY PLAT / SITE PLAN

ANDES ADDITION

A PART OF THE N.W. 1/4, SECTION 30, T10N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



LEGAL DESCRIPTION:

Being a tract of land lying in the Northwest (N.W. 1/4), of Section Thirty (30), Township Ten North (T10N), Range Three West (R3W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

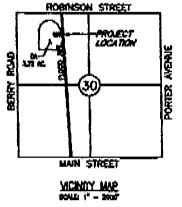
COMMENCING at the Southeast corner of Lot 37 Block 2 of the filed final plat of WOODSDAWN ADDITION (as filed in Book 2 of Plats, Page 61); THENCE North 00°03'54" West along the East property line of said final plat a distance of 30.00 feet to the POINT OF BEGINNING;

THENCE continuing North 00°03'54" West along said East property line a distance of 81.00 feet; THENCE North 89°55'06" East a distance of 301.50 feet to a point on the West right-of-way line of Flood Ave.; THENCE South 00°03'54" East along said West right-of-way line a distance of 81.10 feet; THENCE South 89°55'06" West a distance of 306.84 feet to the POINT OF BEGINNING.

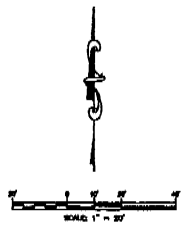
Said tract contains 24,638 square feet or 0.566 acres, more or less.

NOTES:

1. EXISTING ZONING IS C-2.
2. ALL REQUIRED UTILITIES ARE EXISTING.
3. FLOOD STREET WILL HAVE FOUR FEET OF PAVING DEFICIENCY.
4. SIDEWALK IS EXISTING.
5. PUBLIC IMPROVEMENTS ARE REQUIRED.
6. NO DEDICATION IS REQUIRED.
7. BUILDING IMPROVEMENTS ARE EXISTING.
8. PORTIONS OF EXISTING ASPHALT SHALL BE REMOVED.



VICINITY MAP
SCALE: 1" = 2000'



SCALE: 1" = 20'

OWNER:
JASON ANDES
1024 N. FLOOD AVE.
NORMAN, OK 73069

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

TOM L. MCCALEB 13418

ANDES ADDITION
1024 N. FLOOD AVE.
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.

PRELIMINARY PLAT/ SITE PLAN

SHEET NO.
1 of 1

37-3

PRELIMINARY PLAT ITEM NO. 5

PP-1314-4

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for ANDES ADDITION (including a Portion of P.B. Addition) with alley waiver.

LOCATION: Generally located on the west side of Flood Avenue approximately 685 feet south of West Robinson Street.

INFORMATION:

1. Owner. Jason Andes
2. Developer. Jason Andes
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 26, 1954. City Council adopted Ordinance No. 899 annexing this property and placing it in the C-2, General Commercial District.

IMPROVEMENT PROGRAM:

1. Alley. The engineer has requested waiver of alley requirements. There are no existing alleys to connect to and service vehicles are able to use existing conditions. Staff recommends waiver of alley requirements.
2. Fire Hydrants. Existing fire hydrants are adequate.
3. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
4. Sanitary Sewers. Sanitary sewer main is existing.
5. Sidewalks. There is an existing sidewalk adjacent to Flood Avenue.
6. Drainage. Storm water runoff is existing. There are no additional plans for structures or pavement.

7. Streets. Flood Avenue is existing. However, staff will recommend deferral of 4-foot (4') to five-foot (5') widening with a final plat.

8. Water Mains. Water main is existing.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. All required rights-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The owner proposes to continue this tract as a commercial business with the rear portion of the property as a storage area. Currently there are no plans for additional buildings or paving. Staff has requested asphalt paving located on both sides of the drive approach located in the public right-of-way should be removed. This will eliminate the open frontage providing a single access point. Staff recommends approval of the preliminary plat for Andes Addition including a portion of P.B. Addition.

ACTION NEEDED: Recommend approval or disapproval of the request to waive alley requirement and approval or disapproval of the preliminary plat for Andes Addition including a portion of P.B. Addition.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 4, 2013

STAFF REVIEW BY: David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Andes Addition
Owner:
Developer's Engineer:
Developer's Traffic Engineer:

PROJECT TYPE: Office/Warehouse
Jason Andes
SMC
None

SURROUNDING ENVIRONMENT (Streets, Developments)
Commercial development surrounds the project location along Flood with low density residential along the various side streets.

ALLOWABLE ACCESS:
Proposed access along west side of Flood Avenue between Mosier Street and Himes Street is an existing driveway.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Flood Avenue: 2 lanes (existing) / 2 lanes (future). Speed Limit - 25 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐

Proposed number of access points for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	174	87	87
A.M. Peak Hour	34	29	5
P.M. Peak Hour	40	6	34

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The proposed addition will renovate an existing 7,000 square foot building along the west side of Flood Avenue between Mosier Street and Himes Street. The use will be office/warehouse space. As such, this addition is expected to generate 174 trips per day and 40 PM peak hour trips. As such, the trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

Access to the proposed development will be from a single driveway located on the west side of Flood Avenue at the location of an existing driveway. The development of this tract will eliminate the open frontage along Flood Avenue on either side of this driveway.

SMC
Your Civil Engineering Solution

Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

August 28, 2013

Mr. Chris Lewis, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, Oklahoma 73070

Re: Preliminary Plat
Andes Addition
SMC Project #5534.00

Dear Mr. Lewis:

As agent for the applicant, we respectfully request a waiver of the alley requirements for the above referenced addition for all commercial, industrial, and office areas in accordance with Section 19-302 of the City of Norman. The plat has large tracts that can be designed adequately without the use of an alley. All utilities, sanitary access, emergency access, and fire protection will be provided and identified without the use of an alley.

The location of fire hydrants will be identified on plot plan as submitted and will be further identified on the final construction plans at the time of final platting.

Please accept this request and grant the alley waiver.

Sincerely,

SMC Consulting Engineers, P.C.

Tom L. McCaleb, P.E.

cc: Jason Andes, Client

GBC 13-21

Applicant: Jason Andes (1204 Flood Avenue)
Location: West side of Flood Avenue between Himes Street and Mosier Street.
Proposal: Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-21
Meeting of July 15, 2013

The Greenbelt Commission sends the application forward with no additional comments.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 2, being:
CONSENT DOCKET
Vice Chairman Knotts read the titles of Consent Docket items, consisting of the following:

Item No. 3, being:
APPROVAL OF THE AUGUST 8, 2013 REGULAR SESSION MINUTES

Item No. 4, being:
PP-1314-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY KENNETH KENNON/SOONER LEGENDS, L.L.C. (DWIGHT BUTLER/ANCHOR ENGINEERING, L.L.C.) FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. 1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF I-35 AND LINDSEY STREET.

Item No. 5, being:
PP-1314-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JASON ANDES (SMC CONSULTING ENGINEERS, P.C.) FOR ANDES ADDITION, INCLUDING A PART OF LOT 1, BLOCK 1, P.B. ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY MIDWAY BETWEEN MOSIER STREET AND HIMES STREET.

*

Vice Chairman Knotts asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to speak regarding any item. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to place approval of Item Nos. 3 through 5 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYES	None
ABSENT	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 8-0.

* * *

Item No. 3, being:
APPROVAL OF THE JULY 11, 2013 REGULAR SESSION MINUTES

This item was approved as presented on the Consent Docket by a vote of 8-0.

* * *

Item No. 5, being:
PP-1314-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JASON ANDES (SMC CONSULTING ENGINEERS, P.C.) FOR ANDES ADDITION, INCLUDING A PART OF LOT 1, BLOCK 1, P.B. ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY MIDWAY BETWEEN MOSIER STREET AND HIMES STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat/Site Plan
3. Staff Report
4. Transportation Impacts
5. Request for Alley Waiver
6. Pre-Development Summary

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: O-1314-10

File ID:	O-1314-10	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Red Canyon Ranch 3 UE			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTH OF TECUMSEH ROAD AND WEST OF 12TH AVENUE N.E.)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-10 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 28

Attachments: Text File O-1314-10, O-1314-10, Location Map, Memo Lot 4 Block 4 Red Canyon, Petition to close Red Canyon Ranch, Radius Map Red Canyon, Staff Report, 9-12-13 PC Minutes - O-1314-10

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/08/2013		Pass

Action Text: That this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/8/2013 by consent roll call

1	City Council	10/08/2013	Introduced and adopted on First Reading by title only	Pass

Action Text: That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call

Text of Legislative File O-1314-10

body

BACKGROUND: The final plat for Red Canyon Ranch Addition, Section 3, a Planned Unit Development, was filed of record November 29, 2012. Red Canyon Ranch Addition is a residential subdivision located north of Tecumseh Road and west of 12th Avenue N.E. (U.S. Hwy 77).

DISCUSSION: Within the final plat, a seven and one-half foot (7.5') utility easement was dedicated along the northwest property line of Lot 4, Block 4. The requirement of the City of Norman Standard Specifications, Drawing UL01C, requires a minimum five-foot (5') utility easement whenever sanitary sewer mains and Oklahoma Natural Gas mains are located in front of the property. As a result, with this closure and eventual vacation, the owner of the lot can utilize the additional two and one-half feet of land to increase the size of the single family residential structure. Side yard building setback requirements for this development are five-feet (5').

All franchise utilities were notified to assess the impact on their facilities with the closure of the easement; there were no objections. Currently, there are no City-owned utilities located within the easement.

RECOMMENDATION: Staff recommends approval of the request to close the south two and one-half feet (2.5') of the seven and one-half foot (7.5') platted utility easement located on the west 148.55 feet of the northwest property line of Lot 4, Block 4, Red Canyon Ranch Addition, Section 3, a Planned Unit Development. Planning Commission, at its meeting of September 12, 2013, recommended approval.

