City of Norman, OK

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

City Council Agenda

Tuesday, November 22, 2011

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Roger Gallagher
Council Member Tom Kovach
Council Member Hal Ezzell
Council Member Carol Dillingham
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
Counci Member Dan Quinn
Council Member Dan Quinn
Council Member Dan Quinn

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

1 Roll Call

2 Pledge of Allegiance

3 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 42 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:

4 GID-1112-35 CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF OCTOBER 25, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 25, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 25, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 25, 2011
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION
MINUTES OF OCTOBER 26, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 1, 2011
CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF NOVEMBER 2, 2011
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF NOVEMBER 3, 2011
CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 8, 2011
CITY COUNCIL MINUTES OF NOVEMBER 8, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 8, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 8, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 8, 2011

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

ACTION TAKEN: _____

Attachments: October 25 CC Minutes
October 26 CPT Minutes
November 1 Special Session minutes
November 2 Oversight Committee minutes
November 3, BACA Minutes
November 8 Conference Minutes
November 8 CC Minutes

5 **O-1112-15** CONSIDERATION OF ORDINANCE NO. O-1112-15 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 7.5-21(F), 7.5-22, 7.5-25(5) AND (6), 7.5-26(7), AND 7.5-27 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN CHANGING THE NAME OF THE ENFORCEMENT AUTHORITY TO NORMAN ELECTION COMMISSION THROUGHOUT AND PROVIDING FOR AMENDMENTS TO THE CAMPAIGN STATEMENTS FILING REQUIREMENTS AND VIOLATION REPORTING PROCEDURE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-15 upon First Reading by title.

ACTION TAKEN: _____

Attachments: O-1112-15 Campaign Amendments_Clean.pdf
O-1112-15 Campaign Amendments_Annotated.pdf
Oversight Committee minutes 05-04-11.pdf
Oversight Committee minutes 09-07-11.pdf
Oversight Committee minutes 11-02-11.pdf
November 2 Oversight Committee minutes
Pert Exc July 26 CC Minutes

6 **AP-1112-9** CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 11-22-11 TO 10-27-13: CHARLES SEVER, 930 SCHULZE DRIVE
TERM 11-22-11 TO 10-27-14: JAMES HARP, 801 PARKSIDE ROAD
TERM: 11-22-11 TO 10-27-14: JAMES GREER, 4509 MOORGATE DRIVE

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Charles Sever will replace Yves Badaroux who has resigned; James Harp will replace Jane Dye who does not wish to be reappointed; and James Greer will replace Larry Steele.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

7 **RPT-1112-17** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF OCTOBER 31, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

Attachments: Finance Dir Investment Report 10/31/11

8 **RPT-1112-16** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF OCTOBER, 2011, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

9 **RPT-1112-15** CONSIDERATION OF THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., (NCVB) SEMI-ANNUAL REPORT ENDING JUNE 30, 2011.

INFORMATION: Amendment No. Six to Contract No. K-9293-136 was approved by City Council on June 22, 2011, which requires that "The NCVB shall report to the City no less than approximately semi-annually, with information that provides the City with a reasonably good understanding of the activities that the NCVB has undertaken since the prior reporting, through efforts to encourage, promote, and foster the convention and tourism development of the City." The NCVB has submitted a report for activities through June 30, 2011.

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

ACTION TAKEN: _____

Attachments: NCVB Semi-Annual Report June 30, 2011

10 **K-1112-56** CONSIDERATION OF BID NO. 1112-26; CONTRACT NO. K-1112-56 WITH RON WALTERS CONSTRUCTION SERVICES, INC., IN THE AMOUNT OF $84,942.60, PERFORMANCE BOND NO. B-1112-13; STATUTORY BOND NO. B-1112-14; MAINTENANCE BOND NO. MB-1112-16, AND RESOLUTION NO. R-1112-39 FOR THE FIREHOUSE ART CENTER EXTERIOR REPAIRS PROJECT.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $84,942.60 to Ron Walters Construction Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-56 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; and adopt Resolution No. R-1112-39.

ACTION TAKEN: _____

Attachments: Bid Tab Firehouse Art Center Repairs.pdf
Contract Firehouse Repairs.pdf
Bonds Firehouse Repairs.pdf
Project Agent Resolution
PR Ron Walters

11 **E-1112-10** EASEMENT NO. E-1112-10: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY EASEMENT DONATED BY KIMBERLY F. COOPER AS PART OF THE FYE 2011 CONCRETE PROJECTS.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-10; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Easement Location Map
E-1112-10

12 **E-1112-11** CONSIDERATION OF GRANTING EASEMENT NO. E-1112-11 TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE INSTALLATION OF AN ELECTRIC LINE TO THE COMPRESSED NATURAL GAS (CNG) FACILITY.

ACTION NEEDED: Motion to grant or deny the easement; and, if granted, direct the execution thereof.

ACTION TAKEN: _____

Attachments: E-1112-11 (CNG Facility)

13 **FP-1112-8** CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN MANSIONS ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W., 1195 FEET SOUTH OF WEST ROCK CREEK ROAD)

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

ACTION TAKEN: _____

Attachments: Brookhaven Mansions Location Map
Brookhaven Mansions Final Plat
Staff Report Brookhaven Mansions
Brookhaven Mansions Site Plan
Brookhaven 41 Rev. Prelim. Plat
10-13-11 PC Minutes - Brookhaven Mansions

14 **CPC-1112-1** CONSIDERATION OF APPROVAL OF CERTIFICATE OF PLAT CORRECTION NO. CPC-1112-1 FOR OEC HEMPHILL ADDITION. (GENERALLY LOCATED SOUTH OF HEMPHILL DRIVE AND WEST OF 24TH AVENUE N.W.)

ACTION NEEDED: Motion to approve or reject Certificate of Plat Correction No. CPC-1112-1 in connection with OEC Hemphill Addition; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: OEC-Plat Correction
OEC-SMC Ltr

15 **EN-1112-4** CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-4 FOR LOT 1, BLOCK 1, OEC HEMPHILL ADDITION, TO BUILD A CANOPY ON THE EAST SIDE OF THE NEW OKLAHOMA ELECTRIC COOPERATIVE OFFICE BUILDING LOCATED ON SOUTH SIDE OF HEMPHILL DRIVE WEST OF 24TH AVENUE N.W.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-4; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: EN-1112-4
Request Packet
Danner Memo
Speck memo

16 SC-1112-6

SPECIAL CLAIM NO. SC-1112-6: A CLAIM IN THE AMOUNT OF $3,130.15 SUBMITTED BY FIRST BAPTIST CHURCH FOR COSTS INCURRED DUE TO AN OFFSET SEWER MAIN CAUSING A SEWER BACKUP AT 211 WEST COMANCHE STREET.

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1112-6; and, if approved, direct payment in the amount of $3,130.15 contingent upon obtaining a Release and Covenant Not to Sue from First Baptist Church.

ACTION TAKEN: _____

Attachments: Memo First Baptist Church
Claim First Baptist Church

17 LL-1112-7

LIMITED LICENSE NO. LL-1112-7: A LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-7 to place five (5) double-sided signs within the public rights-of-way pursuant to a request from the Director of the Norman Christmas Day Community Dinner; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Attachments: Request Christmas Day Dinner
Christmas Day Dinner

18 **K-1112-88** CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $30,000 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TO HOST A STATEWIDE TRAINING CLASS FOR NORMAN POLICE OFFICERS TO BECOME DRUG RECOGNITION EXPERTS (DRE), APPROVAL OF CONTRACT NO. K-1112-88, AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject a grant in the amount of $30,000 from the Oklahoma Highway Safety Office; and, if accepted, approve Contract No. K-1112-88; authorize the execution thereof; increase DRE Training (022-0000-331.13-30) by $30,000; and appropriate $22,000 to Professional Services/Workshops and Seminars (022-6037-421.46-04) and $8,000 to General Supplies/Employee Training (022-6037-421.30-13).

ACTION TAKEN: _____

Attachments: 2012 Oklahoma Highway Safety Office Grant.pdf

19 **K-1011-146 Final** CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1011-146 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GAMETIME C/O CUNNINGHAM ASSOCIATES, INC., FOR THE EASTWOOD PARK PLAYGROUND REPLACEMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $2,233.27 to GameTime c/o Cunningham Associates, Inc.

ACTION TAKEN: _____

20 **K-1112-89**

CONTRACT NO. K-1112-89: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. ACSTP-114A(184)AG, STATE JOB NO. 24029(04), AND FEDERAL-AID PROJECT NO. STP-114A(292)AG, STATE JOB NO. 24029(05), FOR THE CONSTRUCTION OF THE I-35/ROBINSON STREET NORTHEAST QUADRANT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-81.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-89 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-1112-81, authorize the execution of the contract and resolution, and direct payment to the Oklahoma State Department of Transportation in the amount of $1,527,080 for the City's 20% share of the project.

ACTION TAKEN: _____

Attachments: Exhibit A - Location map
Exhibit -B (Project Expenditures
K-1112-89 and R-1112-81
Requisition

21 **K-1112-90**

CONTRACT NO. K-1112-90: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STATE FARM BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR PROPERTY LOCATED AT 4101 HERITAGE PLACE DRIVE.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-90 with State Farm Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: _____

Attachments: K-1112-90

22 R-1112-57

RESOLUTION NO. R 1112-57: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING THAT THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) INTERMODAL TRANSPORTATION POLICY COMMITTEE AMEND THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN WITH THE INCLUSION OF ROCK CREEK ROAD BETWEEN GRANDVIEW AVENUE AND 36TH AVENUE N.W., AS A FOUR-LANE URBAN ARTERIAL ROADWAY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-57.

ACTION TAKEN: _____

Attachments: Plan Amendment Application form (RockCreekRoad)
Plan Amendment Resolution (RockCreek Road)
OCARTSPlanAmendmentMap-WestRockCreek

23 R-1112-58

RESOLUTION NO. R-1112-58: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING THAT THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS INTERMODAL TRANSPORTATION POLICY COMMITTEE AMEND THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN WITH THE INCLUSION OF CEDAR LANE ROAD BETWEEN 12TH AVENUE S.E. AND 1/2 MILE EAST OF 24TH AVENUE S.E., AS A FOUR-LANE URBAN ARTERIAL ROADWAY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-58.

ACTION TAKEN: _____

Attachments: AmendmentForm
Plan Amendment Resolution (CedarLane)
OCARTSPlanAmendmentMap-CedarLane1

24 R-1112-59

RESOLUTION NO. R 1112-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF ROCK CREEK ROAD FROM GRANDVIEW AVENUE TO WEST OF 36TH AVENUE N.W.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-59.

ACTION TAKEN: _____

Attachments: Summary Table 2013-2016 TIP

R-1112-59

25 R-1112-60

RESOLUTION NO. R 1112-60: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF CEDAR LANE ROAD FROM 12TH AVENUE S.E., TO 1/2 MILE EAST OF 24TH AVENUE S.E.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-60.

ACTION TAKEN: _____

Attachments: List of Projects

R-1112-60

26 R-1112-61

RESOLUTION NO. R 1112-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 12TH AVENUE S.E., FROM NORTH OF CEDAR LANE ROAD TO STATE HIGHWAY 9.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-61.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-61

27 R-1112-62

RESOLUTION NO. R 1112-62: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 24TH AVENUE EAST FROM NORTH OF LINDSEY STREET TO ROBINSON STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-62.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-62

28 **R-1112-63** RESOLUTION NO. R 1112-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF LINDSEY STREET FROM 24TH AVENUE S.W. TO BERRY ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-63.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-63

29 **R-1112-64** RESOLUTION NO. R 1112-64: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 36TH AVENUE N.W. FROM NORTH OF TECUMSEH ROAD TO INDIAN HILLS ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-64.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-64

30 R-1112-65

RESOLUTION NO. R 1112-65: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF TECUMSEH ROAD AND 48TH AVENUE N.W.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-65.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-65

31 R-1112-66

RESOLUTION NO. R 1112-66: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VAROUS LOCATIONS CITYWIDE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-66.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-66

32 R-1112-67

RESOLUTION NO. R 1112-67: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL ON 24TH AVENUE S.E. AT REAGAN ELEMENTARY SCHOOL.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-67.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-67

33 R-1112-68

RESOLUTION NO. R 1112-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE INSTALLATION OF A SIDEWALK ALONG BOYD STREET BETWEEN CLASSEN BOULEVARD AND BARKLEY AVENUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-68.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-68

34 R-1112-69

RESOLUTION NO. R 1112-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND STINSON STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-69.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-69

35 **R-1112-70** RESOLUTION NO. R 1112-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR A TRAFFIC SIGNAL INTERCONNECTION UPGRADE ON STATE HIGHWAY 9 FROM JENKINS AVENUE TO JOHN SAXON BOULEVARD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-70.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-70

36 **R-1112-71** RESOLUTION NO. R 1112-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ALAMEDA STREET AND FINDLAY AVENUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-71.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-71

37 **R-1112-72** RESOLUTION NO. R 1112-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR SCHOOL ZONE UPGRADES CITYWIDE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-72.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-72

38 R-1112-73

RESOLUTION NO. R 1112-73: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND BROOKS STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-73.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-73

39 R-1112-74

RESOLUTION NO. R 1112-74: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW TRAFFIC SIGNAL VIDEO DETECTION SYSTEMS)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-74.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-74

40 R-1112-75

RESOLUTION NO. R 1112-75: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW EMERGENCY VEHICLE TRAFFIC SIGNAL PRE-EMPTION SYSTEMS)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-75.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-75

41 R-1112-76

RESOLUTION NO. R 1112-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW SIGNAL DISPLAYS FOR COMPLIANCE WITH THE 2009 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-76.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-76

42 R-1112-77 RESOLUTION NO. R 1112-77: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR PAVEMENT OVERLAYS ALONG ALAMEDA STREET, CONSTITUTION STREET, IMHOFF ROAD, AND LINDSEY STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-77.

ACTION TAKEN: _____

Attachments: List of Projects
R-1112-77

Non-Consent Items

43 PP-1112-3 CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR BROOKHAVEN NO. 41 ADDITION. (GENERALLY LOCATED SOUTH AND WEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject the revised preliminary plat for Brookhaven No. 41 Addition.

ACTION TAKEN: _____

Attachments: Attachment A - Brookhaven 41 Addition
Brookhaven Location Map
Brookhaven Rev Prelim Plat
Brookhaven Staff Report
Brookhaven Transportation Impacts
Brookhaven Site Plan
Brookhaven Predevelopment Summary
Brookhaven Greenbelt Comments
Brookhaven GES
11-10-11 PC Minutes - Brookhaven 41 Prelim

44 **O-1011-60** ORDINANCE NO. O-1011-60: 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 EAST HALF OF SECTION 17 OF TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY, AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-60 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-60 upon Final Reading section by section.

ACTION TAKEN: _____

Attachments: O-1011-60 Eure
Eure Addition Site Plan
Eure Location Map
Eure Staff Report
Eure Addition Pre-Development
Eure Protest Map
Eure Protest Letters
10-13-11 PC Minutes - Eure Addition

45 PP-1112-2 CONSIDERATION OF A PRELIMINARY PLAT FOR EURE ADDITION AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E., ONE-HALF MILE NORTH OF EAST ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject the preliminary plat and waiver of alley requirements for Eure Addition.

ACTION TAKEN: _____

Attachments: Attachment A-Traffic Table
Eure Location Map
Eure Addition Prelim Plat
Staff Report Prelim Eure
Eure Addition Site Plan
Eure Addition Alley Waiver
Eure Addition -Traffic-Review Form
Eure Greenbelt Enhancement Statement
Eure Greenbelt Commission Comments
10-13-11 PC Minutes - Eure Addition

46 O-1112-16 ORDINANCE NO. O-1112-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE IV BOARD OF HOSPITAL MANAGEMENT; REPEALING IN ITS ENTIRETY ARTICLE VI CABLE COMMUNICATIONS ADVISORY COMMISSION, ARTICLE XVIII UTILITIES COMMISSION, AND ARTICLE XX TRAFFIC APPEALS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-16 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: O-1112-16 (Boards & Commissions) Scanned
Pert exc CC Special Session minutes 10/11/11.pdf

47 Miscellaneous Discussion

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

48 Adjournment

City of Norman, OK

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

Master

File Number: GID-1112-35

File ID:	GID-1112-35	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/10/2011
File Name:	Minutes			**Final Action:**	

Title: CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF OCTOBER 25, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 25, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 25, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 25, 2011
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION MINUTES OF OCTOBER 26, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 1, 2011
CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF NOVEMBER 2, 2011
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF NOVEMBER 3, 2011
CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 8, 2011
CITY COUNCIL MINUTES OF NOVEMBER 8, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 8, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 8, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 8, 2011

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

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 4

Attachments: October 25 CC Minutes, October 26 CPT Minutes, November 1 Special Session minutes, November 2 Oversight Committee minutes, November 3, BACA Minutes, November 8 Conference Minutes, November 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-1112-35

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

October 25, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 25th day of October, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

The Pledge of Allegiance was led by students from Truman Primary School.

* * * * *

Item 3, being:

APPROVAL OF THE CITY COUNCIL MINUTES AS FOLLOWS:

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

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

Items submitted for the record
1. Text File No. GID-1112-27 October 7, 2011, by Brenda Hall, City Clerk
2. City Council Special Session minutes of October 11, 2011
3. City Council minutes of October 11, 2011
4. Norman Utilities Authority minutes of October 11, 2011
5. Norman Municipal Authority minutes of October 11, 2011
6. Norman Tax Increment Finance Authority minutes of October 11, 2011

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, 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 "GO GREEN RAP" BY STUDENTS FROM TRUMAN PRIMARY SCHOOL.

Mayor Rosenthal introduced Ms. Madole's Second Grade Class from Truman Primary School and they performed the "Go Green Rap" for Council and the audience.

Items submitted for the record
1. Text File No. GID-1112-30 dated October 18, 2011

* * * * *

Item 5, being:

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

Councilmember Dillingham moved that receipt of Proclamation No. P-1112-8 proclaiming Friday, November 11, 2011, as Veteran's Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. P-1112-8 dated October 18, 2011, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-8

Participants in discussion
1. Colonel Mike Chase, Rear Commander of the 45th Infantry Brigade, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-8 proclaiming Friday, November 11, 2011, as Veteran's Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-8 proclaiming Friday, November 11, 2011, as Veteran's Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 6, being:

Item 6 is the Consent Docket which is placed on the agenda to allow City Council, by unanimous consent, to 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. Item 7 through Item 40 were recommended by Staff to be placed on the Consent Docket. Councilmember Kovach requested that all items be removed from the Consent Docket; therefore, no action was taken on Item 6.

* * * * *

Item 7, being:

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

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

Items submitted for the record
1. Text File No. RPT-1112-11 dated October 7, 2011, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report as of September 30, 2011

Item 7, continued:

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

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

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

* * * * *

Item 8, being:

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

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

Items submitted for the record
1. Text File No. RPT-1112-12 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Report for the month of September, 2011

Participants in discussion
1. Mr. Jeff Bryant, City Attorney
2. Mr. Jud Foster, Director of Parks and Recreation

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

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

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

* * * * *

Item 9, being:

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

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

Items submitted for the record
1. Text File No. RPT-1112-14 dated October 11, 2011, by Clint Mercer, Chief Accountant
2. The City of Norman TIF No. 2 Oversight Committee (University Norman Park TIF) Annual Report for the period January 1, 2011, through August 31, 2011
3. TIF No. 2 Oversight Committee minutes of October 11, 2011

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

Item 9, continued:

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

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

* * * * *

Item 10, being:

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

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

Items submitted for the record

1. Text File No. RPT-1112-13 dated October 11, 2011, by Anne Masters, Director of Pioneer Library System
2. Letter dated October 1, 2011, from Anne Masters, Director, Pioneer Library System, to Brenda Hall, City Clerk
3. Pioneer Library System Financial Statements for the Year Ended June 30, 2011, together with Auditor's Report as prepared by Gray, Blodgett, and Company, P.L.L.C., Certified Public Accountants

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

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

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

* * * * *

Item 11, being:

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

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

Councilmember Quinn moved that all bids meeting specifications on Sections 1, 3, and 8 be accepted and the bid be awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 1, 3/8-inch Screenings, Section 3, Concrete Sand; and Section 8, 3-inch Surge Rock

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Sections 1, 3, and 8 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Sections 1, 3, and 8 accepted; and the bid was awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 2 be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 2, 3/4-inch Washed Chips

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Section 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

Item 11, continued;

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

The Mayor declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid was awarded to Kudron Trucking, Inc. as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 4 be accepted and the bid be awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 4, 1 1/2-inch Aggregate Base

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Section 4 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 4 accepted; and the bid was awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 5 be accepted and the bid be awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and T. J. Campbell Construction Company as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 5, Traffic-Bound Surface Course

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Section 5 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 5 accepted; and the bid was awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the alternate bidder.

Item 11, continued:

Thereupon, Councilmember Quinn moved that the bid as meeting specifications on Section 6 be accepted and the bid be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 6, Kiln Dust

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting the bid as meeting specifications on Section 6 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and the bid as meeting specifications on Section 6 accepted; and the bid was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 7 be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and T. J. Campbell Construction Company as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 7, Select Borrow Subgrade Material

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Section 7 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 7 accepted; and the bid was awarded to Dale Brown, Inc. as the lowest and best bidder meeting specifications and T.J. Campbell Construction Company as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 9 be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Item 11, continued:

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 9, Riprap

Participants in discussion
1. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, asked questions

and the question being upon accepting all bids meeting specifications on Section 9 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 9 accepted; and the bid was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Sections 10, 11, and 13 be accepted and the bid be awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Sections 10, Topsoil; Section 11, 18-inch Riprap; and Section 13, Manufactured Sand

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street

and the question being upon accepting all bids meeting specifications on Sections 10, 11, and 13 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Sections 10, 11, and 13 accepted; and the bid was awarded to Kudron Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that the bid as meeting specifications on Section 12(B) be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-11 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 12(B), Topsoil, Delivered

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street

Item 11, continued:

and the question being upon accepting the bid as meeting specifications on Section 12(B) and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and the bid as meeting specifications on Section 12(B) accepted; and the bid was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 12, being:

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

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

Councilmember Griffith moved that all bids meeting specifications on Sections 1, 2, 3, 6-A, and 6-B be accepted and the bid be awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications, Ferguson Water Works as the first alternate bidder, and Water Products of Oklahoma, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1112-12 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 1, heavy duty cast iron 3 flange inlet frame; Section 2, heavy duty cast iron double unit (left and right) inlet frames with fastening hardware; Section 3, heavy duty cast iron center section inlet frame with fastening hardware; Section 6-A, 6-inch mountable cast iron curb hood with fastening hardware; and Section 6-B, 8-inch mountable cast iron curb hood with fastening hardware

and the question being upon accepting all bids meeting specifications on Sections 1, 2, 3, 6-A, and 6-B and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Sections 1, 2, 3, 6-A, and 6-B accepted; and the bid was awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications, Ferguson Water Works as the first alternate bidder, and Water Products of Oklahoma, Inc., as the second alternate bidder.

Item 12, continued:

Thereupon, Councilmember Griffith moved that all bids meeting specifications on Section 4 be accepted and the bid be awarded to Water Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications, East Jordan Iron Works, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder; which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1112-12 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 4, heavy duty cast iron Type L grate

and the question being upon accepting all bids meeting specifications on Section 4 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 4 accepted; and the bid was awarded to Water Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications, East Jordan Iron Works, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder.

Thereupon, Councilmember Griffith moved that all bids meeting specifications on Section 5 be accepted and the bid be awarded to Ferguson Water Works as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1112-12 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 5, heavy duty cast iron Type V grate

and the question being upon accepting all bids meeting specifications on Section 5 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 5 accepted; and the bid was awarded to Ferguson Water Works as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder.

Thereupon, Councilmember Griffith moved that all bids meeting specifications on Section 7 be accepted and the bid be awarded to Maxwell Supply Company as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1112-12 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 7, detectable warning surface/ADA truncated come, 2 feet x 4 feet tile, cast in place, brick red

Item 12, continued:

and the question being upon accepting all bids meeting specifications on Section 7 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 7 accepted; and the bid was awarded to Maxwell Supply Company as the lowest and best bidder meeting specifications, Water Products of Oklahoma, Inc., as the first alternate bidder, and Oklahoma Contractor's Supply as the second alternate bidder.

* * * * *

Item 13, being:

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

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

Councilmember Quinn moved that all bids meeting specifications be accepted on Sections 1-A, 1-B, 1-C, and 3 and the bid be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. BID-1112-13 dated September 9, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1-A, Class A concrete; Section 1-B, Class A 1% calcium chloride; Section 1-C, Class A 2% calcium chloride; and Section 3, High Early strength concrete

and the question being upon accepting all bids meeting specifications on Sections 1-A, 1-B, 1-C, and 3 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Sections 1-A, 1-B, 1-C, and 3 accepted; and the bid was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 2 be accepted and the bid be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. BID-1112-13 dated September 9, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 2, Class B Concrete

Item 13, continued:

and the question being upon accepting all bids meeting specifications on Section 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

Thereupon, Councilmember Quinn moved that the bid as meeting specifications on Section 4 be accepted and the bid be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. BID-1112-13 dated September 9, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 4, Fast-Track Concrete

and the question being upon accepting the bid as meeting specifications on Section 4 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and the bid as meeting specifications on Section 4 accepted; and the bid was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications as the alternate bidder.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 5 be accepted and the bid be awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications, Kudron Ready Mix, Inc., as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. BID-1112-13 dated September 9, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 5, 5-Sack Grout Mix

and the question being upon accepting all bids meeting specifications on Section 5 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 5 accepted; and the bid for Section 3 was awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications, Kudron Ready Mix, Inc., as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

Thereupon, Councilmember Griffith moved that all bids meeting specifications on Section 6 be accepted and the bid be awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications and Kudron Ready Mix, Inc., and Metheny Concrete Products, Inc., as the alternate bidders, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. BID-1112-13 dated September 9, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 6, Flowable Fill

Item 13, continued;

and the question being upon accepting all bids meeting specifications on Section 6 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor declared the motion carried and all bids meeting specifications on Section 6 accepted; and the bid was awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications and Kudron Ready Mix, Inc., and Metheny Concrete Products, Inc., as the alternate bidders.

* * * * *

Item 14, being:

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

1. (A) 200 BARRICADES PER MONTH

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

Councilmember Quinn moved that all bids meeting specifications on all sections be accepted and the bid be awarded to Advance Workzone Services, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1112-14 dated September 13, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 22, 2011, for Section 1-A, 200 barricades per month; Section 2-A, 20 barricades per seven days; Section 2-B, 40 barricades for seven days; and Section 2-C, 60 barricades per seven days
3. Photograph of barricade

Participants in discussion
1. Ms. Sylvia Martin, Post Office Box 430, asked questions
2. Ms. Jeanette Coker, 620 East Main Street, asked questions
3. Mr. Shawn O'Leary, Director of Public Works

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

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

The Mayor declared the motion carried and all bids meeting specifications on all sections accepted; and the bid was awarded to Advance Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

* * * * *

Item 15, being:

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

Acting as the Norman Utilities Authority, Trustee Griffith moved that all bids meeting specifications be accepted; the bid in the amount of $299,840 be awarded to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-52 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; and the filing of the bonds be directed, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Text File No. K-1112-52 dated October 10, 2011, by Matthew Smith, Facility Maintenance Superintendent
2. Bid tabulation dated October 6, 2011, for replacement of Water Treatment Plan Lab/Filter and Chemical Building roofs and the Wastewater Treatment North Primary Clarifier Pump Stations roofs
3. Contract No. K-1112-52
4. Performance Bond No. B-1112-11
5. Statutory Bond No. B-1112-12
6. Maintenance Bond No. MB-1112-11
7. Purchase Requisition No. 0000192731 dated October 11, 2011, in the amount of $299,840 to Standard Roofing Company, Inc.

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 Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $299,840 was awarded to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-52 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; and the filing of the bonds was directed.

* * * * *

Item 16, being:

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

Councilmember Dillingham moved that authorization for the purchase of fire resistant stage materials from Rose Brand Wipers, Inc., in the amount of $29,460 in connection with the Sooner Theatre Stage Materials Replacement Project be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-28 dated October 11, 2011, by James Briggs, Park Planner
2. Tabulation of bid quotes dated October 12, 2011, for the Sooner Theatre Stage Materials Replacement Project
3. Bid proposal dated September 9, 2011, from Rose Brand Wipers, Inc., in the amount of $29,460 for selected items
4. Bid proposal dated September 19, 2011, from I. Weiss and Sons, Inc., in the amount of $33,446 for selected items
5. Bid proposal dated October 3, 2011, from Tull Rigging in the amount of $46,971 for selected items

Participants in discussion

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

Item 16, continued:

and the question being upon approving authorization for the purchase of fire resistant stage materials from Rose Brand Wipers, Inc., in the amount of $29,460 in connection with the Sooner Theatre Stage Materials Replacement Project, a vote was taken with the following result:

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

The Mayor declared the motion carried and authorization for the purchase of fire resistant stage materials from Rose Brand Wipers, Inc., in the amount of $29,460 in connection with the Sooner Theatre Stage Materials Replacement Project was approved.

* * * * *

Councilmember Kovach moved that Item 17 through Item 40 excluding Item 19, be considered on the Consent Docket, which motion was seconded by Councilmember Quinn; and the question being upon considering Item 17 through Item 40, excluding Item 19, on the Consent Docket, a vote was taken with the following result:

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

The Mayor declared the motion carried and Item 17 through Item 40, excluding Item 19, were considered on the Consent Docket.

* * * * *

Item 17, being:

PERMANENT EASEMENT NO. E-1112-07: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SEWER EASEMENT DONATED BY DEWEY W. AND KATHRYN SELMON FOR THE FYE 09 SEWER MAINTENANCE PROJECT, PHASE 2.