O-1314-10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That, pursuant to Resolution Number R-8182-66, Robert Bailey, representing the owner of the subject property, has petitioned the City to have the south two and one-half (2.5) feet of that seven and one-half foot utility easement located on the west 148.55 feet of the northwest property line of Lot 4, Block 4, RED CANYON RANCH SECTION 3, A Planned Unit Development, closed; and,

§ 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and

§ 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and

§ 4. That, the south two and one-half (2.5) feet of that seven and one-half (7.5) foot utility easement located on the west 148.55 feet of the northwest property line of Lot 4, Block 4, RED CANYON RANCH SECTION 3, A Planned Unit Development, Norman, Cleveland County, Oklahoma, is hereby closed.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

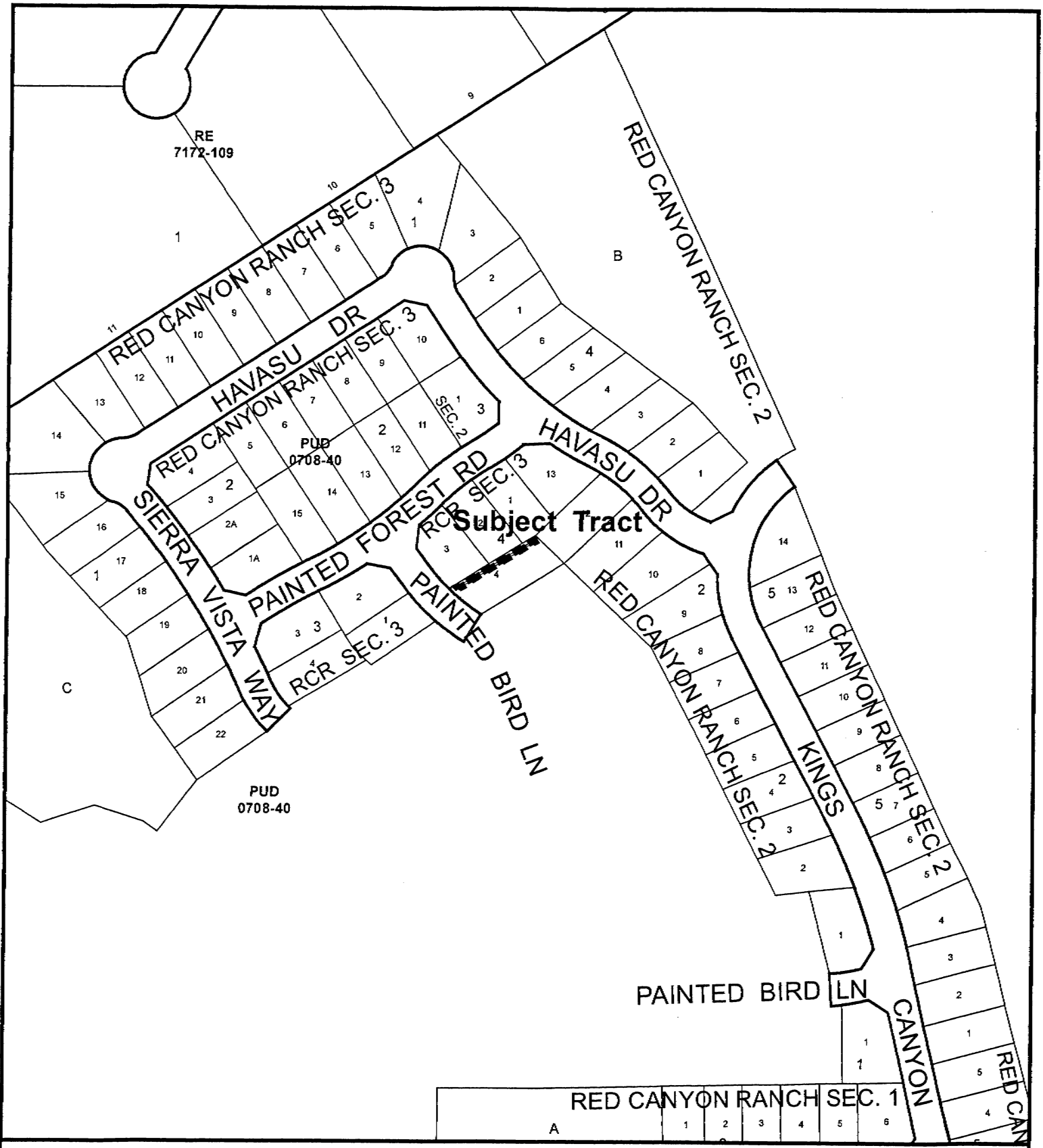
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

N
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August 19, 2013

0 100 200 Ft.

Subject Tract

Zoning

38-2

Y:\Requests\RoneTromble\081913_LocationMap_VacateUtilityEasementRedCanyonRanch\8x11_LocationMapArcMap10.mxd

office memorandum

DATE: July 22, 2013

TO: Jeff Bryant, City Attorney
Ken Komiske, Director of Utilities
Ken Danner, Subdivision Manager
Rone Tromble, Administrative Technician IV
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk EV for BH

SUBJECT: Request to Partially Vacate a Utility Easement

I am receipt of a request to partially vacate a utility easement in the south two and one-half (2.5) feet of the seven and one-half (7.5) foot utility easement located on the west 148.55 feet of the northwest property line of Lot 4, block 4, Red Canyon Ranch Addition, Section 3.

In accordance with Resolution No. R-8182-66, I am forwarding the request; location map; radius map; and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

B|P THE LAW OFFICES OF BAILEY & POARCH

301 E. Eufaula, Norman, OK 73069 • P.O. Box 1521, Norman OK 73070
405-329-6600 • 405-329-6634 • www.baileyandpoarch.com

July 17, 2013

Brenda Hall
City Clerk
City of Norman
201 West Gray
Norman, OK 73069

RE: Proposed partial vacation of utility easement

Dear Ms. Hall,

Enclosed please find the following:

1. The easement proposed for partial vacation is described as follows:

> The south two and one-half (2.5) feet of that seven and one-half (7.5) foot utility easement located on the west 148.55 feet of the northwest property line of Lot 4, Block 4, Red Canyon Ranch Section 3, A Planned Unit Development, A part of the S.E. 1/4, Section 8, T9N, R2W, I.M., to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

2. Three copies of the 300 foot ownership list.

3. Three copies of a map reflecting the ownership list and the easement to be partially vacated.

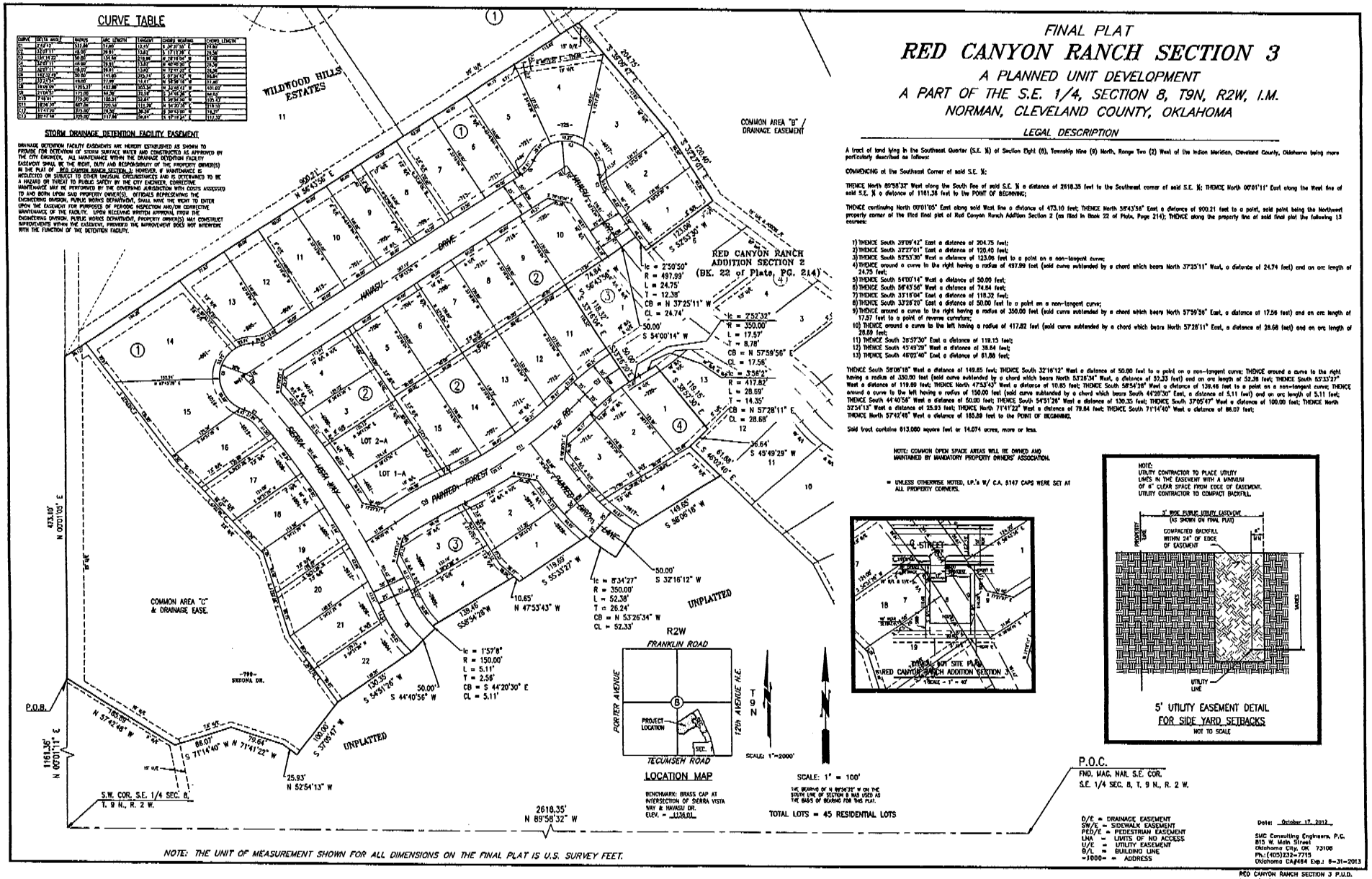
4. $400.00 filing fee.