Councilmember Kovach moved that Easement No. E-1112-07 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-07 dated September 12, 2011, by Mark Daniels, Utilities Engineer
2. Summary of Sewer Replacement Projects
3. Easement No. E-1112-07 with Exhibit "A," location map

and the question being upon accepting Easement No. E-1112-07 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Easement No. E-1112-07 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 18, being:

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

Councilmember Kovach moved that Supplement A to Special Claim No. SC-1112-2 be approved and payment in the amount of $1,694.26 be directed contingent upon obtaining a Release and Covenant Not to Sue from Lacey Wade, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. SC-1112-2, Supplement 1, dated October 10, 2011, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated September 12, 2011, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney
3. Supplement A to Special Claim No. SC-1112-2 filed September 12, 2011, submitted by Lacey Wade in the amount of $1,694.26
4. Rental Agreement No. 715826 for August 3, 2011, through September 7, 2011, from EAN Holdings, L.L.C., in the amount of $1,694.26

and the question being upon approving Supplement A to Special Claim No. SC-1112-2 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Supplement A to Special Claim No. SC-1112-2 approved; and payment in the amount of $1,694.26 was directed contingent upon obtaining a Release and Covenant Not to Sue from Lacey Wade.

* * * * *

Item 19, being:

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

This item was withdrawn at the request of staff.

* * * * *

Item 20, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Health for Friends, Inc., be approved and the execution of Contract No. K-1112-64 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-64 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Funding Requests for 2011 for Budget Year FYE 2011
3. Contract No. K-1112-64
4. Social and Voluntary Services Commission minutes of October 3, 2011
5. Purchase Order No. 207429 dated October 5, 2011, in the amount of $10,000 to Health for Friends, Inc.

Item 20, continued:

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Health for Friends, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Health for Friends, Inc., approved; and the execution of Contract No. K-1112-64 was authorized.

* * * * *

Item 21, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,850 from the Women's Resource Center, Inc., be approved and the execution of Contract No. K-1112-65 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-65 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-65
3. Purchase Order No. 207430 dated October 5, 2011, in the amount of $6,850 to Women's Resource Center, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,850 from the Women's Resource Center, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,850 from the Women's Resource Center, Inc., approved; and the execution of Contract No. K-1112-65 was authorized.

* * * * *

Item 22, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Food and Shelter, Inc., be approved and the execution of Contract No. K-1112-66 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-66 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-66
3. Purchase Order No. 207431 dated October 5, 2011, in the amount of $15,000 to Food and Shelter for Friends, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Food and Shelter, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Food and Shelter, Inc., approved; and the execution of Contract No. K-1112-66 was authorized.

* * * * *

Item 23, being:

CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $9,525 AND ENTER INTO CONTRACT NO. K-1112-67 WITH TRANSITION HOUSE, INC.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Transition House, Inc., be approved and the execution of Contract No. K-1112-67 be authorized, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record
1. Text File No. K-1112-67 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-67
3. Purchase Order No. 207432 dated October 5, 2011, in the amount of $10,000 to Transition House, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Transition House, Inc., and upon the subsequent authorization, a vote was taken with the following result:

Item 23, continued:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Transition House, Inc., approved; and the execution of Contract No. K-1112-67 was authorized.

* * * * *

Item 24, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,160 from Full Circle Senior Adult Day Center, Inc., be approved and the execution of Contract No. K-1112-68 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-68 dated October 7, 2011, from Carol Coles, Administrative Assistant
2. Contract No. K-1112-68
3. Purchase Order No. 207433 dated October 5, 2011, in the amount of $2,160 to Full Circle Senior Adult Day Center, Inc.

Participants in discussion

1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,160 from Full Circle Senior Adult Day Center, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,160 from Full Circle Senior Adult Day Center Inc., approved; and the execution of Contract No. K-1112-68 was authorized.

* * * * *

Item 25, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from Aging Services, Inc., be approved and the execution of Contract No. K-1112-69 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-69 dated October 7, 2011, from Carol Coles, Administrative Assistant
2. Contract No. K-1112-69
3. Purchase Order No. 207434 dated October 5, 2011, in the amount of $3,000 to Aging Services, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from Aging Services, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from Aging Services, Inc., approved; and the execution of Contract No. K-1112-69 was authorized.

* * * * *

Item 26, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,390 from Mary Abbott Children's House be approved and the execution of Contract No. K-1112-70 be authorized, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record
1. Text File No. K-1112-70 dated October 7, 2011, from Carol Coles, Administrative Assistant
2. Contract No. K-1112-70
3. Purchase Order No. 207435 dated October 5, 2011, in the amount of $5,390 to Mary Abbott Children's House

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,390 from Mary Abbott Children's House and upon the subsequent authorization, a vote was taken with the following result:

Item 26, continued:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,390 from Mary Abbott Children's House approved; and the execution of Contract No. K-1112-70 was authorized.

* * * * *

Item 27, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,500 from Among Friends Activity Center, Inc., be approved and the execution of Contract No. K-1112-71 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-71 dated October 7, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-71
3. Purchase Order No. 207436 dated October 5, 2011, in the amount of $1,500 to Among Friends Activity Center

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,500 from Among Friends Activity Center and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,500 from Among Friends Activity Center approved; and the execution of Contract No. K-1112-71 was authorized.

* * * * *

Councilmember Quinn asked that he be allowed to abstain from voting on Item 28 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Quinn be allowed to abstain from voting on Item 28 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Quinn to abstain from voting on Item 28 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Quinn

The Mayor declared the motion carried and Councilmember Quinn was allowed to abstain from voting on Item 28 due to a conflict of interest.

* * * * *

Item 28, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,500 from Center for Children and Families, Inc., be approved and the execution of Contract No. K-1112-72 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-72 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-72
3. Purchase Order No. 207437 dated October 5, 2011, in the amount of $7,500 to Center for Children and Families, Inc.,

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
3. Mr. Chris Applegate, Center for Children and Families, Inc., volunteer

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,500 from Center for Children and Families, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Quinn

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,500 from Center for Children and Families, Inc., approved; and the execution of Contract No. K-1112-72 was authorized.

* * * * *

Item 29, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the Salvation Army be approved and the execution of Contract No. K-1112-73 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-73 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-73
5. Purchase Order No. 207438 dated October 5, 2011, in the amount of $2,000 to the Salvation Army

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
3. Mr. Mark Campbell, 1320 Garfield Drive, made comments

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the Salvation Army and upon the subsequent authorization, a vote was taken with the following result:

Item 29, continued;

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the Salvation Army approved; and the execution of Contract No. K-1112-73 was authorized.

* * * * *

Item 30, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from Central Oklahoma Community Action Agency be approved and the execution of Contract No. K-1112-74 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-74 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-74
3. Purchase Order No. 207439 dated October 5, 2011, in the amount of $8,500 to Central Oklahoma Community Action Agency

Participants in discussion

1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from Center for Children and Families, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from Center for Children and Families, Inc., approved; and the execution of Contract No. K-1112-74 was authorized.

* * * * *

Item 31, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Bethesda, Inc., be approved and the execution of Contract No. K-1112-75 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-75 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-75
3. Purchase Order No. 207440 dated October 5, 2011, in the amount of $4,000 to Bethesda, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Bethesda, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Bethesda, Inc., approved; and the execution of Contract No. K-1112-75 was authorized.

* * * * *

Item 32, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,700 from the Community After School Program be approved and the execution of Contract No. K-1112-76 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-76 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-76
3. Purchase Order No. 207441 dated October 5, 2011, in the amount of $5,700 to the Community After School Program

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,700 from the Community After School Program and upon the subsequent authorization, a vote was taken with the following result:

Item 32, continued:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,700 from the Community After School Program approved; and the execution of Contract No. K-1112-76 was authorized.

* * * * *

Item 33, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,700 from Bridges be approved and the execution of Contract No. K-1112-77 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-77 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-77
3. Purchase Order No. 207442 dated October 5, 2011, in the amount of $5,700 to Bridges

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bridges and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,700 from Bridges approved; and the execution of Contract No. K-1112-77 was authorized.

* * * * *

Item 34, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,500 from the Community Services Building, Inc., be approved and the execution of Contract No. K-1112-78 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-78 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-78
3. Purchase Order No. 207443 dated October 5, 2011, in the amount of $10,500 to Community Services Building, Inc.

Item 34, continued;

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,500 from the Community Services Building, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,500 from Community Services Building, Inc., approved; and the execution of Contract No. K-1112-78 was authorized.

* * * * *

Councilmember Quinn asked that he be allowed to abstain from voting on Item 35 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Quinn be allowed to abstain from voting on Item 35 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Quinn to abstain from voting on Item 35 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Quinn

The Mayor declared the motion carried and Councilmember Quinn was allowed to abstain from voting on Item 35 due to a conflict of interest.

* * * * *

Item 35, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the American Red Cross be approved and the execution of Contract No. K-1112-79 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-79 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-79
3. Purchase Order No. 207444 dated October 5, 2011, in the amount of $2,000 to American Red Cross

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

Item 35, continued:

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the American Red Cross and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Quinn

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from the American Red Cross approved; and the execution of Contract No. K-1112-79 was authorized.

* * * * *

Item 36, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from East Main Place, Inc., be approved and the execution of Contract No. K-1112-80 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-80 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-80
3. Purchase Order No. 207445 dated October 5, 2011, in the amount of $8,500 to East Main Place, Inc.

Participants in discussion

1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from East Main Place, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from East Main Place, Inc., approved; and the execution of Contract No. K-1112-80 was authorized.

* * * * *

Item 37, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,700 from Kaleidoscope Grief Support, Inc., approved and the execution of Contract No. K-1112-81 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-81 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-81
3. Purchase Order No. 207513 dated October 5, 2011, in the amount of $1,700 to Kaleidoscope Grief Support, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,700 from Kaleidoscope Grief Support, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,700 from Kaleidoscope Grief Support, Inc., approved; and the execution of Contract No. K-1112-81 was authorized.

* * * * *

Item 38, being:

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

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,500 from the Council for Developmental Disabilities d/b/a ABLE be approved and the execution of Contract No. K-1112-82 be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1112-82 dated October 10, 2011, by Carol Coles, Administrative Assistant
2. Contract No. K-1112-82
3. Purchase Order No. 207446 dated October 5, 2011, in the amount of $2,500 to ABLE – Council for Developmental Disabilities, Inc.

Participants in discussion
1. Ms. Teresa Capps, Chairman of the Social and Voluntary Services Commission
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,500 from the Council for Developmental Disabilities d/b/a ABLE and upon the subsequent authorization, a vote was taken with the following result:

Item 38, continued:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,500 from the Council for Developmental Disabilities d/b/a ABLE approved; and the execution of Contract No. K-1112-82 was authorized.

* * * * *

Item 39, being:

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

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of $8,333.33 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-29 dated October 17, 2011, by Blaine Nice, Assistant City Attorney

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

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

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of $8,333.33 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 40, being:

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

Councilmember Kovach moved that Resolution No. R-1112-50 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-50 dated October 11, 2011, by John Clink, Capital Projects Engineer with Attachment "A", ODOT Final Invoices, and Attachment "B", ODOT Post Construction Projects with ACOG Funding
2. Resolution No. R-1112-50
3. Letter dated June 24, 2011, from Chelley Hilmes, Comptroller, Oklahoma Department of Transportation, to Steve Lewis, City Manager
4. Invoice No. 21979(04)-1 dated March 7, 2011, in the amount of $39,623.41 from the Oklahoma Department of Transportation to Steve Lewis, City Manager
5. Purchase Requisition No. 0000192630 dated October 6, 2011, in the amount of $39,623.41 to Oklahoma Department of Transportation

Item 40, continued;

and the question being upon adopting Resolution No. R-1112-50, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-50 was adopted.

* * * * *

Item 41, being:

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

Councilmember Griffith moved that Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-2, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1112-5 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-2
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 8, 2011
6. PowerPoint presentation entitled, "Southern Plains Treatment Services, Inc., Norman 2025 Land Use & Transportation Plan Amendment Future to Current Urban Service Area & Industrial to Office Designation, Northeast Corner of 24th Avenue N.W. and Harriet Road"
7. PowerPoint presentation entitled, "Southern Plains Treatment Services, Inc., Rezoning RE, Residential Estates to O-1 with Special Use for a High Impact Institutional Use, Northeast Corner of 24th Avenue N.W. and Harriet Road"

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant

and the question being upon adopting Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-2, and upon the subsequent amendment, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-5, Land Use Plan Amendment No. LUP-1112-2, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 42, being:

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

Ordinance No. O-1112-2 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 11, 2011, Councilmember Kovach moved that Ordinance No. O-1112-2 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-2 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-2 with Exhibit A, site development plans
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Southern Plains Treatment Services statement
6. Norman Predevelopment Summary Case No. PD11-18 dated May 26, 2011, for Southern Plains Treatment Center for property located at the northeast corner of 24th Avenue N.W. and Harriet Road
7. PowerPoint presentation entitled, "Southern Plains Treatment Services, Inc., Norman 2025 Land Use & Transportation Plan Amendment Future to Current Urban Service Area & Industrial to Office Designation, Northeast Corner of 24th Avenue N.W. and Harriet Road"
8. PowerPoint presentation entitled, "Southern Plains Treatment Services, Inc., Rezoning RE, Residential Estates to O-1 with Special Use for a High Impact Institutional Use, Northeast Corner of 24th Avenue N.W. and Harriet Road"

and the question being upon adopting Ordinance No. O-1112-2 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-2 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-2 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-1112-2 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-2 was adopted upon Final Reading as a whole.

* * * * *

Item 43, being:

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

Ordinance No. O-1112-11 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 11, 2011, Councilmember Kovach moved that Ordinance No. O-1112-11 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-11 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-11 with Exhibit A, site plan
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Statement describing the Nature and Operating Characteristics of our Proposed Bed and Breakfast
6. Norman Predevelopment Summary Case No. PD11-20 dated July 28, 2011, for Thomas and Lisa Hunter for property located at 3100 26th Avenue N.E.
7. Protest area map containing 2.8% protest within the notification area
8. Letter of protest filed August 23, 2011, from Don S. and Diane L. Mitchell to Planning Commission and/or Norman City Councilmembers
9. Pertinent excerpts from Planning Commission minutes of September 8, 2011
10. PowerPoint presentation entitled, "Thomas and Lisa Hunter Special Use for a Type 1 Bed and Breakfast, 3100 26th Avenue N.E."

Participants in discussion

1. Mr. Thom Hunter, 3100 26th Avenue N.E., applicant
2. Ms. Ginger Hall, 2700 24th Avenue N.E., proponent

and the question being upon adopting Ordinance No. O-1112-11 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-11 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-11 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1112-11 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-11 was adopted upon Final Reading as a whole.

* * * * *

Item 44, being:

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

Councilmember Griffith moved that Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-4 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 8, 2011
6. PowerPoint presentation entitled, "Tecumseh Project, L.L.C., Norman 2025 Land Use and Transportation Plan Amendment, Low Density Residential Designation to Office Designation, South of West Tecumseh Road and East of Astor Drive"
7. PowerPoint presentation entitled, "Tecumseh Project, L.L.C., Amendment of the approved uses and Site Development Plan of PUD O-9798-24 and Consideration of a Preliminary Plat for Tecumseh Project, a PUD, South of West Tecumseh Road and East of Astor Drive"

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant
2. Mr. Rick McKinney, McKinney Partnership, 3600 West Main Street, architect representing the applicant
3. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
4. Mr. Kenyon Haggard, 3120 Troon Street, protestant
5. Ms. Vicky Hopkins, 4112 Teton Oval, protestant
6. Mr. Keith Brewster, 3921 Ripple Avenue, protestant
7. Mr. Tom Cole, 3900 Ripple Avenue, protestant
8. Mr. Jon Williford, 3607 Gullane Drive, protestant
9. Ms. Susan Connors, Director of Planning and Community Development
10. Mr. Jeff Bryant, City Attorney
11. Major J.D. Younger, Norman Police Department
12. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon adopting Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Mayor Rosenthal
NAYES:	Councilmember Quinn

The Mayor declared the motion carried and Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 45, being:

ORDINANCE NO. O-1112-1: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

Ordinance No. O-1112-1 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 25, 2011 and Councilmember Griffith having moved on October 11, 2011, that Ordinance No. O-1112-1 be postponed until October 25, 2011, which motion being duly seconded by Councilmember Kovach; Councilmember moved that Ordinance No. O-1112-1 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. O-1112-1 dated June 21, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-1
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Preliminary Site Development Plan
6. PUD Narrative for Tecumseh Project, L.L.C., dated February 5, 2001, with revision dates of March 1, 2001, and June 13, 2011
7. Protest area map dated October 12, 2011, containing 54.3% protest within the notification area
8. Email of protest filed June 27, 2011, from Yumi Davis to Mayor Rosenthal and City Councilmembers
9. Email of protest filed June 27, 2011, from Vicki Hopkins to Mayor Rosenthal and City Councilmembers
10. Email of protest filed June 27, 2011, to Mayor and City Council and letter of protest filed July 11, 2011, to Mayor, City Council, and City Planning Commission from Bonner Slayton, M.Ed., NBCT
11. Email of protest filed June 27, 2011, from Susan Wood to Mayor and Councilmembers
12. Letter of protest filed June 30, 2011, from Erin Williford to City of Norman Planning Commission
13. Letter of protest filed July 1, 2011, from Mary Lynne Cooper to Members of the Norman Planning Commission
14. Letter of protest filed July 5, 2011, from Phillip and Shannon Johnson to Norman City Planning Commission
15. Letter of protest filed July 6, 2011, from Paula J. and Gregory S. Cook to Members of the Norman Planning Commission
16. Letter of protest filed July 6, 2011, from Mark R. and Bethany D. McCoy to Members of the Norman Planning Commission
17. Letter of protest filed July 7, 2011, from Janelle Borden to Norman Planning Commission
18. Letter of protest filed July 7, 2011, from Reverend Thomas J. Boyer, Pastor, St. Mark the Evangelist Catholic Church, to Members of the Norman City Planning Commission
19. Letter of protest filed July 8, 2011, from Robert and Stacy Morey to Members of the Norman Planning Commission
20. Letter of protest filed July 8, 2011, from Gordon Mohon to Planning Commission
21. Letter of protest filed July 8, 2011, from Timothy D. and Cara L. Black to Members of the Norman Planning Commission
22. Letters of protest filed July 8, 2011, from Keith and Crystal Brewster to Members of the Norman Planning Commission with attached map of Undeveloped/Recently-Developed land for Office Space Zoned Office or Commercial (Acres) and filed August 8, 2011, from Keith Brewster with attached Figure 1, Two-Way Traffic Volume Map; Figure 2, Traffic Volumes on West Tecumseh Road; and Table 1, Warranty Deed Transfers to Norman Regional Hospital Authority for the Healthplex
23. Letters of protest filed July 11, 2011, from R. Scott and Paula J. Copeland to Members of the Norman Planning Commission
24. Letter of protest filed July 11, 2011, from Cheryl Conly and Margaret Crawford to Norman Planning Commission

Item 45, continued:

Items submitted for the record

25. Letter of protest filed July 11, 2011, from Alex and Kathryn Chadwick to Norman Planning Commission
26. Letter of protest filed July 11, 2011, from Kris Janis Vermelis, to Norman Planning Commission
27. Letter of protest filed July 11, 2011, from Monte L. and Brenda Stutterheim to Norman Planning Commission with attached objections
28. Letter of protest filed July 11, 2011, from James C. and Brandy M. Reese to Members of the Norman Planning Commission
29. Letter of protest filed July 11, 2011, from Joyce F. and Douglas Harris to Norman Planning Commission
30. Letter of protest filed July 12, 2011, from James Walter Gentry to Norman Planning Commission
31. Letter of protest filed July 21, 2011, from Paul E. and Erica B. Phelps to Members of the Norman Planning Commission
32. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed June 27, 2011, containing 213 signatures
33. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed July 8, 2011, containing 118 signatures
34. Letter of protest filed October 5, 2011, from Deanna L. and Paul R. Larson to Norman City Council
35. Letter of protest filed October 5, 2011, from Matthew and Teresa Frazier to Norman City Council
36. Letter of protest filed October 4, 2011, from Chanda Lee to Norman City Council
37. Letter of protest filed October 7, 2011, from Gary G. and Brenda K. Knight to Norman City Council
38. Letter of protest filed October 7, 2011, from Chuck Real Property, L.L.C., to Norman City Council
39. Letter of protest filed October 12, 2011, from Melinda Jane Heitz to Norman City Council
40. Email requesting postponement dated October 11, 2011, from Sean Rieger to Brenda Hall, Steve Lewis, Cindy Rosenthal, Shawn O'Leary, Susan Connors, Carol Dillingham, Tom Kovach, Roger Gallagher, Hal Ezzell, Dave Spaulding, Linda Lockett, Dan Quinn, Jim Griffith, and Ellen Usry
41. PowerPoint presentation entitled, " Tecumseh Project, L.L.C., Norman 2025 Land Use & Transportation Plan Amendment, Low Density Residential Designation to Office Designation, South of West Tecumseh Road and East of Astor Drive"
42. PowerPoint presentation entitled, "Tecumseh Project, L.L.C., Amendment of the approved uses and Site Development Plan of PUd O-9798-24 & Consideration of a Preliminary Plat for Tecumseh Project, a PUD, South of West Tecumseh Road and East of Astor Drive"

and the question being upon adopting Ordinance No. O-1112-1 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-1 was adopted upon Second Reading section by section.

Item 45, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-1 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Ezzell; and the question being upon adopting Ordinance No. O-1112-1 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-1 was adopted upon Final Reading as a whole.

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Item 46, being:

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

Councilmember Dillingham moved that the preliminary plat for the Tecumseh Project Addition, a Planned Unit Development, and waiver of alley requirements, be approved, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. PP-1112-1 dated June 21, 2011, from Ken Danner, Development Coordinator, with Attachment A, Traffic Table
2. Location map
3. Preliminary plat
4. Site plan
5. Staff Report dated August 11, 2011, recommending approval
6. City of Norman Development Review Form Transportation Impacts dated July 6, 2011
7. Letter of request dated July 5, 2011, from tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
8. City of Norman Predevelopment Summary dated March 24, 2011
9. Pertinent excerpts from Greenbelt Commission minutes of March 21, 2011

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

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

The Mayor declared the motion carried and the preliminary plat for the Tecumseh Project Addition, a Planned Unit Development, and waiver of alley requirements, was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Code Enforcement. Ms. Sherylanne Densow, 2925 Redwood Drive, said on October 20, 2011, she placed bulk trash at her property at 802-804 Crawford Avenue on the curb to be picked for Fall Cleanup. On October 21, 2011, Code Compliance sent her a letter stating there was trash outside her residence that could be considered a health hazard. She said the letter "threatened" her by stating it must be cleaned up or the City would charge her $251 to clean it up themselves with threats of action on future (within six months) violations as well. She said all the trash was picked up on October 21, 2011, by the Sanitation Division and asked why the Code Compliance Inspector did not realize that Fall Cleanup was scheduled for that neighborhood. She asked why Code Compliance is only proactive in the core neighborhoods, specifically targeting that area, which she feels is discriminatory. She said City Departments should do a better job communicating with each other. She said she would like the violation removed from her file and a letter of apology.

Miscellaneous discussion, continued:

Code Enforcement, continued. Mr. Steve Lewis, City Manager, said it appears there was some missed communications and asked Mr. Ken Komiske, Director of Utilities, and Ms. Susan Connors, Director of Planning and Community Development, to speak with Ms. Densow immediately following the meeting to resolve the issue tonight.

Ms. Jeanette Coker, 620 East Main Street, said she has spoken to Council about proactive code enforcement many times and that it is unfair to target the core areas of Norman. She said all of Norman, except the core area, is inspected on a complaint driven basis, which makes it discrimination and harassment. She said she received a letter from Code Enforcement regarding a couch on the porch of her rent house for the residents to sit on. She said she would like to see Proactive Code Enforcement stopped.

Councilmember Dillingham said she would like to make sure that constituent compliance issues are remedied and that Ms. Densow's record is expunged. She said she would like the Oversight Committee to review and discuss Code Enforcement procedures. She said everyone needs to be treated fairly in terms of code compliance as well as any other issues in the City.

*

Rule of Three. Mr. Mark Campbell, 1320 Garfield Avenue, said he is upset with Council invoking the "rule of three," which states that three Councilmembers supportive of an item can have that item placed the agenda for Council action.

Mayor Rosenthal said she shares Mr. Campbell's concerns regarding the rule of three in that she does not know that is has served Council well. She felt that items were being placed on the agenda without a lot of thought and asked Councilmembers to be deliberative in their priorities.

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Lemon Test. Mr. Mark Campbell, 1320 Garfield Avenue, said the Lemon Test is the court case of Lemon vs. Kurtzman, regarding government and religion. Mr. Campbell said he is not in favor of placing the phrase "In God We Trust" in the Council Chambers. According to Lemon vs. Kurtzman, government action regarding religion must have a secular legislative purpose, must not have the primary effect of either advancing or inhibiting religion, and must not result in an "excessive government entanglement' with religion. He said the importance of limiting the government from coercing individuals in their free exercise of religion and government cannot be overemphasized. He felt that Council should be concerned about having citizens' trust and religion should not be forced upon them.

Items submitted for the record
1. PowerPoint presentation entitled, "Lemon versus Kurtzman"

Mr. Stephen Tyler Holman, 1020 South College, said he agreed with Mr. Campbell's comments.

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November 8th Special Election. Mr. Stephen Tyler Holman, 1020 South College, said there will be a Municipal Election on November 8, 2011, and encouraged voters to get to the polls and vote yes for a new animal shelter.

Councilmember Kovach asked citizens to vote yes for the new Animal Shelter as well as Charter changes.

Mr. Steve Lewis, City Manager, said citizens will receive a public information flyer in the mail this week and if they have any questions, please call the Norman Action Center at 405-366-5396.

Mayor Rosenthal encouraged everyone to vote yes on November 8th.

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Property Rights. Mr. Jim Stanley, 2922 Pine Tree Circle, felt that the Land Use and Transportation Plan amendment for the Tecumseh Project Addition was an injustice to the surrounding property owner's rights.

*

Miscellaneous discussion, continued:

Pet Licensing. Councilmember Gallagher said he has asked the City Manager to do research and develop improvements in the pet licensing procedures. He said there had been some meetings and asked if there had been progress in developing a more efficient licensing process and asked for a report.

Mr. Steve Lewis, City Manager, said on October 11, 2011, Animal Control Division staff had met with local veterinarians, veterinarian office managers, and support staff. He said it was an open discussion with opinions from all sides in terms of different ways to improve the licensing process. He asked staff to place those suggestions into a report as well as procedures from other communities and the report should be ready for Council review in another week.

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Community Transportation Plan Survey. Councilmember Gallagher said the Lochner Consultant Group was hired for the Community Transportation Plan (CTP) survey to garner information from citizens regarding future transportation plans in Norman. He said there have been four Ward meetings so far and a Ward One meeting will be held on Thursday, October 27, 2011, at 6:30 p.m., at Kennedy Elementary School. He said one of the issues that has come forward is a perception that the Lochner Group wants citizens to listen to them instead of the Lochner group listening to citizens resulting in a very low turnout for these meetings, approximately 25 citizens. He encouraged citizens to attend these meetings because it is critical to get sound, positive ideas from citizens on how to improve transportation in Norman.

Councilmember Kovach thanked those citizens who had attended the Ward Two CTP meeting. He said the overwhelming concern he heard at the meeting was the "Lake McGee" situation and flooding along Lindsey Street, which is a transportation issue as well as a safety issue. He said he agreed with Councilmember Gallagher that public input is needed although there will be future public meetings as the Ward meetings are just one aspect of reaching out to the public.

Councilmember Dillingham invited citizens to the Community Planning and Transportation Committee meeting on Wednesday, October 26, 2011, at 5:30 p.m. for an update on transportation issues. She encouraged everyone for their opinions on the CTP as the transportation plan will carry Norman through the next 50 years.

Mayor Rosenthal said she had attended two of the CTP meetings and encouraged everyone to attend.

Councilmember Griffith expressed his gratitude for the citizens who attended the Ward Six CTP meeting. He encouraged citizens to get involved and said he could not stress enough how important citizen input helps Council make sound decisions.

Councilmember Lockett encouraged citizens to attend the CTP meetings. She invited everyone to attend the Ward 7 meeting on November 7, 2011, at 6:30 p.m., at Madison Elementary School.

Councilmember Quinn invited everyone to attend the Wards Three and Eight combined CTP meeting on November 9, 2011, at 6:30 p.m., at Truman Primary School.

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Veteran's Day Parade. Councilmember Gallagher said there will be a Veteran's Parade on November 11, 2011, beginning around 9:00 a.m. He said from World War I forward, wars have been extremely bloody with many American lives lost. He said Oklahoma lost 5,500 men in World War I, 650 in Korea, 1,000 in Vietnam, and currently, the 45th Division, based in Norman, is one of the units taking the brunt of enemy activity in Afghanistan. He said the Oklahoma National Guard deployed approximately 13,500 soldiers to Afghanistan in 2011. He said Oklahoma, in the last four years, has led the number of soldiers battling in Afghanistan. He encouraged everyone to attend the parade to support our military personnel and commemorate their service to our Country and State.

Councilmember Lockett thanked those people involved in planning the Veteran's Day Parade and thanked the many servicemen and was glad to see Norman honoring them.

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Polycarts. Councilmember Ezzell said he was curious as to how citizens could request a new polycart and asked who they contact and the process.

Mr. Ken Komiske, Director of Utilities, said citizens can call the Sanitation Division at the number printed on their polycart.

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Miscellaneous discussion, continued:

Compost. Councilmember Ezzell asked if commercial entities are allowed to obtain compost and if there is a charge.

Mr. Ken Komiske, Director of Utilities, said compost is released to Norman residents first and there is usually not a lot of compost left, but there is a lot of mulch. He said commercial entities can obtain mulch and there is no charge. He said they need to bring their own hauling equipment.

Councilmember Kovach asked if the City had a front-end loader to help load compost into citizens' containers and Mr. Komiske said for a fee of $10 the City will load the compost for citizens.

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Personal Issues. Councilmember Dillingham apologized to everyone for her prolonged absence due to her husband's hospitalization in Colorado. She said she was touched and humbled by the outpouring of concern and love for her family.

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Shop Norman. Councilmember Quinn encouraged everyone to shop Norman.

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Boyd Street Water Tower. Mr. Steve Lewis, City Manager, said residents who live near the Boyd Street Water Tower will be seeing improvements to the water tower through a repainting project. He said the tower is a half million gallon elevated storage tank and the paint is expected to last 15 years.