Please review the enclosed and if it satisfies your requirements, include this application upon the next planning commission agenda. Thank you for your assistance,

Sincerely,

Robert L. Bailey II

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/22/13



FINAL PLAT
RED CANYON RANCH SECTION 3
A PLANNED UNIT DEVELOPMENT
A PART OF THE S.E. 1/4, SECTION 8, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

LEGAL DESCRIPTION

A tract of land 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:

COMMENCING at the Southeast Corner of said S.E. ¼;

THENCE North 89°58'32" West along the South line of said S.E. ¼ a distance of 2618.35 feet to the Southwest corner of said S.E. ¼; THENCE North 00°01'11" East along the West line of said S.E. ¼ a distance of 1161.35 feet to the POINT OF BEGINNING;

THENCE continuing North 00°01'05" East along said West line a distance of 473.10 feet; THENCE North 56°43'56" East a distance of 900.21 feet to a point, said point being the Northwest property corner of the filed final plat of Red Canyon Ranch Addition Section 2 (as filed in Book 22 of Plats, Page 214); THENCE along the property line of said final plat the following 13 courses:

1) THENCE South 39°09'42" East a distance of 204.75 feet;
2) THENCE South 37°27'01" East a distance of 120.40 feet;
3) THENCE South 52°53'30" West a distance of 123.06 feet to a point on a non-tangent curve;
4) THENCE around a curve to the right having a radius of 497.99 feet (said curve subtended by a chord which bears North 37°25'11" West, a distance of 24.74 feet) and an arc length of 24.75 feet;
5) THENCE South 54°00'14" West a distance of 50.00 feet;
6) THENCE South 56°43'56" West a distance of 74.84 feet;
7) THENCE South 33°16'04" East a distance of 118.32 feet;
8) THENCE South 33°28'20" East a distance of 50.00 feet to a point on a non-tangent curve;
9) THENCE around a curve to the right having a radius of 350.00 feet (said curve subtended by a chord which bears North 57°59'56" East, a distance of 17.56 feet) and an arc length of 17.57 feet to a point of reverse curvature;
10) THENCE around a curve to the left having a radius of 417.82 feet (said curve subtended by a chord which bears North 57°28'11" East, a distance of 28.68 feet) and an arc length of 28.69 feet;
11) THENCE South 39°53'50" East a distance of 119.15 feet;
12) THENCE South 45°49'29" West a distance of 38.64 feet;
13) THENCE South 46°02'40" East a distance of 61.88 feet;

THENCE South 58°06'18" West a distance of 149.65 feet; THENCE South 32°16'12" West a distance of 50.00 feet to a point on a non-tangent curve; THENCE around a curve to the right having a radius of 350.00 feet (said curve subtended by a chord which bears North 53°26'34" West, a distance of 52.33 feet) and an arc length of 52.38 feet; THENCE South 55°33'27" West a distance of 119.69 feet; THENCE North 47°53'43" West a distance of 10.85 feet; THENCE South 58°54'28" West a distance of 139.46 feet to a point on a non-tangent curve; THENCE around a curve to the left having a radius of 150.00 feet (said curve subtended by a chord which bears South 44°20'30" East, a distance of 5.11 feet) and an arc length of 5.11 feet; THENCE South 44°40'56" West a distance of 50.00 feet; THENCE South 54°51'26" West a distance of 130.35 feet; THENCE South 37°05'47" West a distance of 100.00 feet; THENCE North 52°54'13" West a distance of 25.93 feet; THENCE North 71°41'22" West a distance of 79.84 feet; THENCE South 71°14'40" West a distance of 88.07 feet; THENCE North 57°42'48" West a distance of 165.89 feet to the POINT OF BEGINNING.

Said tract contains 813,080 square feet or 14.074 acres, more or less.

NOTE: COMMON OPEN SPACE AREAS WILL BE OWNED AND MAINTAINED BY MANDATORY PROPERTY OWNERS' ASSOCIATION.

= UNLESS OTHERWISE NOTED, I.P.'s W/ C.A. 5147 CAPS WERE SET AT ALL PROPERTY CORNERS.

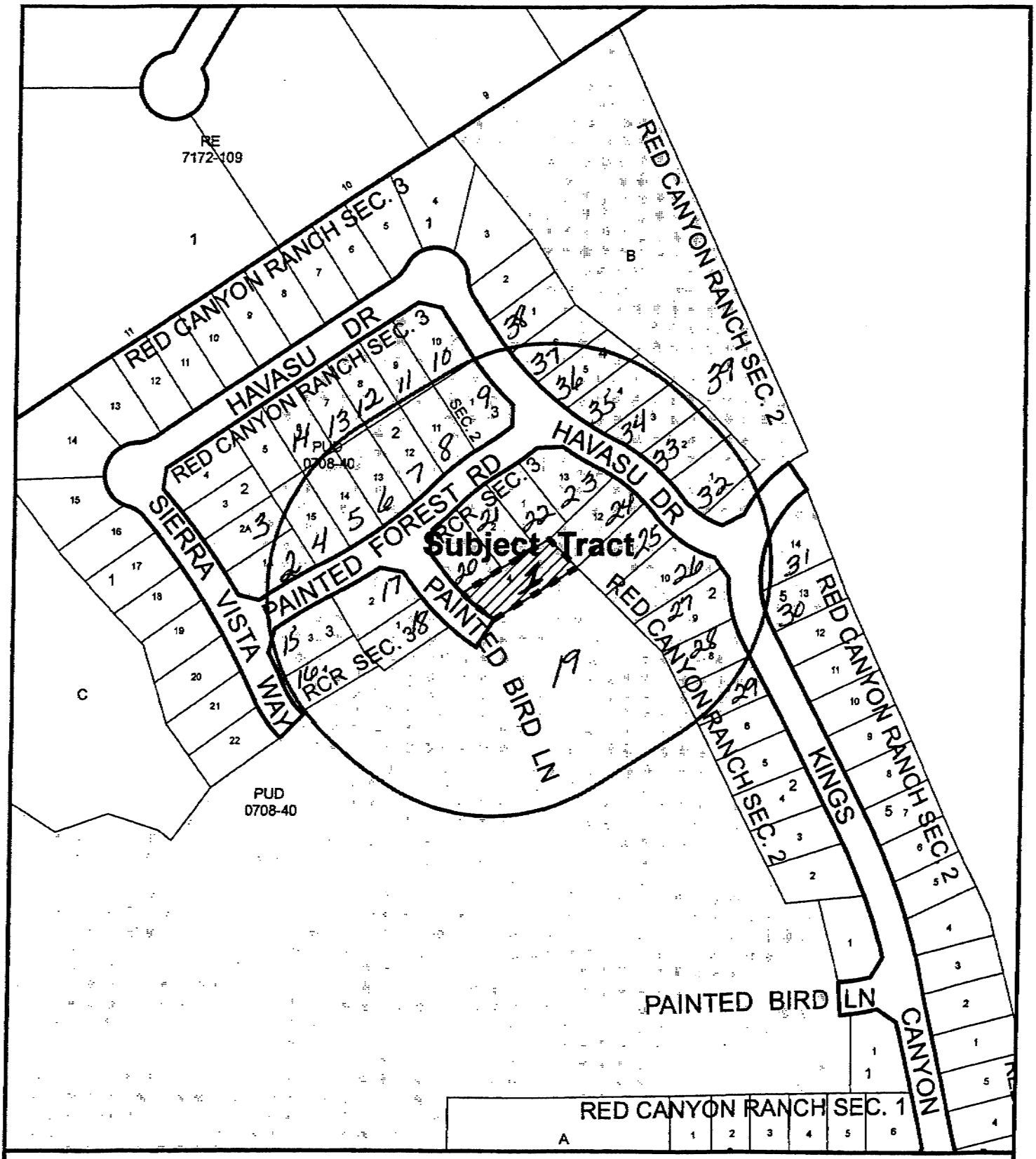
D/E = DRAINAGE EASEMENT
SW/E = SIDEWALK EASEMENT
PED/E = PEDESTRIAN EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

Date: October 17, 2013

SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106
Ph.: (405)232-7715
Oklahoma CA#484 Exp.: 6-31-2013

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS U.S. SURVEY FEET.

38-5



Radius Map

300ft. Radius

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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0 100 200 Feet

June 28, 2013

- Subject Tract
- Radius
- Zoning
- Parcels
- Notification Area

ORDINANCE NO. O-1314-10 ITEM NO. 6

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Robert Bailey
REQUESTED ACTION	Closure of the east 2.5-feet (2.5') of a seven and one-half foot (7.5') utility easement located on the west 148.55 feet along the northwest property line of Lot 4, Block 4, Red Canyon Ranch Section 3, a Planned Unit Development.

BACKGROUND: This is a request for closing a portion of an existing platted utility easement within Lot 4, Block 4, Red Canyon Ranch Addition, Section 3, a Planned Unit Development. The final plat for Red Canyon Ranch Addition, Section 3, a Planned Unit Development was filed of record on November 29, 2012.

DISCUSSION: All franchised utilities were notified to assess the impact on their facilities with the closure of the easement; there were no objections. Currently, there are no City owned utilities located within the easement. This will allow the property owners to utilize the standard five-foot (5') side yard setback providing more area to place a structure on the property.

RECOMMENDATION: Based on the fact the remaining five-foot (5') utility easement meets the City of Norman Standard Specifications Drawing UL01C, staff supports and recommends approval of the request to the closure of the east two and one-half feet (2.5') of a seven and one-half foot (7.5') utility easement located on the west 148.55 feet along the northwest property line of Lot 4, Block 4, Red Canyon Ranch Addition, Section 3, a Planned Unit Development.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 6, being:
O-1314-10 – ROBERT BAILEY REQUESTS CLOSURE OF THE SOUTH TWO AND ONE-HALF (2.5) FEET OF THAT SEVEN AND ONE-HALF (7.5) FOOT UTILITY EASEMENT LOCATED ON THE WEST 148.55 FEET OF THE NORTHWEST PROPERTY LINE OF LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Request for Partial Vacation of Utility Easement
4. Plat

PRESENTATION BY THE APPLICANT:
1. Robert Bailey, 301 E. Eufaula – We're just requesting that the back half of the northwest utility easement – a couple of feet to make the lot a little bit bigger so we can build on it. I've received no objections. If you have any questions, I can go over it.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Andy Sherrer moved to recommend adoption of Ordinance No. O-1314-10 to City Council. Jim Gasaway seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-10 to City Council, passed by a vote of 8-0.

* * *

City of Norman, OK

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

Master

File Number: O-1314-11

File ID:	O-1314-11	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Farmer Street Closure			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PART OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE LOCATED IN HARDIE-RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-11 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-11 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 39

Attachments: Text File O-1314-11, O-1314-11, Location Map, Clerk Memo Farmer Street, Petition to Close Farmer Street, ATT letter Farmer, Memo from Utilities Farmer, OGE Letter Farmer, Site Plan, Staff Report, 9-12-13 PC Minutes - O-1314-11

Project Manager: Ken Danner, Subidivison Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/08/2013		Pass

Action Text: That this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/8/2013 by consent roll call

1	City Council	10/08/2013	Introduced and adopted on First Reading by title only	Pass

Action Text: That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call

Text of Legislative File O-1314-11

Body

BACKGROUND: An amended plat of Hardie Rucker Addition was filed of record May 11, 1923 with a fifty foot (50') street right-of-way known as Farmer Street between Jenkins Avenue to the west and Lincoln Avenue to the east.

DISCUSSION: A great amount of transition has taken place in this area. Beginning with the construction of Headington Hall by the University of Oklahoma north of Farmer Street, a University of Oklahoma parking lot south of Farmer Street, the construction of Lindsey Street from Lincoln Avenue to the Burlington Northern Santa Fe railroad tracks, and the installation of traffic signals at the intersections of Jenkins Avenue/Stinson Street and Lindsey Street/ George Avenue. If the street closure is approved, a public street will no longer be in conflict with the University's plans for continuity of their property. The proposal is green space and landscaping in place of the street paving. An open space element will make a break from the multi-story structure to the north and the existing parking lot to the south. With the neighborhood to the east and southeast, there are other public street access points provided with the best locations at the signalized intersections of Stinson Street and Jenkins Avenue and Lindsey Street and George Avenue.

The current traffic using Farmer Street between Jenkins and Lincoln Avenues was recently studied on Thursday, September 5, 2013. Based on this study, an average daily traffic volume of 675 vehicles currently travel this segment of Farmer Street. If Farmer Street is closed, these 675 vehicle trips will be dispersed onto other streets such as Lincoln Avenue north to Lindsey Street, Lincoln Avenue south to Stinson Street, or Farmer Street east toward George Avenue. Traffic diversions south toward Stinson Street will be particularly well accommodated with the new traffic signal, installed in cooperation with the University of Oklahoma at the Jenkins Avenue intersection with Stinson Street. Likewise, traffic diversions to the east toward George Avenue will have easier access to Lindsey Street by way of the new traffic signal on Lindsey Street at George Avenue installed as part of the East Lindsey Street Bond Project in 2011. The East Lindsey Street Project also included wide sidewalks on both sides of the street. The University of Oklahoma constructed the same width sidewalks for Lindsey Street and Jenkins Avenue as part of the Headington Hall Project.

Sidewalks were also constructed adjacent to Lincoln Avenue from Lindsey Street to Farmer Street. A City project in March, 2007 installed a sidewalk on the south side of Farmer Street from George Avenue to the east side of Jenkins Avenue. If Farmer Street is closed, the sidewalk will terminate at Lincoln Avenue.

If City Council approves the closure of Farmer Street, the applicant (University of Oklahoma) has also agreed to construct north-south segments of public sidewalks across the vacated Farmer Street right-of-way at both Lincoln Avenue and Jenkins Avenue.

It should be noted that the City has a sanitary sewer main that runs north and south about mid-block of the closure and a storm sewer located on the north side of Farmer Street running east and west (draining Jenkins Avenue to the east). The City will need easements to cover these facilities which will be obtained during the vacation process in District Court. City staff has received responses from AT&T Southwest and OG&E needing easements for their facilities. There have been no other responses from the utility companies.

RECOMMENDATION: With the proposal of the green streetscape by the University and the newly installed traffic signals and sidewalks providing pedestrian capabilities, staff can support the request for the closure of Farmer Street between Jenkins Avenue and Lincoln Avenue and between Blocks 1 and 8 of Hardie Rucker Addition upon receipt of adequate easements during the District Court process to accommodate public utilities and construction of missing sidewalks on Lincoln Avenue and Jenkins Avenue. Planning Commission, at its meeting of September 12, 2013, recommended approval of the closure of Farmer Street.

O-1314-11

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PART OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE LOCATED IN HARDIE-RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That, pursuant to Resolution Number R-8182-66, The Board of Regents of the University of Oklahoma, owner of the subject property, has petitioned the City to have that part of Farmer Street lying between Jenkins Avenue and Lincoln Avenue, between Blocks 1 and 8, HARDIE-RUCKER ADDITION to Norman, Cleveland County, Oklahoma closed; and,

§ 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and

§ 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and

§ 4. That, that part of Farmer Street lying between Jenkins Avenue and Lincoln Avenue, between Blocks 1 and 8, HARDIE-RUCKER ADDITION to Norman, Cleveland County, Oklahoma according to the recorded plat thereof, is hereby closed.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

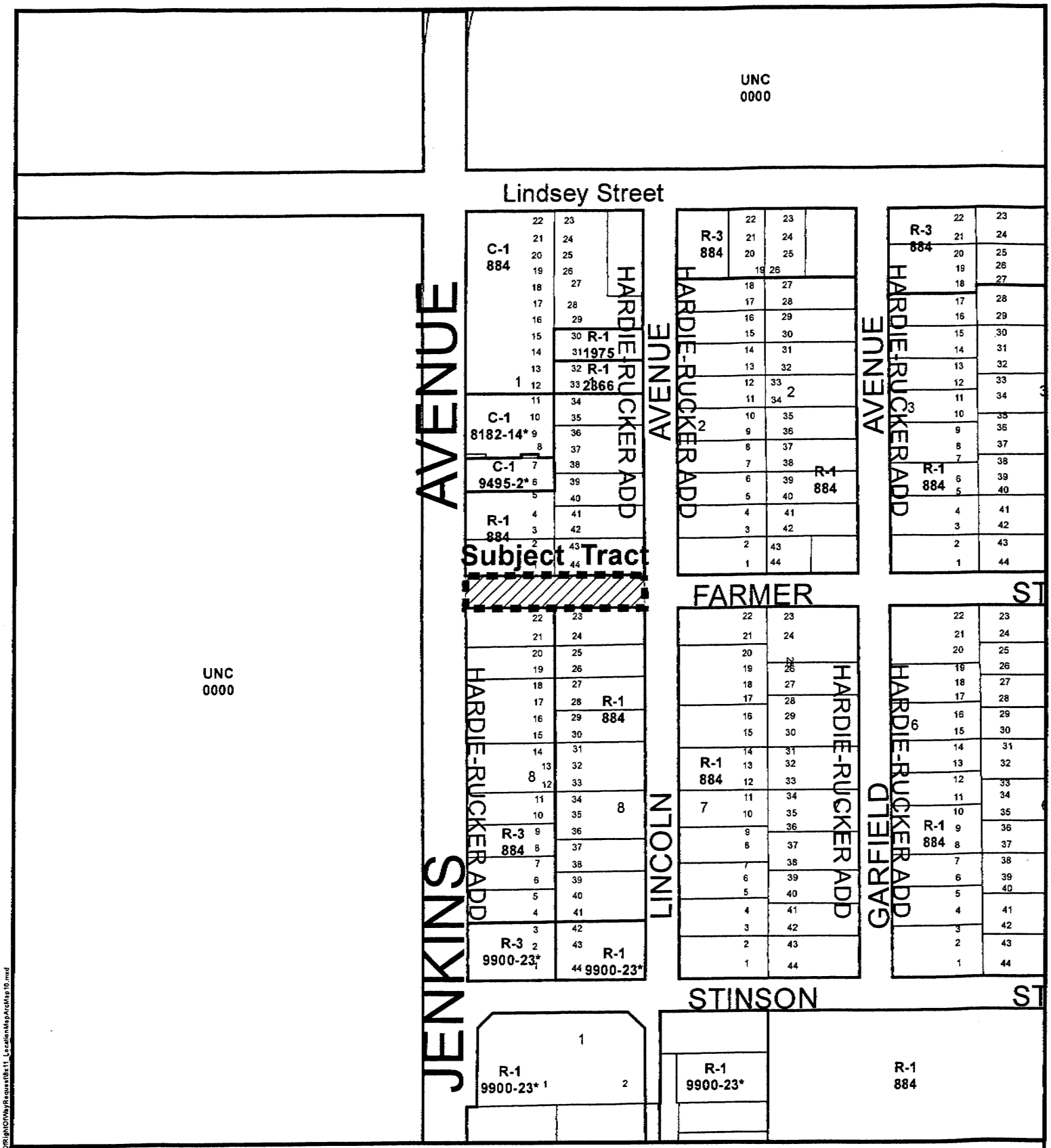
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

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August 19, 2013

0 100 200 Ft.

Subject Tract

Zonir

39-2

office memorandum

DATE: July 22, 2013

TO: Rone Tromble, Administrative Technician IV
Jeff Bryant, City Attorney
Ken Komiske, Director of Utilities
Ken Danner, Subdivision Manager
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk EV for BH

SUBJECT: Request to Close a Portion of Farmer Street Between Jenkins Avenue and Lincoln Avenue

I am in receipt of a request to close a portion of Farmer Street between Jenkins Avenue and Lincoln Avenue between Blocks 1 and 8, Hardie-Rucker Addition.

In accordance with Resolution No. R-8182-66, I am forwarding the request and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

To: City of Norman, c/o City Clerk Brenda Hall
Norman City Hall, Norman, OK (hand-delivered)

Re: **Closing part of Farmer Street between Jenkins Avenue and Lincoln Avenue**

Date: July 19, 2013

1. The undersigned Applicant, **BOARD OF REGENTS OF UNIVERSITY OF OKLAHOMA,** is the owner of all of the land on both sides of the portion of the street, described below, to be closed.

2. It is in the best interest of both the undersigned and the City of Norman to close, vacate, and foreclose the right to reopen in District Court the portion of the following-described street:

That part of Farmer Street lying between Jenkins Avenue and Lincoln Avenue, between Blocks 1 and 8, HARDIE-RUCKER ADDITION to Norman, Oklahoma (hereinafter referred to as the "**SUBJECT PROPERTY**")

3. If there are utility lines or facilities in, on under or over any part(s) of Subject Property, Applicant will cause same to be respected and protected, as required by law.

4. An ownership list certified by a bonded abstracter, reflecting all owners of record, according to County Treasurer records, of property within 300 feet in any direction of the above-described Subject Property is submitted herewith. A map which is attached to said ownership list shows the location of the ownership lines for each owner of record whose name appears on the ownership list. Enclosed is our client's check for the required filing fee of $400.

5. Action by the Board of County Commissioners of Cleveland County is not necessary. The undersigned will pay the cost of newspaper publication of the required Notice.