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Animal Control. Mayor Rosenthal said several citizens in the core area have concerns about the rising skunk population. She said this is related to the drought and skunks are coming to the creek beds seeking water. She said this is a serious issue due to diseases skunks carry that can be transferred from skunks to pets then pets to humans. She said people with respiratory problems need to be especially cautious and skunks seen during they day should be assumed to be rabid. She asked staff to review programs to deal with the problems.

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I-35 Improvement Project. Mr. Steve Lewis, City Manager, said the I-35 Improvement Project along East Lindsey, south of Main Street, is beginning prep work for the widening project. He said the power company is relocating power poles in preparation for the noise wall construction.

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ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 11:15 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES
October 26, 2011

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:34 p.m. in the Conference Room on the 26th day of October, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Gallagher Kovach, Lockett, and Chairman Dillingham
ABSENT:	None
OTHER STAFF PRESENT:	Mayor Cindy Rosenthal Councilmember Jim Griffith Mr. Anthony Francisco, Finance Director Mr. Bob Hanger, Storm Water Engineer Mr. Angelo Lombardo, Traffic Engineer Mr. Shawn O'Leary, Director of Public Works Mr. David Riesland, Traffic Engineer Ms. Kathryn Walker, Assistant City Attorney Ms. Karla Chapman, Administrative Technician
OTHER GUESTS PRESENT:	Mr. Will Decker, Concerned Citizen Mr. Harold Heiple, Attorney, Norman Developers' Council Mr. Kevin Kokes, Lochner Mr. Doug Myers, OU Parking and Transportation Administrator Ms. Chris Nanny, Chair, CTP Stakeholder Visioning Committee Ms. Janice Oak, CTP Stakeholder Visioning Committee Mr. Cody Ponder, CART Ms. Sadie Robb, Lochner Mr. Charlie Schwinger, Lochner

CART RIDERSHIP REPORT.

Chairman Dillingham asked if there were any questions or comments pertaining to the September Cleveland Area Rapid Transit (CART) Ridership report and was pleased that the CART Ridership year-to-date fixed route was up 7%. Chairman Dillingham said recently a constituent asked whether or not a passenger has the ability to transfer from the Norman CART system to Oklahoma City (OKC) Metro Transit transportation system and Mr. Doug Myers, OU Parking and Transportation Administrator, said CART does not honor OKC Metro Transit passes and visa versa. Mr. Myers said OKC Metro Transit has an all day, thirty day, or annual pass and no longer charges passengers according to different routes, but CART does not have an all day pass.

Councilmember Gallagher said he has a constituent who must travel three or more blocks to bus stops that are not located on streets with speed humps because CART buses avoid streets with speed humps and wondered if there were any options for the citizen. Mr. Myers said unfortunately speed humps are not good on the CART buses because they are very low and there are no plans to change routes/bus stops to include streets with speed humps at this time.

Councilmember Kovach reminded everyone that United Way and Traveler's Aid give out CART passes.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of September 2011

CONTINUED DISCUSSION REGARDING THE STORM WATER MASTER PLAN ACTION PLAN.

Mr. Shawn O'Leary, Director of Public Works, said tonight's update on the Storm Water Master Plan (SWMP) Action Plan will highlight the SWMP action items in progress, including the proposed Storm Water Utility and proposed General Obligation (GO) Bond Program. Mr. Bob Hanger, Storm Water Engineer, provided progress updates for the SWMP Action Plan items as follows:

- **Item No. 6**: Develop Storm Water Quality Criteria – Council approved Ordinance No. O-1011-52, providing for standards and requirements for designated Water Quality Protection Zones (WQPZ) inclusive of Lake Thunderbird watershed. June and July, 2011, Staff training for the WQPZ ordinance. October 31, 2011, training by the City of Norman for developers and engineers on the WQPZ ordinance. Review and amend Engineering Design Criteria, Section 6000, Storm Water Pollution, for Council consideration by Fall 2012.
- **Item No. 10**: Submit Letters of Map Revision (LOMR) to the Federal Emergency Management Agency (FEMA) – Staff received a $500,000 grant from Risk Assessment, Mapping, and Planning Partners (RAMPP) Grant for Little River/Dave Blue Creek to perform engineering services and four and half miles of channel flood plain mapping.
- **Item No. 16**: Non-structural controls – anticipated to be complete in Fall of 2013. Types of controls include tailor storm water sampling to Lake Thunderbird watershed; prepare brochure for restaurants concerning good housekeeping adjacent to dumpster; fertilizer usage by targeting lawn care companies; and public education for Property Owner Associations (POA), e.g., rain barrels, fertilizer usage, lawn clippings, and other environmental issues.
- **Item No. 18**: Outreach program for non-structural controls – Norman should receive an updated Oklahoma Department of Environmental Quality (ODEQ) Phase II permit in the Spring of 2012. Environmental Control Advisory Board (ECAB) and Greenovation Committees will continue to provide education on fertilizer regulations, i.e., contacting businesses who sell and use fertilizer to begin using fertilizer with zero phosphorus.
- **Item No. 19**: Assess water quality in Lake Thunderbird – Oklahoma Water Resource Board (OWRB) currently tests twice a week (since 2000) from April 15, through October 15, and once a week in the winter. Staff will coordinate with federal, state, and local agencies such as Environmental Protection Agency (EPA), ODEQ, OWRB, Central Oklahoma Master Conservancy District (COMCD), City of Moore, and City of Oklahoma City. Technical Advisory Committee (TAC) is administered by ODEQ and meets quarterly.

Mr. Hanger highlighted some of the inventory and said the Hall Park dam should be completed October 31, 2011. He said currently an engineering study is being performed for Sutton Wilderness and a report to OWRB will be completed by December 31, 2011. He said the OWRB report will be used by Staff as a planning tool to help prepare proposed capital projects. Mr. Hanger said Staff will begin research and identify responsible parties for the inspection, maintenance, and overall safety of Norman dams, as well as, develop an inventory/prioritization method with an estimated completion scheduled for Fall 2014.

Proposed Storm Water Utility

Mr. O'Leary said the Storm Water Utility (SWU) concept is to implement a SWU fee to every property in Norman that has storm water run-off. He said Staff is currently developing and carrying out a strategic work plan for a citizen vote on the proposed SWU, specifically administration and billing processes. He said a Staff team has been developed, establishing a master account file and determining key billing logistics are pending, and initiating preliminary discussion on billing and administration requirements have been done. Mr. O'Leary said Staff is looking to Council for guidance on the following issues to include:

- ✓ Involve key stakeholders such as POAs, churches, schools, etc.
- ✓ Determine a utility rate
- ✓ Possible exemptions/discounts, e.g., low income citizens, University of Oklahoma (OU), non-profit organizations, and discount for rain barrels or other low impact development

Proposed General Obligation Bond Program
Mr. O'Leary said the City has many storm water capital projects and the proposed GO Bond program would assist with those capital projects, as well as compliment the SWU fee. He said Staff has been developing a strategic work plan for proposed G.O. Bond program. He said if Council desires to hold a citizen election to put into practice a G.O. Bond program, Staff recommends the following three scenarios for Council:

- ✓ Determine which G.O. Bond package amount to use, i.e., $30 million, $38.5 million, or $40 million, and the storm water projects to be done
- ✓ Forecast debt service requirement
- ✓ Possible overlap of this election could coincide with a G.O. Bond issue for Transportation Projects

Public Outreach Program
Mr. O'Leary said some degree of public outreach will need to be achieved and Staff has also been developing a formal public outreach program to promote a SWU fee and G.O. Bond Project which would take place *before* the citizen vote. He said the SWMP recommended a public outreach program be implemented one year prior to election. Mr. O'Leary requested Council guidance whether the public outreach program should be achieved in house or through a consultant. He said a consultant performing a year long very comprehensive outreach program would cost approximately $50,000 to $100,000, but they are very professional, skilled, and do public outreach programs for a living, which in the end might be more successful. Mr. O'Leary felt if Council wanted a large public outreach program, Staff may not be the direction to go since Staff is not as trained in that particular area. He said this may be an instance where Staff and resources could be enhanced with the expertise of an outside contractor and if Council feels a contractor should be hired, the budget will be established and the selection process put in to action.

Revenue Options
Mr. O'Leary said the three rate options for the proposed G.O. Bond Program are $30 million, $38.5 million, and $40 million, for a 20-year period Capital Improvement Program (CIP). He said Staff has determined there are roughly 59 different storm water projects throughout the City having an estimated cost of $83 million. He provided information on the three rate options and said Council will ultimately have to determine which rate option to include:

1. Option 1 - $30 million G.O. Bonds and $53 million storm water user rates financing. Approximately $2.65 million CIP storm water projects would be funded by rates per year.
2. Option 2 - $38.8 million G.O. Bonds and $44.5 million storm water user rates financing. Approximately $2.22 million CIP storm water projects would be funded by rates per year.
3. Option 3 - $40 million G.O. Bonds and $43 million storm water user rate financing. Approximately $2.15 million CIP storm water projects would be funded by rates per year.

Mr. O'Leary provided average monthly billing rates for single family, multi-family, commercial/industrial/office, agriculture, and OU, should a proposed SWU fee be implemented. He said the *average* single family home in Norman has 3,614 impervious surface, therefore the average monthly SWU fee billing would range from $6.74 to $7.24, depending on which of the above rate options Council decides to use. Mr. O'Leary also provided the *average* impervious surface square footage for multi-family, commercial/industrial/office, agriculture, and OU, along with the average monthly SWU fee billing ranges for rate options one, two, and three. He said OU has approximately 30 properties; but the rate(s) provided for OU only reflect <u>one</u> average/typical impervious surface location. Mr. O'Leary said if OU does not receive SWU fee discounts and/or exemptions from the City they would be billed approximately $30,000 per month. Councilmember Kovach asked whether or not the City has the legal authority to impose a storm water utility fee on OU since they are a state entity and Mr. O'Leary said lawsuits throughout the country dealing with federal property storm water run-off recently ruled that federal building(s) were not exempt. He felt that ruling would filter down to the state and local level(s) and said the general idea of a SWU fee would apply to any buildings, parking lots, etc., whether residential, commercial, industrial, or OU if it creates storm water run-off. He said the SWU fee is based on impervious areas therefore property zoned and

maintained as agricultural property would have very little storm water run-off resulting in a very low SWU fee. Likewise, sites that choose to build every square inch of the property into a large building and/or parking lot will have a significant amount of storm water run-off and will pay a much higher SWU fee. Mr. O'Leary said in terms of SWU fees, Staff discovered that 65% to 70% of the storm water fee structures around the country are based on this type of system, i.e., impervious area(s) and equivalent residential unit concept. He said this is a very common perspective and has withstood legal challenge throughout the country.

Mr. O'Leary said Staff has already developed a very accurate system having a database listing of every parcel in Norman and the impervious area for each; therefore, if the Council chooses to implement a SWU fee based on impervious area(s), both Finance and Geographical Information Systems (GIS) Staff are ready to implement the program.

If a G.O. Bond issue for storm water run-off projects was approved by the voters, Staff recommends the following as the top nine potential storm water projects and costs for each:

1.	Imhoff Creek at Lindsey Street and McGee Drive	$12,461,087
2.	Little River – Ranch Estates Mobile Home Park buy outs	$ 305,233
3.	Brookhaven Creek – Main Street Bridge	$ 3,250,364
4.	Bishop Creek at Sinclair Drive and Beaumont Street	$ 1,703,776
5.	Imhoff Creek at Highway 9 and Imhoff Road	$ 6,563,091
6.	Bishop Creek at Main Street and Symmes Street buy outs	$ 1,846,598
7.	Bishop Creek at Lindsey Street to College Avenue to Duck Pond	$ 3,628,513
8.	Imhoff Creek - Andrews Detention including buy outs	$ 3,517,101
9.	Merkle Creek at East Main Street and Crestmont Street	$ 6,066,932
	TOTAL COSTS	**$39,342,696**

Councilmember Kovach asked the criteria used to determine the ranking of the projects and Mr. O'Leary said a very interesting ranking system was developed by the Storm Water Task Force Committee and Project Team that had 15 to 16 factors that included flood control, degree of reduction of property damage, public safety considerations, quality of life factors, etc. Mr. O'Leary said very careful consideration was taken and it was an attempt to be very fair about how to compare the 59 different storm water projects.

Mr. O'Leary requested guidance from Council as to how they would like to proceed with the SWU and G.O. Bond issue. He said Council could choose to hold a City election on either the SWU fee or only the G.O. Bond issue, or could choose both. He said if Council desired to have an election on both, the rates would need to be determined for the SWU, as well as the G.O. Bond amount, and a decision would need to be made whether or not the City would allow any exemptions and/or discounts.

Mayor Rosenthal said Council discussed the storm water issues at the September 17, 2011, Council Retreat and Council agreed and identified a SWU fee and combination G.O. Bond issues as very high priorities; however, she felt it is not possible to know when an election should be held at this time. She felt public outreach initiatives were needed before making decisions about exemptions, discounts, rates, etc., in order to build consensus as to what a SWU and G.O. Bond package would look like. She said those decisions can be discussed and made during the process. Mayor Rosenthal said it may not be necessary to hire a consultant during the first round of the public outreach program and felt there is talent within the community to hold public meetings. She suggested making public meetings a first step priority to help build consensus on the storm water issues as well as looking at some consultants who have experience with public outreach programs.

Councilmember Kovach felt Council should have a little discussion concerning the G.O. Bond issue since Staff identified Imhoff Creek (at Lindsey Street and McGee Drive) as the number one project for a potential G.O. Bond storm water project. He said if citizens voted and approved the G.O. Bond issue the Imhoff Creek project could "piggyback" upcoming Lindsey Street Projects, i.e., Oklahoma Department of Transportation (ODOT) Lindsey Street Bridge project and the possible transportation G.O. Bond issue concerning Lindsey Street Widening Project.

Chairman Dillingham agreed and said Council did set high priorities for the transportation and storm water issues which have many moving parts/targets. She agreed it might be wise to get a handle on a significant portion of the storm water G.O. Bond issue fairly quickly including the transportation piece and bring citizens within the community together who will help begin a public dialogue to identify how the community would like to proceed with the remainder of the storm water G.O. Bond and SWU fee issues. She felt a good community dialogue could give an outline of what a SWU fee might look like and the procedure for possible exemptions, discounts, and credits.

Councilmember Gallagher said the SWU fee and G.O. Bond issues will take a lot of planning and will take extensive public relationships. He commended Staff's presentation and felt the City did not need to obtain the help from an outside contractor to perform a public outreach program, but instead use Staff's expertise and planning and/or obtain the help of local citizens, i.e., OU and Norman businesses. Chairman Dillingham agreed that the City has had tremendous luck with citizens in the community stepping up to offer assistance and expertise on other City issues, but a decision on whether to have Staff, local volunteers, or an outside contractor will not need to be determined for several months, possibly after a community dialogue. Mayor Rosenthal said Staff's presentation was outstanding, but at the same time Council has requested Staff perform many other tasks such as the Comprehensive Transportation Plan (CTP), along with the day to day work they must accomplish. She felt adding another major initiative might be difficult for Staff to complete; therefore, prolonging the storm water issue.