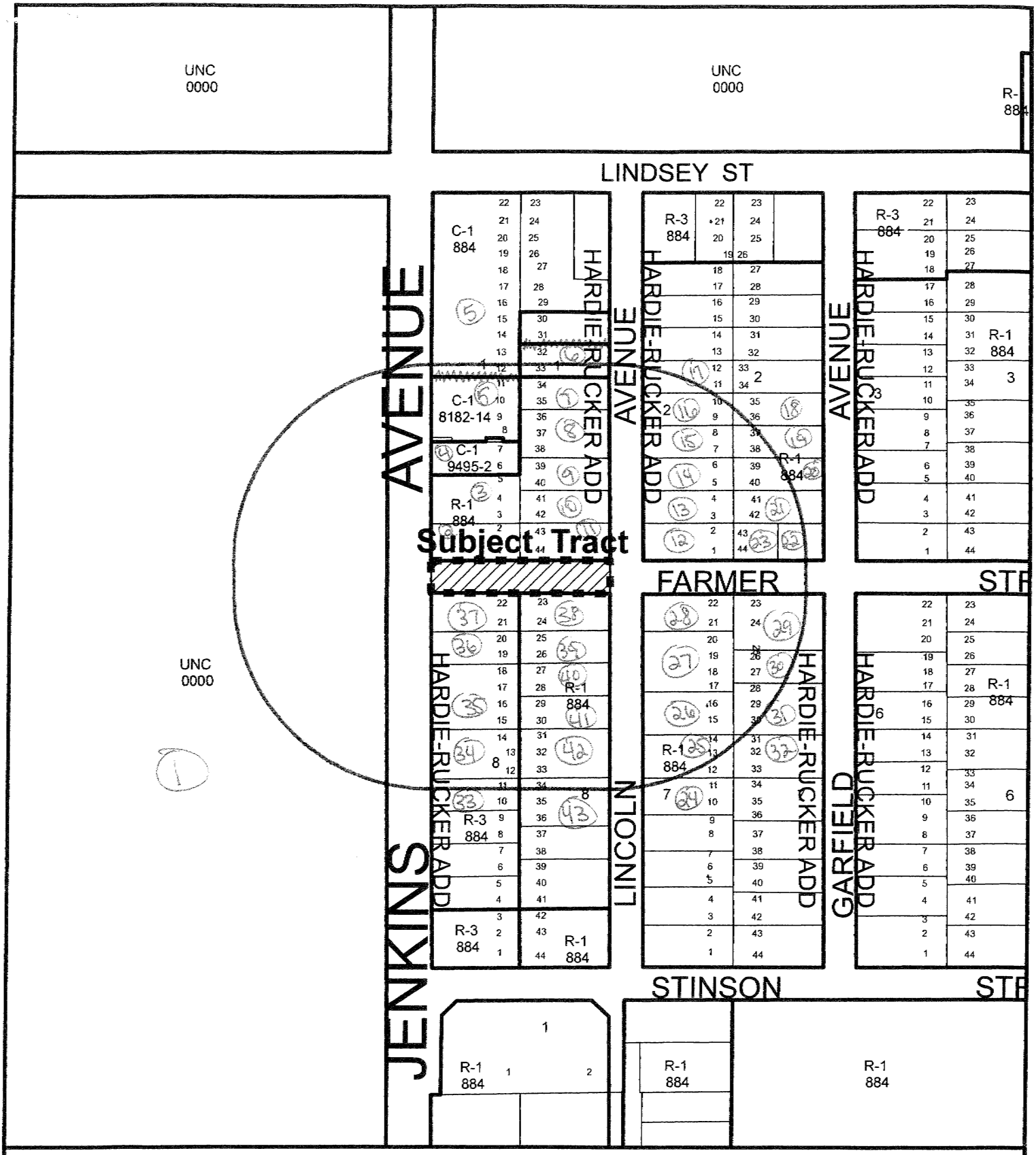
Wherefore, pursuant to Resolution 8182-66, as amended, of the City of Norman, the undersigned Applicant requests the described **closing** of the above-described Subject Property, by enactment of an ordinance by the City Council of the City of Norman.

Applicant: **BOARD OF REGENTS OF UNIVERSITY OF OKLAHOMA,**

by: Hal Heiple (H. L. Heiple, Attorney-Agent)
Heiple Law Offices, Inc.
PO Box 847, Norman, OK 73070
Phone (405) 321-0090, FAX 321-9763

cc: Ken Danner, CON Public Works
Rone' Tromble, CON Planning Dept.
Client

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/22/13



Radius Map

300ft. Radius

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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0 100 200 Feet

July 16, 2013

Subject Tract
Radius
Zoning
Parcels
Notification Area

39-5

\\nc0510\MapTemplates\RadiusMap_ArcMap10\RadiusMap.mxd

at&t

Pat Mason
Legal Assistant

AT&T Oklahoma
405 N. Broadway
Room 203
Oklahoma City, OK 73102

T: 405.291.6755
F: 405.236.7773
pm8484@att.com

August 26, 2013

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

Re: Notice of Request for Closure of Right-of-Way – Farmer Street

Dear City Clerk:

In response to your notice regarding the referenced matter, Southwestern Bell Telephone Company ("SWBT") does **object** to closing the described public way or easement. SWBT has existing buried facilities installed and in use within the location more particularly described as:

> That part of Farmer Street lying between Jenkins Avenue and Lincoln Avenue, between Blocks 1 and 8, HARDIE-RUCKER ADDITION to Norman, Oklahoma.

SWBT will need to use the area sought to be closed for the provisioning of telephone and communications services, and therefore **objects** to having the easement closed.

Thank you for your assistance, and please do not hesitate to call our engineer for this area, Terri Hayes, with any questions or concerns. She can be reached at (405) 291-1073.

Yours truly,

Pat Mason

Pat Mason, Assistant to
Thomas Ishamel

RECEIVED IN THE OFFICE
OF THE CITY CLERK
ON 8-27-13

c: Rick Wooten, Area Manager
Terri Hayes, Manager

USA Proud Sponsor of the U.S. Olympic Team

office memorandum

Date: August 1, 2013

To: Ken Danner, Subdivision Development Manager

From: Jim Speck, Capital Projects Engineer JS

Re: Request to Close a Portion of Right-of-Way of Farmer Street between Jenkins Ave and Lincoln Avenue

The subject portion of the right-of-way located in Farmer Street between Jenkins Avenue and Lincoln Avenue contains an active public sewer main that crosses in a north-south alignment.

Therefore, the Utilities Department Staff does not support the closing of the Right-of-Way in question unless an easement is granted for the existing sewer main. Please advise if you have any questions.

Cc: Brenda Hall
Jeff Bryant
Ken Komiske
Jane Hudson

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

SEPTEMBER 9, 2013

KEN DANNER, DEVELOPMENT COORDINATOR
NORMAN PLANNING COMMISSION
P. O. BOX 370
NORMAN, OK. 73070

RE: **Applicant: City of Norman**
Consent for closure of right-of-way
A portion of Farmer Street between Jenkins and Lincoln Avenues

Mr. Danner;

Our records show OG&E Electric Services has overhead facilities in the portion of Farmer Street the City of Norman plans to close. OG&E would need to:

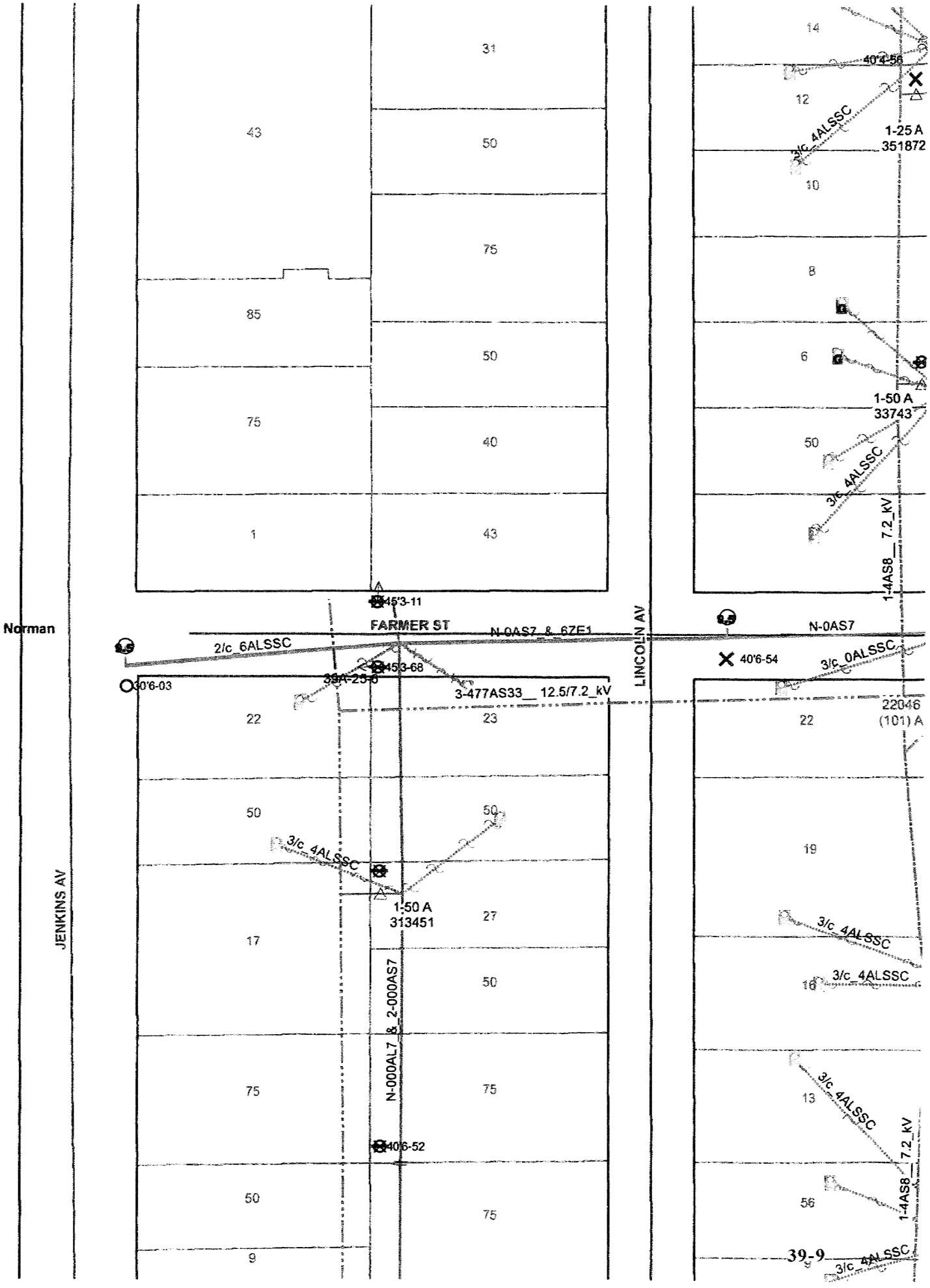
"Retain and continue to have a utility easement and the right of ingress and egress to continue to enter upon, maintain, operate, upgrade and reconstruct electric utility facilities and continue to operate and provide electric service in, upon, under and across said property."