Chairman Dillingham suggested the Committee take the information presented today, consider the multiple issues at hand, and schedule a Community Planning and Transportation Committee (CPTC) in a couple of weeks to discuss the issues at length and the Committee agreed.

Mayor Rosenthal requested Staff provide a list of storm water projects and transportation projects at the next CPTC meeting so it can be determined if any of the projects have general connections, i.e., streets, bridges, etc., and can be done collectively to save the City money. Mr. O'Leary said Staff will submit a six-year Capital Improvements Projects (CIP) application to the Association of Central Oklahoma Governments (ACOG) on December 15, 2011, and will provide the Committee with the information which could help identify storm water projects that could be rolled into transportation projects.

Items submitted for the record

1. PowerPoint Presentation entitled " Storm Water Master Plan Action Plan Update," dated October 26, 2011

FOLLOW UP ON THE COMPREHENSIVE TRANSPORTATION PLAN SCOPING STUDY.

Mr. Shawn O'Leary, Director of Public Works, introduced Mr. Charlie Schwinger, Senior Project Manager, Lochner, who provided an update to the Comprehensive Transportation Plan (CTP) Scoping Study. Mr. Schwinger said four of the eight CTP Ward meetings have been held and on average were attended by 15 citizens. He said some of the 15 citizens have attended more than one of the CTP Ward meetings, but a large range of different opinions and thoughts have been gathered. Mr. Schwinger said a summary of comments from the four CTP Ward meetings have been provided.

The CTP *Moving Forward* social media sites/links - facebook, twitter, and flickr are up and operating. Mr. Schwinger said they can be accessed through the City of Norman website and there are many opportunities for citizens to weigh in their thoughts and opinions via the internet.

Mr. Schwinger provided summaries of the CTP Visioning Committee interviews to the Committee and said major concerns or issues were captured. He said summaries were organized based on the ten categories that were identified by the Association of Central Oklahoma Governments (ACOG) through the Encompass 2035 process and will be used to assist in preparing the questions that will be incorporated in the City-wide CTP survey.

The thirteen online survey results/responses were also provided to the Committee and Mr. Schwinger said topics on the survey included existing conditions, future conditions, implementation and goals, policies, and measures of performance. Mr. Schwinger provided an overview of the Visioning Committee survey results. The importance of the following regional transportation goals in Norman's CTP include:

1. Connectivity
2. Performance
3. Safety and security
4. Maintenance
5. Livability
6. Environmental responsibility
7. Equity
8. Economic strength
9. Community
10. Options

Modes of travel ranked by funding priority.

1. Local transit
2. Community major streets
3. Regional transit
4. Regional highways and interchanges
5. Bicycle network
6. Pedestrian network
7. Community local streets
8. Freight movement

Traffic system improvements ranked by funding priority.

1. Fix problem locations
2. Improve safety
3. Multi-modal
4. Increase capacity
5. Traffic technologies
6. Traffic information

Most important issues as they relate to transportation in Norman.

1. Safety
2. Maintenance
3. Multi-modal
4. Financing
5. Quality of life
6. New construction
7. Policies
8. Major street capacity
9. Aesthetics
10. Regional mobility

Mr. Schwinger said the CTP Visioning Committee met early today and had a very productive workshop/meeting. He said the Committee discussed key issues from the one-on-one interviews and the survey. The CTP Visioning Committee then broke in to small focus groups to discuss existing conditions pertaining to traffic congestion, traffic safety, bike/pedestrian, and transit and the future conditions regarding traffic growth, transit, long range improvements, and system planning. The small focus groups also discussed how to implement a CTP to include setting priorities, short range improvements, long range improvements, and financing strategies, as well as CTP goals, policies, and measures of performance.

The CTP Visioning Committee reviewed and discussed the community survey and Mr. Schwinger provided the CPTC with the draft community survey as well. He said ETC Institute provided survey templates/samples for how questions should be posed so they would be non-biased and non-leading. He said specific Norman issues were plugged into the survey and once Council approves the survey they will be sent randomly to 1800 residents. Along with the surveys an automated phone message will go out to the 1800 households explaining that they will be receiving a CTP survey and please complete and return to the City. Mr. Schwinger said Staff should expect to receive at least 400 valid surveys back. He said the process from the time the surveys are mailed to receiving the preliminary results tabulated is approximately six to eight weeks.

Mr. Schwinger requested each CPTC member review the survey and said it was extremely important to make certain the questions are very clear, not misleading, and/or comprehensive enough. He said good survey questions that are relevant to Norman may be the most significant piece of the CTP. Mr. Schwinger said the draft survey also has several areas/sections where questions can be added, e.g., bond issue, financing, etc. Mr. O'Leary said Staff felt this would be a great opportunity to gather citizen information and consensus regarding General Obligation (G.O.) Bond issues and financing. He agreed with Mr. Schwinger and felt the community survey is the greatest opportunity in the data gathering process to obtain good public information, but it is only as good as the question(s) being asked. Mr. O'Leary requested the CPTC members look over the questionnaire survey as soon as possible and give their input so this can be scheduled for full Council consideration. He said Staff's goal was to have this issue before Council in December 2011.

Mr. Schwinger provided information on the statistical sampling for the community transportation survey and compared it to the Gallop Poll, i.e., everyone across the country is not surveyed but rather a statistically valid sample that is scattered throughout the country. He said the last page of the draft community transportation survey includes demographic questions such as number of persons in household, household income, race, gender, etc., to ensure the survey is statistically representative of the community. Mr. Schwinger said the scattering is based on population; therefore, the survey can be sent more or less in one area over another depending on the population of those areas based on the 2010 Census. Chairman Dillingham said everyone present at the meeting could begin talking to their families, neighbors, etc., and let them know if they receive a phone call and community transportation survey it is critical they complete it and turn it back it.

Mr. O'Leary said this topic dovetails nicely with the previous discussion and if Council would like public input regarding the Storm Water Utility (SWU) fee and G.O. Bond issue, one or two questions could be added to the community transportation survey in order to obtain public consensus that would assist Council with making the storm water issue(s) decision.

Mr. Harold Heiple, CTP Visioning Committee member, said the first page of the draft community transportation survey was good and personalized, but the questions on page two needed to be re-written and personalized, in such a way the citizen can state they "will be personally impacted by" or "are personally impacted by" a particular question/topic, as well as "whether or not they support the question/topic" and "will you vote to pay for the question/topic". He said if the voters do not approve the G.O. bond that the City proposes, the entire process is wasted time.

Councilmember Gallagher felt the citizens who repeatedly go to the different CTP Ward meetings can not be counted each time because they voice the same opinion/input each time. He said the scoping process has not gotten to date a wide variety of citizen input and that concerns him. Councilmember Griffith felt information can be skewed if the same group of people is attending multiple meetings and contributing with the same ideas. Councilmember Kovach asked how Staff and Lochner are handling those situations and Mr. Schwinger said the information obtained at the CTP Ward meetings and given to Staff is not in any way tabulated as votes or a survey. Mr. Schwinger said the information is simply a list of issues that have been brought forward and/or said and part of the value in this process is to get people to begin thinking about priorities. He said ultimately the community transportation survey will obtain the reliable information. Mr. O'Leary said the theory of the scoping process is attacking issues using all angels, e.g., the CTP Ward meetings, scientific survey, social media, CTP Visioning Committee, etc., and Staff will provide the outcome of *all* information gathered. He said parts of the process may be skewed a bit based upon the format, but all of the information provided will begin to make sense and start giving Council direction. Chairman Dillingham said Staff and Lochner are not making any assumptions but merely providing the information gathered. She said ultimately it is Council who will have to grapple with the information and make the discussion.

Chairman Dillingham asked everyone present at today's meeting to take the draft community transportation survey, make comments, and get them back to Staff as soon as possible. She said once Staff and/or Lochner have the revisions made, she requested the revised survey be provided to the CTP Visioning Committee to review.

Items submitted for the record

1. Comprehensive Transportation Plan Steering Committee and Visioning Committee Kick-Off/Meeting No. 1 agenda for September 22, 2011
2. Powerpoint Presentation entitled "Moving Forward," presented by Lochner
3. CTP Steering Committee Work Session/Meeting No. 2 for Wednesday, October 26, 2011
4. Visioning Committee Survey Results
5. Moving Forward comments from the Ward 5 meeting on October 17, 2011
6. Moving Forward comments from the Ward 2 meeting on October 19, 2011
7. Moving Forward comments from the Ward 4 meeting on October 20, 2011
8. Moving Forward comments from the Ward 6 meeting on October 24, 2011
9. Meeting schedule
10. Draft Community Transportation survey

MISCELLANEOUS DISCUSSION.

None.

The meeting adjourned at 7:15 p.m.

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

November 1, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Conference Room on the 1st day of November, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

Item 1, being:

DISCUSSION REGARDING A RESOLUTION ESTABLISHING A CHARTER REVIEW COMMISSION FOR THE PURPOSE OF REVIEWING THE NORMAN CITY CHARTER IN ITS ENTIRETY AND TO REPORT ITS FINDINGS TO THE CITY COUNCIL.

Mr. Jeff Bryant, City Attorney, said the City Council Oversight Committee had discussed the establishment of a Charter Review process in May 2010. The Committee wanted a standard, comprehensive review process of the City's Charter for the purpose of determining whether it is sufficient it its current form or if it might be revised for the benefit of the citizens of Norman. He said Resolution No. R-0910-123 would establish a Charter Review Commission (CRC) and was referred by the Oversight Committee prior to the full discussion by Council. During a Study Session on May 18, 2010, Council discussed the resolution and recommended several changes; however, it was noted that moving forward with the CRC would require additional Staff support during a time when the FYE 2011 Budget was being considered that included potential layoffs. It was also noted that there would be a reapportionment and decennial census in 2011, so Council opted not to move forward with the resolution at that time. Mr. Bryant said that in a Council Retreat on September 17, 2011, Council asked Staff to bring the resolution back for Council discussion in a future Study Session.

Mr. Bryant provided a brief history of the Charter amendment process and said any amendments to the Charter must be approved by voters. He said there had been 14 amendments to the Charter since April 1902, six Charter Committees, and one Council Committee. He said the last Committee was appointed in 2004 and some of their recommendations were approved in a citywide election in 2005.

Mr. Bryant said requirements to serve on City of Norman Boards and Commission consisted of the following:

- Reside in the City
- Be appointed only based on their fitness and ability to perform the duties of their position
- Not be members of the immediate family of an elected City official
- Not be a full time City employee
- Not be a member of any other appointive board or commission
- Not be confirmed by Council in the same meeting I which that member is nominated unless the presiding officer otherwise obtains unanimous consent

Mr. Bryant said the three requirements would be considered when formulating requirements for CRC appointees. He said the CRC would be created by resolution instead of ordinance and deferred to Councilmember Dillingham to explain why the Oversight Committee wanted it done that way. Councilmember Dillingham, who was Chair of the Oversight Committee when the resolution was created, said the Oversight Committee envisioned the first CRC being created by resolution so that the CRC itself could decide what the best process would be for review of the Charter. She said the Oversight Committee wanted the process to be as citizen driven as possible and to allow as much citizen input as possible so the CRC would not work for a year on recommendations only to have those recommendations not placed on a ballot.

Mr. Bryant discussed appointment of the members and said Councilmembers and the Mayor would each appoint a member from their Ward and four at-large members selected by Council from a pool of applicants. Councilmember Kovach said the Mayor's appointment would be at-large and not a Ward appointment as the Mayor is an at-large position but felt that the language was not clear on that. Mr. Bryant said the CRC would be comprised of 13 members with no more than three members from the same Ward and the CRC would select their own Chair and Vice-Chair. He said the CRC would meet for a one year period and be staffed with three City employees consisting of the City Manger, City Clerk, and City Attorney or their representatives.

Mr. Bryant said CRC duties would include reviewing the Charter; determining if it should be amended; establishing a standardized review process; educating the public about proposed amendments and the Charter review process; performing such other duties as Council directs by motion or resolution; and creating policies and procedures as guidelines for the functioning of the CRC.

Mr. Bryant said members must attend all meetings with limited absences of three total absences. He said removal of any member can be done by majority vote of Council without cause and if removal occurs, the CRC must remain no less than 11 members.

Mr. Bryant said all meetings will be open to the public with public hearings held at least once each quarter, all meeting minutes will be available to Council, and the CRC Chair will report findings to Council once a quarter. He said the CRC will create a final report that includes proposed amendments approved by majority vote of quorum (2/3 of active members) of the CRC. He said City Council would vote to accept the Final Report during a special meeting with each Councilmember voting on each recommendation individually.

Mayor Rosenthal said she would like clarification on voting on each recommendation individually as she envisioned some recommendations affecting multiple sections or recommendations being non-controversial and of a minor nature. Councilmember Kovach said the goal the Oversight Committee was trying to achieve was that all recommendations the CRC worked on for a year would actually get heard in public. He said he did not know how to do that more expeditiously and suggested "by section" instead of individually. Councilmember Dillingham agreed as long as every idea that comes forth from the CRC as a proposal for a Charter change gets reviewed in public and voted on by Council. Councilmember Kovach said it was expected that Council could weigh in on the quarterly reports to see if items could be bundled together. Councilmember Gallagher said even if there are a lot of recommendations, there should not be any reason to hurry. Ms. Brenda Hall, City Clerk, said she had reviewed previous recommendations and most of the recommendations came forward in the form of a report and, usually, if recommendations regarded cleanup of language, they were placed by related subject matter. Mr. Bryant asked if Council wanted to change the language and Mayor Rosenthal felt "section by section" would be more expeditious. Councilmembers discussed various alternatives and Mayor Rosenthal suggested language read, "the Commission presents its recommendations with Council voting on whether to submit each recommendation to the voters" and Councilmembers agreed with that suggestion.

Mayor Rosenthal said the reason Council postponed forming a CRC in May 2010, was due to staffing considerations and while the City does not currently face the problem of potential layoffs, Staff is working on some major, labor intensive projects. She said she is concerned about adding another major project when there is still low staffing in some departments and asked Councilmembers to consider the needs and timing of Staff. She asked if there was something that needed immediate attention and Councilmember Kovach said the Oversight Committee reviewed the Charter changes over a year before deciding to create the CRC. He said there were several items that were left on the table because the Committee only wanted to look at non-controversial items and there are items that have been pushed aside for years. He felt that there would be no need for legal staff to be at every meeting so it would not be overly burdensome to move forward. Councilmember Dillingham disagreed and said she felt it would be important for legal staff to attend each meeting. She said the work will be difficult and the CRC will need legal advice and staff support, but if staff is not available then the CRC should not be formed. Mr. Steve Lewis, City Manager, said the CRC would be research intensive and staff can do the job, but said with consideration to other ongoing projects he would ask Council's indulgence in assigning any new projects during the year the CRC is reviewing the Charter.

Mayor Rosenthal said she would feel more comfortable if the CRC was not restricted to a one year reporting requirement and suggested giving them additional time. Councilmember Lockett agreed and said Council has no idea how long it will take the CRC to get through the process and setting a time limit could impede their process. Councilmember Dillingham said the City Manager had recommended not leaving an open ended timeline so that there is completion and asked him how Council could deal with time concerns. Mr. Lewis said the Council could place language in the requirements for an extension and felt with quarterly reports, Council would have a better idea of how long an extension was needed. Councilmember Dillingham said the CRC's initial term could be one year provided however that time can be extended upon request of the Commissioners and approval of Council. Councilmember Kovach suggested quarterly extensions and Councilmembers agreed.

Mayor Rosenthal said in consideration of the impact on staff she would suggest that Section 9(g) be changed to read, "The Commission's term will last no more than one year with the Commission as a whole holding no more than one meeting each month." Councilmember Kovach asked how that would affect sub-committees and Mr. Bryant said that would depend of if the sub-committees would be staffed. Mr. Lewis said it was an assumption on his part that there would be a sub-committee. Councilmember Dillingham said having a sub-committee(s) could extend the process especially if legislative personnel were needed for meetings. She said she did not want to rush the process or overburden staff.

Councilmember Gallagher asked Mr. Harold Heiple, Attorney at Law, for input since he Chaired some of the previous commissions. Mr. Heiple felt the CRC is not needed because the Charter is the fundamental governing document of the City and needs to have continuity and not be changed constantly. He suggested appointing a standing Ad Hoc Committee to serve as needed. He said the Charter has been reviewed several times over the years and nothing magnanimous has ever been changed. He said the most controversial issue with the Charter is the proposal that utility rates be increased up to 5% without having to go to a vote of the people. He said citizens have referendum and initiative authority to change the Charter if they so choose.

Councilmember Dillingham said a standing committee is one of the options for the CRC; however, she believes this is a worthy project to allow citizens to decide how they want City to be governed. Councilmember Kovach said there have been issues brought up at various committee meetings that have to do with the Charter. He said if the CRC meets and decides to make no recommendations that is fine; however, there have been several Charter Commissions where citizens have spent time and effort to make recommendations that were never acted upon. He felt Council needed to give citizens the opportunity for input and not ignore the work and effort of previous committees.

Mayor Rosenthal asked the Council Oversight Committee to review the items "left on the table" that might be a more targeted charge so Council can review the broader charges in contrast to the narrower targeted charge to help them make a decision on whether or not a CRC should be formed. Councilmember Kovach asked if that information could be reviewed at a Study Session instead and Mayor Rosenthal said yes.

Items submitted for the record

1. Memorandum dated October 25, 2011, from Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers with amended draft Resolution No. R-0910-123
2. City Council Study Session minutes of May 18, 2010
3. Memorandum dated May 13, 2010, from Oversight Committee to Honorable Mayor and Councilmembers
4. Draft Resolution No. R-0910-123
5. PowerPoint presentation entitled, "Creation of a Charter Review Commission," Council Study Session, dated May 18, 2010

Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(3) TO DISCUSS THE POSSIBLE PURCHASE OF REAL PROPERTY LOCATED SOUTH AND WEST OF THE CANADIAN TRAILS PARK BETWEEN THE CANADIAN TRAILS ADDITION AND THE SOUTH CANADIAN RIVER, PRIMARILY IN THE SW QUARTER OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 2 WEST, AND INCLUDES A SMALL PARCEL IN SECTION 12, TOWNSHIP 8 NORTH, RANGE 2 WEST, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA.

Councilmember Quinn moved that the Special Session be adjourned out of and an Executive Session be convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(3) to discuss the possible purchase of real property located south and west of the Canadian Trails Park between the Canadian Trails Addition and the South Canadian River, primarily in the SW Quarter of Section 7, Township 8 North, Range 2 West, and includes a small parcel in Section 12, Township 8 North, Range 2 West, City of Norman, Cleveland County, Oklahoma, which motion was duly seconded by Councilmember Kovach; and the question being upon adjourning out of the Special Session and convening, the subsequent vote was taken with the following result:

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

Item 2, continued;

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(3) in order to discuss the possible purchase of real property located south and west of the Canadian Trails Park between the Canadian Trails Addition and the South Canadian River, primarily in the SW Quarter of Section 7, Township 8 North, Range 2 West, and includes a small parcel in Section 12, Township 8 North, Range 2 West, City of Norman, Cleveland County, Oklahoma..

The City Council adjourned into Executive Session at 6:23 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Susan Connors, Director of Planning and Community Development; Mr. Shawn O'Leary, Director of Public Works; and Mr. Jud Foster, Director of Parks and Recreation, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

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

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

The Mayor declared the motion carried and the Special Session was reconvened at 6:55 p.m.

The Mayor said the possible purchase of real property located south and west of the Canadian Trails Park between the Canadian Trails Addition and the South Canadian River, primarily in the SW Quarter of Section 7, Township 8 North, Range 2 West, and includes a small parcel in Section 12, Township 8 North, Range 2 West, City of Norman, Cleveland County, Oklahoma, was discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

Item 3, being:

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 6:56 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

November 2, 2011

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

PRESENT:	Councilmembers Dillingham, Kovach, Spaulding and Chairman Griffith
ABSENT:	None
OTHERS PRESENT:	Councilmember Roger Gallagher, Ward One Councilmember Linda Lockett, Ward Seven Mayor Cindy Rosenthal Mr. Ty Hardiman, Enforcement Authority Chairman
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Ms. Brenda Hall, City Clerk Mr. Steve Lewis, City Manager Ms. Syndi Runyon, Administrative Assistant IV

CONTINUED DISCUSSION REGARDING CHAPTER 7.5, ELECTIONS.

Chairman Griffith said proposed amendments to Chapter 7.5 include eliminating the Monday report filing requirement; changing requirements for committees supporting or opposing a candidate to mirror State statutes, which would not require them to file reports until they have expended or received $500; and changing the name of the Enforcement Authority. He asked the Committee for their comments.

Councilmember Kovach said Council had discussed being more in-line with State campaign report regulations. He said he wanted to keep the Friday before the election reporting requirement. He said final reports are due 30 days after the election and that could be changed to be more in-line with State requirements that call for final reports within 31 to 40 days after the election. Ms. Brenda Hall, City Clerk, said, in a previous amendment, the City's reporting period was changed to 30 days after the election, which would allow State and City reports to be filed on the same day. Councilmember Kovach said the there is a State filing requirement for the 10th day before the runoff or general election. He said the City could require a report be filed on the 10th day before an election the same as the state and an amended filing by noon on the Friday preceding the election, if a candidate collects or expends any monies between the 10th day and that Friday. Councilmember Dillingham felt that requiring a report 10 days prior to the election would not give the public as much up-to-date information as the Friday reporting requirement. Councilmember Kovach said it would get information to the public a week before the election and if there is additional expenditures or contribution it would be reported on the Friday before the election so there would be no less reporting. Mayor Rosenthal suggested State reports be filed 10 days before the election, as required, and City reports be filed on the Friday before the election, which is effectively what is being proposed. Councilmember Kovach said his proposal was to have the Friday reporting only if there is additional activity and some candidates will not. Councilmember Kovach felt this would be more beneficial to get the information to the public earlier in order for them to review it versus giving them the information to review a couple of days before the election. Mr. Ty Hardiman, Enforcement Authority Chairman, said he did not have an objection to the proposal, but would like to keep the Monday reporting requirement. He said the Enforcement Authority's goal is to get information to the public in a timely manner not only through reporting, but also through other education methods. He said if Council thought this proposal advanced the dissemination of information then he would

not speak against it if it came before Council. Councilmember Dillingham said if the goal is public disclosure, she would not have a problem with the proposal and the rest of the Committee supported it as well.

Mayor Rosenthal said the State requires final reports be filed between the 31st and 40th day after the election and asked if City reports should be aligned with the State requirement. Councilmember Kovach asked Ms. Hall if that would cause any problems and Ms. Hall said she did not foresee a problems with mirroring State requirements and the Committee agreed.

Councilmember Kovach said there had been previous discussions regarding changing the name of the Enforcement Authority and he supported that idea. He suggested the name "Election Information Committee" because the Enforcement Authority provides information to the public. Mr. Hardiman suggested "City Council Election Financial Compliance Committee" as that describes the Enforcement Authority's role as far as how finances come to play in the City elections. He felt there was more to the committee than election information, but not necessarily "enforcement." He said the name would also differentiate Council elections form issue or bond elections. Chairman Griffith asked if the Enforcement Authority Committee had discussed that name and Mr. Hardiman said there had been some discussion and he would be glad to place that item on an Enforcement Authority agenda as soon as possible. Councilmember Kovach felt the name was a little wordy and said the ordinance describes the Enforcement Authority's duties in detail and although he appreciated the Enforcement Authority wanting to make the name specific to Council elections. Mr. Hardiman said beyond distributing information, the Enforcement Authority is charged with making sure campaign reports are accurate and proper and felt that is not reflected in the name "Election Information Committee." Councilmember Dillingham agreed and said the "oversight" concept may get closer to that charge. Mr. Hardiman said he could meet with the Enforcement Authority regarding the name "Election Oversight Committee" and explain why that might be a good name. Councilmember Kovach suggested inserting the word "citizens" in the name such as "Citizens Council Election Oversight Committee" because it is important for people to understand that it is the citizens that are reviewing the reports. Chairman Griffith said he would like the Enforcement Authority to come up with a name and Councilmember Kovach asked if that would come back to the Oversight Committee or Council as a whole.

Ms. Hall said time is of the essence for any ordinance amendments to be adopted and become effective prior to the candidate filing cycle in January and encouraged the Committee to select a name tonight. She said Council will review a resolution in December setting the election dates so proposals made tonight should be reviewed and accepted at the same time to meet that cycle. She felt that everything needed to be in place by the time candidates file. Mayor Rosenthal said she supported a previously proposal of "Norman Election Commission" from Councilmember Gallagher. She felt the name was simple and straightforward and Mr. Hardiman and the Committee agreed.

Councilmember Gallagher said he had asked the Legal Department to research other City's to see if there had been any problems with reporting dates or candidates reports and asked for an update. Mr. Jeff Bryant, City Attorney, said the City of Norman is the only city that has a separate reporting requirement so there is no comparison to other cities, but he was not aware of any problems with State reporting requirements within other cities. Councilmember Gallagher asked Ms. Hall if there had been any chronic problems with violations. Ms. Hall said there have not been issues with candidate reports, but there have been some issues regarding committees that form to support or oppose a candidate in that they do not always file a report in a timely manner.

Mayor Rosenthal said Oklahoma City is in the middle of a huge controversy regarding municipal election finance reporting. She said there is no one at the State level to monitor election finance reports and felt that

Norman is well served by having an Enforcement Authority. Chairman Griffith agreed and said citizens need to know what expenditures and contributions candidates are generating even though they may not be as extreme as Oklahoma City or Tulsa elections. Councilmember Dillingham agreed and said the reports do not provide the level of disclosure that Norman citizens deserve and have come to expect. She said City Council has a higher desire, on the part of elected officials, to communicate openly and honestly. Chairman Griffith agreed and felt other cities and the State would be better served by following Norman's example.

Councilmember Kovach said the whole genesis of these discussions is based on a court case in Colorado and Norman has done some tweaking based on the idea that the City has to balance free speech without overburdening someone with disclosure to the public. He asked Mr. Bryant if the City's reporting disclosure threshold is too low or could someone say it is overly burdensome. Mr. Bryant said the Colorado case was about an issue committee not a candidate committee and said he would have to do further study in order to answer that question. Councilmember Kovach said he would like to know if there is a red flag before voting on changes. Chairman Griffith felt City thresholds were not unreasonable. Ms. Hall reminded the Committee their current proposal for a $500 threshold only applies to committees that support or oppose a candidate and candidates will still have to report everything. Councilmember Kovach felt there should be a higher burden of disclosure on a candidate running for office.

Chairman Griffith asked when the amendments would move forward to Council. Ms. Hall said she could schedule the item on a Conference or Study Session agenda by the end of the month in order to have proposed amendments on First Reading no later than the first meeting in December.

Items submitted for the record

1. Memorandum dated October 24, 2011, from Brenda Hall, City Clerk, to City Council Oversight Committee; Councilmember Griffith, Chair; Councilmember Dillingham; Councilmember Kovach; and Councilmember Spaulding
2. Ordinance No. O-1112-15
3. Comparison of State and City Campaign Reporting Requirements
4. City Council Oversight Committee minutes of September 7, 2011
5. Pertinent excerpts from City Council Special Session minutes of September 11, 2011

MISCELLANEOUS DISCUSSION.

Councilmember Kovach asked what future topics were being scheduled for the Oversight Committee's review and Ms. Hall said did not have her schedule for December. She said some future topics are on hold waiting on data such as traffic enforcement using the speed feedback signs and changing alley solid waste pick up to street pick up. She said she believed proactive code enforcement is the topic that to be discussed in December. Councilmember Kovach said he wanted to make sure the bullying topic did not get overlooked.

The meeting adjourned at 6:17 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

November 3, 2011

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 9:01 a.m. in the Conference Room on the 3rd day of November, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Lockett, Quinn, Spaulding, and Chairman Ezzell
ABSENT:	None
OTHERS PRESENT:	Councilmember Kovach, Ward Two Ms. Cindy Rosenthal, Mayor Mr. Harold Heiple, Attorney Mr. Kirk Holcomb, ES-2 Controls Contractor Mr. Don Wood, Norman Economic Development Coalition Ms. Nancy Yoch, Don Cies Realty
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Mr. Bob Christian, Permit Manager Ms. Susan Connors, Director of Planning and Community Development Mr. Anthony Francisco, Director of Finance Mr. Steve Lewis, City Manager Mr. Gary Lowe, Information Systems Manager Mr. Shawn O'Leary, Director of Public Works Ms. Kathryn Walker, Assistant City Attorney Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

IMPLEMENTATION RECOMMENDATIONS TO STREAMLINE THE BUILDING PERMIT AND INSPECTION PROCESS.

Mr. Steve Lewis, City Manager, said in its September 15, 2011, meeting, the City Council Business and Community Affairs Committee had been presented an overview of the best practices for building permits in order to review streamlining the permit process. He said the Planning Department is now presenting additional information.

Ms. Susan Connors, Director of Planning and Community Development, said she had previously submitted information to the Committee regarding building permit best practices that included performance measures; technology; building permit processes from other communities; and customer service. She said supplemental material being presented today includes an annotated list of performance measures with work plans, chart of costs for hardware and software to improve technology, and a comparative survey of six Oklahoma cities.

Ms. Connors said the Planning Department has budgeted funds for a Building Permits Application Module to add to the current Sunguard system to provide expanded customer service. She said the application will add electronic inspection scheduling; property and permit information; online submittal; inspection maintenance; public inquiry; online fees; and project view. She said applicants will be able to schedule inspections online, pay for inspections online, allow submittals of building permit applications online, inquiries can be submitted online instead of by phone, and contractors will be able to view inspections online.

Ms. Connors said currently, the Building Permit Department has an Interactive Voice Response (IVR) System that builders and contractors use to schedule inspections. She said there is an upgrade that will allow customers to leave additional messages and notification can be delivered back to them. She said there is a Mobile Inspection System (MIS) the City is looking at that has a similar function, so the City may not need an upgrade to the IVR System. She said if customers can go online for inspections, there would be no need to call the City for that information. She said the IVR is a little more cumbersome than getting information online. Chairman Ezzell asked if the IVR is a system that is paid for annually and Ms. Connors said maintenance is paid annually and the City will still need the IVR system, but would not need the upgrade. Chairman Ezzell asked about the costs of the upgrades and Ms. Connors said the MIS will cost approximately $100,000, which would include ongoing maintenance for the first year and an annual maintenance cost of $14,000 each year after that.