If you should have any other questions, I can be reached at 553-5174.

Sincerely,

Timothy J. Bailey

Timothy J. Bailey
Right-Of-Way Agent



Norman
JENKINS AV
FARMER ST
LINCOLN AV
N-0AS7_&_6ZE1
N-0AS7
2/c_6ALSSC
3/c_0ALSSC
3-477AS33__ 12.5/7.2_kV
1-4AS8__ 7.2_kV
3/c_4ALSSC
1-25 A
351872
1-50 A
33743
1-50 A
313451
N-000AL7_&_2-000AS7
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40'6-54
40'6-52
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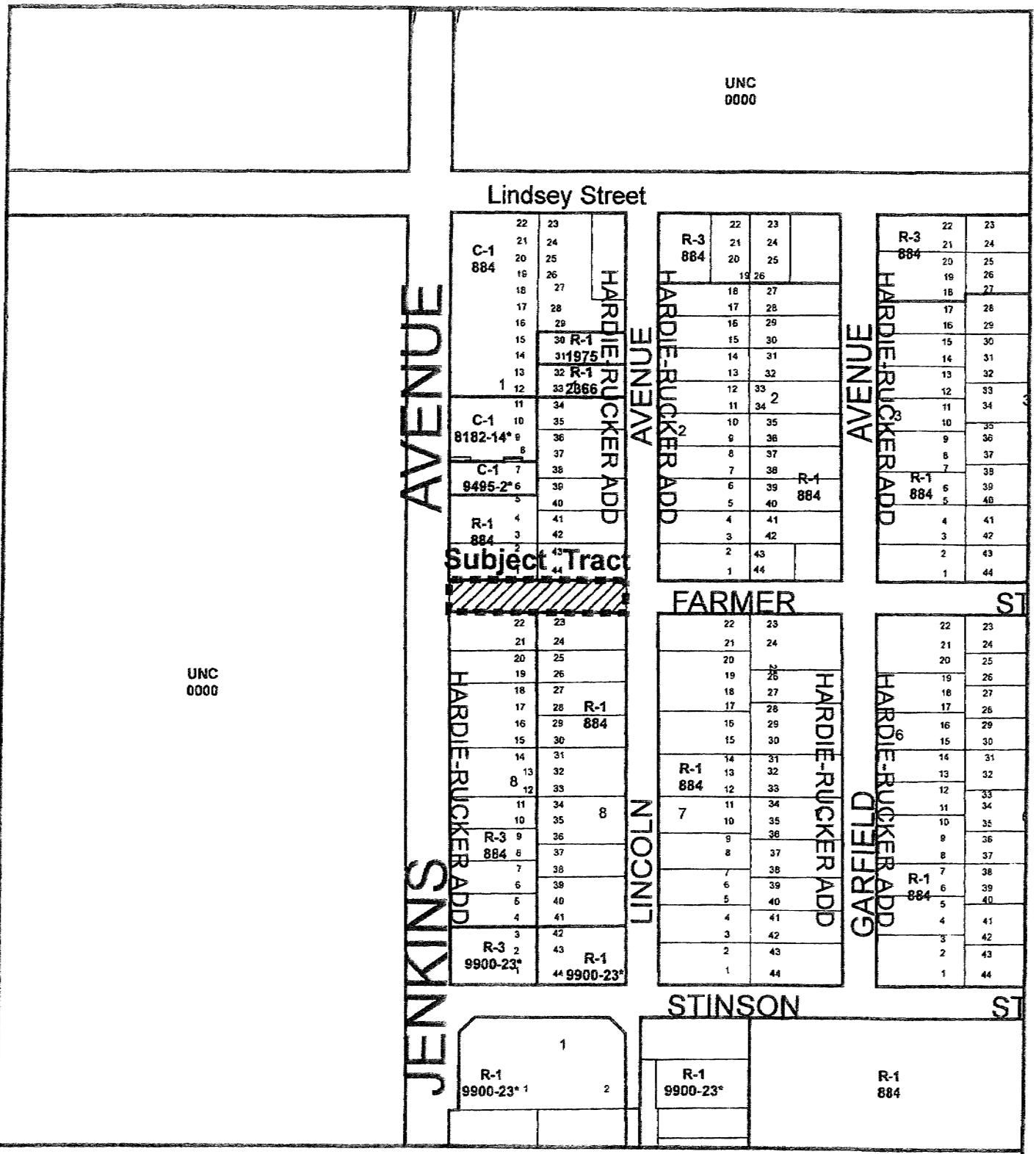

Location Map

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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August 19, 2013

0 100 200 Ft.

Subject Tract

Zoning

CLOSURE OF RIGHT OF WAY:
FARMER STREET BETWEEN
JENKINS AVENUE AND LINCOLN
AVENUE.

BOARD OF REGENTS OF THE
UNIVERSITY OF OKLAHOMA

FARMER STREET

LINCOLN AVENUE

JENKINS AVENUE

JENKINS AVENUE

LINDSEY STREET

SITE PLAN

ORDINANCE NO. O-1314-11 ITEM NO. 7

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Board of Regents of the University of Oklahoma
REQUESTED ACTION	Closure of street right-of-way of Farmer Street lying between Jenkins Avenue and Lincoln Avenue and between Blocks 1 and 8, Hardie Rucker Addition.

BACKGROUND: Amended plat of Hardie Rucker Addition was filed of record May 11, 1923 with a fifty foot (50') street right-of-way known as Farmer Street between Jenkins Avenue to the west and Lincoln Avenue to the east.

DISCUSSION: A great amount of transition has taken place in this area. Beginning with the construction of Headington Hall by the University of Oklahoma north of Farmer Street, a University of Oklahoma parking lot south of Farmer Street, the construction of Lindsey Street from Lincoln Avenue to the Burlington Northern Santa Fe railroad tracks, and the installation of a traffic signal at the intersection of Jenkins Avenue and Stinson Street and Lindsey Street and George Avenue. With the street closure, a public street will no longer be in conflict with the University's plans for continuity of their property. The proposal is green space and landscaping in the place of the street paving, an element of open space will make a break from the multi-story structure to the north and the existing parking lot to the south. With the neighborhood to the east and southeast, there are other outlets provided with the best locations at the signalized intersections of Stinson Street and Jenkins Avenue and Lindsey Street and George Avenue. The Lindsey Street Project installed wide sidewalks on both sides of the street. The University of Oklahoma constructed the same width sidewalks for Lindsey Street and Jenkins Avenue as part of the Headington Hall Project.

Also, sidewalks were constructed adjacent to Lincoln Avenue and Farmer Street. A City project installed a sidewalk on the south side of Farmer Street from George Avenue to the east to Jenkins Avenue to the west. With this proposal the sidewalk will terminate at Lincoln Avenue.

It should be noted that the City has a sanitary sewer main that runs north and south about mid-block of the closure and a storm sewer located on the north side of Farmer Street running east and west (draining Jenkins Avenue to the east). The City will need easements to cover these facilities. City staff has received one response from AT&T Southwest needing an easement for their facilities. There have been no other responses from the utility companies.

RECOMMENDATION: With the proposal of the green streetscape by the University, the newly installed traffic signals and sidewalks providing pedestrian capabilities, staff can support the request for the closure of Farmer Street between Jenkins Avenue and Lincoln Avenue and between Blocks 1 and 8 of Hardie Rucker Addition.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 7, being:
O-1314-11 – THE BOARD OF REGENTS OF UNIVERSITY OF OKLAHOMA REQUEST CLOSURE OF THE RIGHT-OF-WAY OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE BETWEEN BLOCKS 1 AND 8, HARDIE-RUCKER ADDITION.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Site Plan
3. Staff Report
4. Petition to Close part of Farmer Street between Jenkins Avenue and Lincoln Avenue

PRESENTATION BY THE APPLICANT:
1. Harold Heiple, 218 E. Eufaula – We want to close that one block of Farmer Street. All of the stuff lying north of it, colored orange and yellow, doesn't exist any more. It's one great big huge beautiful brick residence for the University, and this street is immediately on the south side. If you look at the top of that drawing, the outline of the building is there. Right below the building to the south is a circular sidewalk. It is a wide sidewalk and will accommodate both pedestrians and bicycles under University policy, not only for the people that live in the residence, but people that live over on Lincoln and want to come through to Jenkins Street. If you come on down on the left side of that drawing, you'll see a driveway, which is a considerable distance from where that sidewalk is. And if you compare the size of the building, you get an idea what's going to happen south of the sidewalk and down to that curb cut is a passive park – no concrete and just landscaping, trees, and a good restful area. The general concept is that whole area is going to look like this. Now the curved sidewalk is at the top and all the area below the sidewalk down to the existing parking lot will be landscaping. There are no filed protests. There are two utilities in the area that we understand and, of course, by law we are required to both respect and protect those; we will give separate easements for those to OG&E and to the City for their utilities. As I say, no protests and we would respectfully ask you to recommend to the City Council that they approve closing this, because once that has happened, if it happens, we will then go to District Court to vacate it so that it will be permanently closed. Any questions?

AUDIENCE PARTICIPATION:
1. Warren Prickett, 1404 Garfield Avenue – I've lived there my entire life. It's a block over from where they're talking about. I've talked to every neighbor in my addition and there is not one person in my addition that wants the closing of this street, except for OU. It's the only access we have to get out to Jenkins after their latest construction on Lindsey Street. We have Lindsey to get out and now Stinson, which they recently put a traffic light which was needed and – I'm glad that the traffic light is there at Stinson. But with all the new building and all the apartments behind there, Stinson Street is the main thoroughfare to get out for Jenkins. If they block Farmer, it already backs up from Stinson to Lindsey during rush hour and it is bumper to bumper all the way down Jenkins from Lindsey to Stinson because of the new light – the traffic already there. We've had six years of construction in that neighborhood now, with the two years of the parking lot, the two years of the Lindsey Street construction, and now the two years of the new dorm. Nobody wants that street closed except OU and in April a surveyor told me when he was transit looking through and I asked him what's going on. He said we're getting rid of this street; Molly wants more green space. And that was in April. So I figure this is probably already a done deal, but I felt like I needed to speak about it. Thank you.

2. Harold Heiple – I'm not trying to be frivolous, and I certainly respect what the man said and his reasons for saying it. But I would say that the people that would like to have it closed are the several hundreds, if not thousands, of University students that will be walking out of that south door of Heddington and crossing that particular area every day. So it's not going to be the same Farmer Street – it wouldn't be if it stayed open, and that's one reason we want it closed is

City of Norman, OK

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

Master

File Number: O-1314-13

File ID:	O-1314-13	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Crematoriums Amendment			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), GENERAL COMMERCIAL (C-2), INTENSIVE COMMERCIAL (C-3), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-13 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-13 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 10/22/2013

Agenda Number: 40

Attachments: Text File O-1314-13, Exhibit A - Survey on Crematoriums, O-1314-13 Clean, O-1314-13 Annotated, Staff Report, 9-12-13 PC Minutes - O-1314-13

Project Manager: Susan Connors, Director of Planning and Community Devel

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

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

1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/08/2013	Pass
	Action Text:	That this Ordinance be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/8/2013 by consent roll call				
1	City Council	10/08/2013	Introduced and adopted on First Reading by title only			Pass
	Action Text:	That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call				

Text of Legislative File O-1314-13

Body

BACKGROUND: In November, 2012 the City Council approved an amendment to the Zoning Ordinance to add Crematoriums as a Special Use in the A-2, C-2 and C-3 zones and as a Permitted Use in I-1 and I-2. The use has development requirements that must be met whether developed as a Special Use or a Permitted Use. This amendment contemplated crematoriums as a stand-alone use and the criteria for locating crematoriums were based on them being a single use.

City staff has been approached once again on this issue to request that crematoriums be allowed to be located in the same building with a funeral home or mortuary. This is certainly an option in the industry and there are no State regulations that would prohibit this from occurring.

Staff has reviewed several other cities' zoning ordinances as to their regulations for crematoriums. We found a wide range of regulations. EXHIBIT A is a table which identifies the cities we researched and the regulations those cities required for the construction of crematoriums.

Oklahoma City and Tulsa both allow crematoriums to be located in the same zones where a funeral home or mortuary is allowed.

The attached zoning code amendment was a substitute amendment recommended for approval by the Planning Commission. It will allow a crematorium in a funeral home or mortuary in non-residential zoning districts. They will be allowed as a Special use in the O-1, CO, C-1, C-2 and C-3 Zoning Districts and by right in the I-1 Zoning District. The change was made after testimony in opposition was received and after Commission discussion. The substituted ordinance adds the additional requirement that the use is a Special Use in the C-2 and C-3 zones to allow additional review of this use in commercial areas.

RECOMMENDATION: Staff recommends approval of this Code amendment. There are development conditions included in the Ordinance language that must be met to protect adjacent properties.

At their meeting of September 12, 2013, Planning Commission recommended approval of the attached Ordinance by a vote of 8-0.

EXHIBIT A SURVEY ON CREMATORIUMS			
CITY	**WHAT ZONES CREMATORIES ARE ALLOWED**	**CONDITIONS**	**SETBACK FROM RESIDENTIAL**
OKLAHOMA CITY	In Cemetery as an accessory use	In cemetery is an accessory use Special Use Permit. a. Parking or loading at least 20' from abutting residential district b. Structures surrounded by cemetery grounds and setback 75' from street and 20' from residential zones	Per underlying zoning
OKLAHOMA CITY	With a funeral home	Special Use Permit	Per underlying zoning
OKLAHOMA CITY	Stand alone as principal use: 0-2 General Office C-3 Community Commecial C-4 General Commercial, I-1, I-2, I-3	Special Use Permit	O-2 =15' C-3 = 15' C-4 = 15' I-1 = 15' I-2 = 35' I-3 = 50'
OKLAHOMA CITY	CBD	By right	CBD = 0'
TULSA	Any District	Special Exception granted by Board of Adjustment (BOA)	As approved by the BOA
BROKEN ARROW	A-1	Special Use Permit, with development regulations a. vehicle access to arterial, d. 50 foot setback from all property	

		lines	
BROKEN ARROW	I-1 & I-2 Allowed in cemeteries of 40+ acres with the following: • 100' bldg setback from arterial, • 50' bldg setback from non-arterial.	By right, a. vehicle access to arterial, d. 50 foot setback from all property lines	
EDMOND	Light Industrial (F-1)		70 foot setback from residential
ALBUQUERQUE, NM	SU-1 (PUD)	Site development plan governs the project	
CHARLOTTE, NC	B-2, I-1, I-2	By right	400' measured from closest building to nearest residential district
CHARLOTTE, NC	Single-family, multi-family, institutional, office, B-1, B-2, BD, MX-1, MX-2, MX-3, NS, I-1 and I-2 when in a cemetery of 100 acres or more	As accessory in a cemetery of 100 acres: conditions include: a. enclosed building, b. meets parking requirements, c. meets all applicable local and state and federal laws & regulations, d. enclosed building that meets fire and bldg code	If in residential district, facilities must be 100' from exterior property line of the cemetery
CHARLOTTE, NC		Accessory to funeral home if funeral home is primary use	Per underlying zoning
PHOENIX, AZ	Light Industrial Districts	By right	Per underlying zoning

THORNTON, CO	Agriculture and Business Park	Special Use: a. Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times. b. All storage shall be inside. c. Incinerator stacks shall not be located on the front roof of any structure facing any street.	Per underlying zoning

O-1314-13

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 422.9 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

SEC. 422.9 – O-1, OFFICE-INSTITUTIONAL DISTRICT

* * *

3. Special Use: The following uses may be permitted, after review, in accordance with Section 434.1:

(a) Hospital, provided that:
  (1) Proposed site shall have a minimum 500 foot frontage on a principal urban arterial;
  (2) No ingress or egress shall be allow3ed except from arterial streets;
  (3) Buffer strips shall be provided between adjoining residentially zoned properties:
    (a) No structure shall be closer than 200 feet from the residentially zoned properties;
    (b) A landscaped area 50 feet in width, or 20 feet with a six (6) foot brick, or decorative masonry wall, shall be provided along shared property lines; and,
  (4) There shall be a minimum ten (10) acre site with an additional one (1) acre for each additional ten (10) beds or fraction thereof above one hundred (100) beds.

(b) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:

(1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
(2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(3) All storage shall be inside.
(4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

§ 2. That Section 423.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 423.1 – CO, SUBURBAN OFFICE COMMERCIAL DISTRICT

* * *

3. Special Use: The following uses may be permitted, after review, in accordance with Section 434.1:

(c) Emergency Medical Transportation Services.
(d) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
(1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
(2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(3) All storage shall be inside.
(4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

§ 3. That Section 423.2 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 423.2 – C-1, LOCAL COMMERCIAL DISTRICT

* * *

3. Special Use: The following uses may be permitted, after review, in accordance with Section 434.1:

(a) Emergency Medical Transportation Services.
(b) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
  (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
  (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
  (3) All storage shall be inside.
  (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

§ 4. That Section 426.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 426.1 – I-1, LIGHT INDUSTRIAL DISTRICT

* * *

1. Uses Permitted. Property and buildings in an I-1, Light Industrial District, shall be used only for the following purposes:

(a) Any of the following uses:

* * *

(5) Crematorium, subject to all the following conditions and requirements:
  (a) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.

(b) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(c) All storage shall be inside.
(d) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
(e) Crematoriums shall have direct vehicle access to an arterial street.

(6) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
(a) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
(b) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(c) All storage shall be inside.
(d) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

(7) Farm machinery or contractor's machinery storage yard.
(8) Mobile home and camper sales.
(9) Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices.
(10) Public utility service company yard or electrical receiving or transforming station.
(11) Truck and farm implement sales and service.
(12) Truck terminal.
(13) Veterinary hospital.
(14) Warehousing.
(15) Trade schools and schools for vocational training.
(16) Impoundment yard, subject to the following conditions:
(a) the operator of the storage facility must obtain both a City License to operate an impoundment yard and a State Wrecker License;

* * *

§ 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

_____, 2013.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day of

_____, 2013.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

O-1314-13

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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* * *

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(a) Hospital, provided that:
  (1) Proposed site shall have a minimum 500 foot frontage on a principal urban arterial;
  (2) No ingress or egress shall be allow3ed except from arterial streets;
  (3) Buffer strips shall be provided between adjoining residentially zoned properties:
    (a) No structure shall be closer than 200 feet from the residentially zoned properties;
    (b) A landscaped area 50 feet in width, or 20 feet with a six (6) foot brick, or decorative masonry wall, shall be provided along shared property lines; and,
  (4) There shall be a minimum ten (10) acre site with an additional one (1) acre for each additional ten (10) beds or fraction thereof above one hundred (100) beds.

(b) Funeral parlor, ~~M~~mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:

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(4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

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Sec. 423.1 – CO, SUBURBAN OFFICE COMMERCIAL DISTRICT

* * *

3. Special Use: The following uses may be permitted, after review, in accordance with Section 434.1:

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  (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
  (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
  (3) All storage shall be inside.
  (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

§ 3. That Section 423.2 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 423.2 – C-1, LOCAL COMMERCIAL DISTRICT

* * *

3. Special Use: The following uses may be permitted, after review, in accordance with Section 434.1:

(a) Emergency Medical Transportation Services.
(b) Funeral parlor, ~~M~~mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
  (1) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
  (2) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
  (3) All storage shall be inside.
  (4) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

* * *

§ 4. That Section 426.1 of Chapter 22 of the Code of the City of Norman shall be amended to read as follows:

Sec. 426.1 – I-1, LIGHT INDUSTRIAL DISTRICT

* * *

1. Uses Permitted. Property and buildings in an I-1, Light Industrial District, shall be used only for the following purposes:

(a) Any of the following uses:

* * *

(5) Crematorium, subject to all the following conditions and requirements:
  (a) Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.

(b) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(c) All storage shall be inside.
(d) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
(e) Crematoriums shall have direct vehicle access to an arterial street.

(6) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
(a) Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
(b) Facilities shall meet all applicable state and federal requirements for incineration equipment and shall be licensed at all times.
(c) All storage shall be inside.
(d) Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.

~~(6)~~(7) Farm machinery or contractor's machinery storage yard.
~~(7)~~(8) Mobile home and camper sales.
~~(8)~~(9) Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. ~~Funeral homes and mortuaries shall not be considered professional services permitted in this district.~~
~~(9)~~(10) Public utility service company yard or electrical receiving or transforming station.
~~(10)~~(11) Truck and farm implement sales and service.
~~(11)~~(12) Truck terminal.
~~(12)~~(13) Veterinary hospital.
~~(13)~~(14) Warehousing.
~~(14)~~(15) Trade schools and schools for vocational training.
~~(15)~~(16) Impoundment yard, subject to the following conditions:
(a) the operator of the storage facility must obtain both a City License to operate an impoundment yard and a State Wrecker License;

* * *

§ 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

_____, 2013.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day of

_____, 2013.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

ORDINANCE NO. O-1314-13 ITEM NO. 9

STAFF REPORT

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND

In November, 2012 the City Council approved an amendment to the Zoning Ordinance to add Crematoriums as a Special Use in the A-2, C-2 and C-3 zones and as a Permitted Use in I-1 and I-2. The use has development requirements that must be met whether developed as a Special Use or a Permitted Use. This amendment contemplated crematoriums as a stand-alone use and the criteria for locating crematoriums were based on them being a single use.

City staff has been approached once again on this issue to request that crematoriums be allowed to be located in the same building with a funeral home or mortuary. This is certainly an option in the industry and there are no State regulations that would prohibit this from occurring.

Staff has reviewed several other cities' zoning ordinances as to their regulations for crematoriums. We found a wide range of regulations. EXHIBIT A is a table which identifies the cities we researched and the regulations those cities required for the construction of crematoriums.

Oklahoma City and Tulsa both allow crematoriums to be located in the same zones where a funeral home or mortuary is allowed.

The attached zoning code amendment will allow a crematorium in a funeral home or mortuary in non-residential zoning districts. They will be allowed as a Special use in the O-1, CO and C-1 Zoning Districts and by right in the C-2, C-3 and I-1 Zoning Districts. The Ordinance does not amend the C-2 and C-3 districts because the cumulative nature of the Zoning Code will allow the use in those zoning districts because it is allowed as a Special Use in the C-1 district.

RECOMMENDATION

Staff recommends approval of this Code amendment. There are conditions of approval to protect adjacent properties.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of September 2013. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Janay Greenlee, Planner II Todd McLellan, Development Engineer David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 9, being:
ORDINANCE NO. O-1314-13 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS, AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:
1. Staff Report
2. Exhibit A
3. Ordinance No. O-1314-13
4. Substitute Ordinance No. O-1314-13

PRESENTATION BY STAFF:
1. Susan Connors – The request before you this evening, as you just read, is to amend our Zoning Code to allow crematoriums to be in conjunction with a funeral parlor or mortuary. About a year ago, staff had come before you with a request to allow crematoriums as a use, which was not really a specified use in our zoning code previously. So when we came before you about a year ago, we did an amendment that allowed crematoriums as a stand-alone use. We have now had some additional inquiries about whether or not they could be a part of a funeral parlor or mortuary. As we looked at that, and even from our research from a year ago, this really is an improved industry – very clean industry at this point in time, and so allowing a crematorium which is allowed in other cities in Oklahoma, such as Oklahoma City and Tulsa, in lower zoning district categories without major setbacks. So the stand-alone crematoriums require 400 feet setback from residential zones and also required access specifically from an arterial street, and there was a reason for that – because as a stand-alone use it's just more obvious what it is. If you put the crematorium in a funeral parlor or mortuary, it's really just a small part of that building. What we're recommending this evening is that it be a special use in the O-1, which is the office district; the suburban office, which is CO; and the local commercial district, C-1; and then by being a special use in C-1, it would be allowed in C-2 and C-3; and then it would also, by this amendment, be allowed in light industrial. The crematoriums, when we allowed them as stand-alone, are now a permissive use already in I-1, so keeping that as a permissive use in I-1. The special use in C-1 allows this to go forward in the C-2 and C-3. That is what is before you and was in your book. Do you have any questions?

AUDIENCE PARTICIPATION:
1. Harold Heiple, 218 East Eufaula, representing the Norman Developers Council – We routinely ask City department heads, just prior to every monthly meeting of the Developers Council, if they've got anything they would like us to pass on to developers. This past couple of weeks ago, when we posed that, Susan came back and informed us that this ordinance was on the way through. I raised it at the developers meeting and didn't get any particular reaction at that time, but then when we got to reading through it and in talking to Judy Hatfield and other people who deal regularly as far as bringing in commercial tenants and so forth, the problem is that this would make, as a matter of right, a crematorium in C-2 and C-3, which would mean an existing business that's already out there operating in C-2 or C-3 could look out one day and, without any notice and without any opportunity for objection, a crematorium is being built next door to them, whether it is with or without a funeral home. Now, as Judy promised, and as I know from my own experience in dealing with national chains, there are a number of retail operations that will absolutely go crazy is you tell them that there's going to be a crematorium next door. So what we are saying is that it needs to be not a matter of right, but for C-2 and C-3 do the same thing that you're doing for O-1 and C-1, and that is make it a special use so that, if somebody wants to do that, they've got to come through with an application for special use, which will give notice and opportunity to object to the people that are next door. I asked the staff to pull this so that we could work on that, and Susan indicated no, they were going to bring

it forward, and I asked was anybody pushing it, and she said Hal Ezzel has a project that's coming forward and he particularly needs, among other things, the setbacks that are required in C-2, which is where he plans to build it. Now, I'm not sure – his land is a combination of CO and C-2. Susan thought it was on the CO part that he would have to have a special use permit anyway. He thought it was C-2. I'm saying that, in any event – and I think staff has ready a substitute ordinance that would require for C-2 and C-3 to take care of the things that we're concerned about, which means it would be a requirement for a special use permit in all of them. When you do that, you then have to go back and you've got to tweak the C-2 and C-3 general ordinances because right now they read that anything that is a permissive use in C-1 is permitted as a matter of right in C-2 and C-3, and that has worked well for years. But, in this particular case, that's what we're objecting to. That can easily be tweaked also. We're simply asking that you recommend approval, but with the changes so that a special use permit would be required for all zoning categories to do this. Now, Hal is here and can also tell you about the kind of designs that are available and the environmental impact, as well as the architectural and aesthetic impact of what they've got.

2. Hal Ezzel, 518 Chautauqua – I wanted to be available to answer any questions that you might have and confirm that, in fact, when I spoke with Harold and he raised his concerns with regards to requirement of special use, I have no objection to that. We are specifically bringing a project forward that we want to get before you as fast as possible that's going to be roughly at 24th and Riverside Drive. What we are looking to do is we felt like the zoning ordinances, at this juncture in time, addressed funeral homes and they addressed crematories, but they didn't address a funeral home that had a crematory contained within it. A retort, the piece of equipment that does the cremating, is about probably 10' wide by about 12' deep and about 8' high. It's easily self-contained within a building. The stacks on modern retorts are zero emissions. We have to have ours tested every year for Maricopa County air quality on another one that we have. And they are, in fact, zero emissions, meaning that there's no particulate matter. They don't billow smoke that you would see or odor that you would detect. It's not that it's impossible that you would have a problem. Your retort would be burning down if that were the case. The aesthetics of the design are they're largely – it's a residential appearing structure. It would not be discernible. You would have no idea what was going on there, other than a sign in the front that told you what it was. So it's very unobtrusive. In the instance of a crematory incorporated within a funeral home, it's not anything that would require a 400 foot setback, whereas as a stand-alone building that was just a crematory can be very industrial looking in nature. It might be a metal building. There could be other things that would be concerns that you might want that setback. But when it's incorporated into a combination design, that's really unnecessary. You should just be subject to the normal setback requirements. So I would respectfully ask that you send this forward. I don't know the procedure. If you want to make a motion to amend it to include the special use rewrite as it goes to Council, I'm fine with that. I would just ask that you send this forward this evening. Thank you. I would be happy to answer any questions you might have.

3. Mr. McCarty – Do we currently have a crematorium in Norman? If I get cremated, where do I go?

4. Mr. Ezzel – You would be sent to – now, given the recent sales, you would go to Moore. Previously, you would have gone to the Purcell area to Southhaven.

5. Ms. Connors – I wanted to just correct one thing that Mr. Heiple had indicated. In the current zoning code, a stand-alone crematorium is a special use in both C-2 and C-3 and it's not allowed in C-1. So the stand-alone is already a special use. The other thing I wanted to indicate is that staff has prepared a substitute ordinance putting this as a special use in C-2 and C-3, if you want to consider that this evening and I have copies up here I can pass out.

6. Mr. Knotts – So that would be a special use?

7. Ms. Connors – In O-1, CO, C-1, C-2, C-3 it would all be special use. It would still be an allowed use in I-1. If the Commission chose, they could just substitute this ordinance and then make a motion on this substitution.

8. Mr. Gasaway – Can we ask Ms. Connors to go through and indicate what the differences are, please?

9. Ms. Connors – In the ordinance that was in your book, the changes to the ordinance in your book are simply in the C-2 area, on the third page of this ordinance, we have amended the uses permitted in C-2: Any Special Use in C-1, except mixed buildings and crematoriums when attached to a funeral parlor or funeral home. So that wouldn't carry over as a permitted use. Then it is added as a special use in C-2 and then it's added as a special use in C-3. And it remains, as I said, a permissive use in I-1.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Dave Boeck moved to consider Substitute Ordinance No. O-1314-13. Curtis McCarty seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to consider Substitute Ordinance No. O-1314-13, passed by a vote of 8-0.

Andy Sherrer moved to recommend adoption of Substitute Ordinance No. O-1314-13 to City Council. Jim Gasaway seconded the motion.

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

YEAS	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Substitute Ordinance No. O-1314-13 to City Council, passed by a vote of 8-0.

* * *