Ms. Connors said, in regards to customer service, the City developed a list of frequently asked questions (FAQ), which are now available on the City's website. She said additional questions have been submitted to the Committee tonight for their review and three of the FAQ's will be added each week until the list has been exhausted. She said the majority of FAQ's come from less experienced builders and home owners so the questions are primarily geared in that direction and the information can be obtained online as opposed to calling the City for information.

Ms. Connors said the primary goal of the plan review is meeting timelines established for residential and commercial plan reviews. She said the International Residential Code was adopted by the State in July and the City is beginning to meet with builders to move that code forward for City adoption. She said the City has identified the need to establish interpretations of the building codes and she has submitted a table of contents of that manual for the Committee's review. She said a question had been raised about the City's ability to track how long plans are in the City's possession versus the builder's possession and said the City currently has that ability and the information is readily available.

Ms. Connors said to improve the inspection process, Staff has identified new software and hardware that would make the process better and the Mobile Field Inspection (MFI) module will be added to the currently used Sunguard System. The MFI will allow inspectors to rearrange their schedules and routes of inspections and research permit and inspection information directly from their vehicles. She said there will be computers and printers in each inspector's vehicle. This will also allow inspectors to input data at the time of inspection instead of waiting to get back to the office at the end of the day and customers will have direct access to that information. A printed copy will also be left at the site for those who may not have computer access.

Councilmember Quinn asked if the MIS is i-Phone and i-Pad compatible and Mr. Gary Lowe, Information Systems Manager, said no. He said the MFI would be strictly laptop, but there is another module available that is i-Phone/i-Pad compatible; however, it does not give all the functionality needed. Ms. Connors said, from the customer's point of view, the i-Phone/i-Pad is not as reliable or customer friendly; however, the City will have the ability to send e-mails to the i-Phone/i-Pad. Mr. Lewis said it is a trade-off and asked Mr. Lowe the cost difference of the i-Phone/i-Pad compatible system and Mr. Lowe responded $60,000, but said it does not address the issues the City is dealing with in streamlining the permit process.

Chairman Ezzell said he understood the City had the budgetary ability to move forward and Mr. Lewis said he and Mr. Anthony Francisco, Director of Finance, have reviewed the Capital Budget and expect some savings on some of the projects and, if necessary, funds from the Fund Balance can be used. He said contingent upon Council approval, the City is ready to move forward. Chairman Ezzell felt the MIS would be a significant improvement and worth the investment. Mayor Rosenthal said the Council postponed payment of the annual Norman Economic Development Coalition (NEDC) dues and asked if the City has budgeted monies for technology improvement or would that be a mid-term adjustment to the budget and Mr. Lewis said it would be

a mid-term correction in the Capital Budget and the NEDC dues would come from the General Fund. Mayor Rosenthal said, in light of that, she is comfortable with moving forward. Councilmember Lockett asked if Staff had projected cost savings and Ms. Connors said they have not and Councilmember Lockett asked her to track that since the goal is to save money. Chairman Ezzell asked the Committee if they felt this information needed to be presented to the Council in a Study Session or, given the high rate of attendance today, place an item directly onto an agenda when prepared. Councilmembers felt it should be presented to Council as a whole since it will require a budgetary change. Councilmember Quinn suggested presenting the information to the Finance Committee as well.

Mr. Lewis said if the City moves forward with the permit streamlining process, in order to meet all the items discussed, the City will need a business ombudsman. He said he had prepared a draft of a job description for a Development Coordinator, but for all practical purposes it is really a business ombudsmen position that has been discussed by several committees. He said the question repeatedly asked is who would the position report to and he has designed the position to report to the City Manager. The Development Coordinator's fundamental job will be to facilitate development review projects for both public and private projects, but primarily private projects. He felt the value of the position would be to help provide guidance to developers, architects, engineers, or anyone involved on a project team that is interacting with the City. He felt the position would be helpful in working with community groups to explain some of the City requirements on construction projects. He said it is also important to think about how that position could assist the City on some of its own projects such as the Smalley Center, Fire Station No. Nine, downtown improvement projects, etc. He said the position can also give the City an opportunity to work on re-development issues that are going to occur in the community over the next several years.

Mr. Lewis said the goal is to have a single line of contact for builders, contractors, and developers within the community. He said this person would also reach out to various business groups in the community. The Development Coordinator would follow projects all the way through approval stages from Planning Commission to City Council. Mr. Lewis said he has discussed the position with the Chamber of Commerce, builders, developers, and NEDC. This position will not replace NEDC's efforts because it will be geared for smaller retail projects and NEDC is geared for more industrial projects.

Chairman Ezzell asked if the Chamber has indicated a willingness to partially fund this position or has that been discussed fully. Mr. Lewis said it has not been fully discussed and he did not know what the Chamber's current position would be. Chairman Ezzell asked Mr. Lewis to follow up as that may give the City latitude on the qualification of who is hired if the pay range could be raised. Councilmember Kovach felt that any money the Chamber might donate toward the position would be more appropriately used for a recruiting position as the public might misinterpret the Chamber funding a position of this description. Councilmember Kovach said he was in support of the position if the City wants to streamline projects and disprove rumors that the City of Norman is not business friendly. Chairman Ezzell asked Staff to visit with the Chamber and get information on the next agenda meeting for follow-up. Mr. Lewis said he would appreciate any feedback from Council on the class specifications.

Mayor Rosenthal said she appreciated all the information that has been presented by Staff and hopes the whole packet is being shared with the Chamber to make them aware of the City's benchmarks. Chairman Ezzell asked that the Chamber be provided the information if that has not been done.

Items submitted for record

1. Memorandum dated November 3, 2011, from Susan F. Connors, AICP, Director of Planning and Community Development, to Business and Community Affairs Committee, with Exhibit 1, Performance Measures; Exhibit A, Sungard Clickw2Gov Building Permits for NaviLine; Exhibit B, Voice Permit by Selectron - additional functionality and price quotes as of October 6, 2011; Exhibit C, Frequently Asked Questions; Exhibit D, Manual of Building Code Interpretations and Policies; Exhibit E, Outline of Review Time for Selected Building Permits; Exhibit 2, Sungard Public Sector Mobile Field Inspection; and Exhibit 3, Building Permit Information Survey
2. Draft Class Specification for Development Coordinator

Item 2, being:

DRAFT PUBLIC TRUST INDENTURE TO CREATE THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY.

Chairman Ezzell said a number of Norman Trust Authority agreements were compiled and reviewed by the Committee and Staff has prepared a draft Public Trust Indenture for consideration as to what a Norman Economic Development Authority Trust Indenture (NEDATI) would look. He said at the last Committee meeting there had been some governance issues that needed to be fine-tuned.

Mr. Jeff Bryant, City Attorney, said at the October Business and Community Affairs Committee meeting several tools for economic development in Oklahoma were discussed. He said one of the tools was a public trust and under Oklahoma law, a public trust is often used for the benefit of the municipality to incur long term indebtedness and assist with long term planning and investments for a variety of purposes. Staff was directed to draft a trust indenture creating the NEDATI. He said the heart of the discussion from the last Committee meeting was governance of the trust. He said the key article that has been individualized for this particular trust is Article VII, which sets forth the identity of the Trustees, how each Trustee is selected, as well as the identity of the Chairman and Clerk of the Trustees. The draft indenture provides that there will be five Trustees with two Trustees chosen from City Councilmembers, one Trustee chosen by the Board of Directors of the NEDC, one Trustee chosen by the Executive Committee for the Norman Chamber of Commerce, and one Trustee with strong ties to the banking community be chosen by City Council.

Mr. Bryant said all Trustees must be citizens and residents of Norman. The members of Council selected to serve as Trustees shall be chosen at the beginning of each fiscal year to accommodate new Councilmembers as they take office in July and corresponds with other Council appointments. The remaining three Trustees will serve staggered terms so that the possibility of complete board turnover is minimal. The Chairperson of the Trustee Board is selected at the first meeting of each fiscal year by the Trustees. The City Clerk will serve as the Secretary of the Trustees to ensure meeting minutes and other trust related documents are maintained in similar fashion to other City records.

Chairman Ezzell said he had visited with Mr. Mark Nuttle who has experience with trust indentures and asked Mr. Bryant to forward the draft to Mr. Nuttle for his review. He said he has asked Mr. Nuttle to speak about the trust indenture at a future Committee meeting. He said in the governance aspect, it is important to always have people with a knowledge base that made them qualified to serve on the board and one of those primary knowledge bases is a financial and banking background. He asked if there was a way to tighten the language identifying that position and Mr. Bryant said yes he could do that and he would also take suggestion from Mr. Nuttle since he has experience in this area.

Mayor Rosenthal said she was concerned about whether or not there has been any litigation or concerns raised regarding the delegation of powers of eminent domain to a non-elected body. Mr. Bryant said he would research that, but was not aware of any problems. He said some of the safeguards on condemnations is the condemnation process itself with the appointment of Commissioners and the court system. Chairman Ezzell said there had been a recent court case dealing with a private economic development entity. Mayor Rosenthal said she wanted to make sure the Trust was created under firm, legal grounds. Ms. Kathryn Walker, Assistant City Attorney, said the power of eminent domain is one of the enumerated powers of the board. Chairman Ezzell asked if the Trust Authority deems an eminent domain or condemnation action as being appropriate, would it be inappropriate to require that body to submit that request to Council and have Council approve it. Mr. Bryant said it would not be inappropriate, just adds a step that is not normally in a trust agreement. Mayor Rosenthal said if Council did not approve the action, at least have a notice provision so the elected officials are aware of an exercise of eminent domain. Councilmember Spaulding said he felt the Council should have an opportunity to approve eminent domain and Councilmember Kovach agreed. Chairman Ezzell said he understands the concern and asked Mr. Bryant for an analysis on a notice requirement versus approval requirement and what it would add to the process.

Mayor Rosenthal asked if language in Article IV, Purposes of Trust, that states, "to promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description" would be setting up something potentially in conflict or competition with the Norman Utility Authority (NUA) or Norman Municipal Authority (NMA) and Mr. Bryant said he did not believe so.

Chairman Ezzell asked Mr. Bryant to forward the draft to Mr. Nuttle and prepare an analysis on the points of discussion regarding eminent domain power and what would that potentially add to the process to be put on the next meeting agenda. Mr. Lewis said he forwarded the draft to NEDC and Chamber of Commerce for their comments.

Items submitted for record

1. Memorandum dated October 24, 2011, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Members of the Business and Community Affairs Committee
2. Draft Indenture Creating the Norman Economic Development Authority

Item 3, being:

MISCELLANEOUS DISCUSSION.

Chairman Ezzell said there had been some discussion on the Sign Ordinance and asked for a brief update. Ms. Connors said Staff is preparing a presentation for December to bring the Committee up-to-date.

The meeting adjourned at 9:38 a.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL CONFERENCE MINUTES

November 8, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 8th day of November, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None

Item 1, being:

DISCUSSION REGARDING CHANGE ORDER NO. TWO TO CONTRACT NO. K-0910-27 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RED CLIFF, INC., INCREASING THE CONTRACT AMOUNT BY $8,053.27 FOR THE LITTLE RIVER INTERCEPTOR, PHASE III, AND NORTHWEST INTERCEPTOR PROJECTS.

Mr. Ken Komiske, Director of Utilities, said Norman Utilities Authority (NUA) on July 28, 2009, approved Contract No. K-0910-27 with Red Cliff, Inc., for the Little River Interceptor, Phase III, and Northwest Interceptor Projects in the amount of $1,637,392. The construction was to begin on August 17, 2009, and completed by August 12, 2010. On November 24, 2009, the NUA approved Change Order No. One increasing the contract amount by $57,273.68 to install a thicker walled sewer pipe in areas where the trench depth exceeded 20 feet, which affected approximately 1,440 feet of 30-inch piping for the Little River Interceptor and 170 feet of 24-inch piping for the Northwest Interceptor. On January 24, 2011, the NUA approved Amendment No. One increasing the contract amount by $175,000 for rock excavation, an unforeseen site condition, and granting a 240 calendar day extension for a revised completion date of April 9, 2011. Construction was substantially completed on February 18, 2011, and Staff had been working with Red Cliff, Inc., to restore impacted properties to pre-construction conditions; however, recent drought conditions hampered establishment of vegetative growth on those properties. Staff now finds restoration efforts acceptable and recommends acceptance of the projects. Change Order No. Two increasing the contract amount by $8,053.27 will reconcile "as-bid" estimated quantities to the "as-built" final quantities for the project. Staff recommends approval of the projects and final payment in the amount of $39,000 to Red Cliff, Inc.

Items submitted for the record

1. Text File No. K-0910-27, Change Order No. Two, dated October 25, 2011, by Mark Daniels, Utilities Engineer
2. Change Order No. Two to Contract No. K-0910-27

Item 2, being:

DISCUSSION REGARDING THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT, PHASE II.

Mr. Komiske said the Wastewater Treatment Plant (WWTP) was constructed in 1942, with the most recent upgrade in 2000, adding aeration basins to make the water cleaner, but those improvements created more sludge. He said the current design is for 10 million gallons a day (mgd), but the current average flow is 11 mgd. He said the State of Oklahoma and the Environmental Protection Agency's (EPA) rule of thumb is that if communities are at 90% of their capacity they should be planning and budgeting for the next phase.

Mr. Komiske updated Council on the existing facilities treatment performance. He said there are two sets of clarifiers, two sets of digesters, and two final clarifiers. He discussed the current EPA permit limits for Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and Ammonia (NH3), and said Norman is within their limits. He credited the employees operating the WWTP for that accomplishment, given that it is still overloaded at this point. He said the trend for effluent continues to rise so as the WWTP reaches its design capacity, it loses the ability to treat it. The City needs to begin planning for the future as the WWTP is becoming stressed.

Mr. Komiske said project drivers for the next phase are regulatory requirements. He said the City acquired a new Oklahoma Department of Environmental Quality (ODEQ) permit in July 2010, and the permit stipulated that the City would have disinfection in place by July 2013, and dissolved oxygen will probably be the next requirement in the 2013 permit. He said the City is currently under a Notice of Violation (NOV) because when ODEQ issued the permit stipulating the disinfection requirement, they wanted to view engineering designs within three months and that was not possible. Mr. Michael Graves, Garver Engineering, has been lobbying on the City's behalf and told ODEQ that engineering plans were not done within three months because a firm had to be selected through a Request for Proposal (RFP) and discussion of the design needed to be done. Mr. Komiske said a preliminary design is currently being worked on to be submitted and the important part is it will be in place and working by July 2013.

Mr. Komiske said another project driver is capacity. He said the planned expansion will be 17 mgd, which represents full build out of the South Basin according to the 2025 Land Use and Transportation Plan. The final project driver is equipment replacement. He said the cement basin structure of the plant is good, but all the mechanical equipment and piping needs to be replaced. He said that consists of primary clarifiers; aeration systems; fixed film secondary clarifiers; and digester lid.

Mr. Komiske talked about the proactive future plans such as wastewater reuse; biogas cogeneration; Class A bio-solids production; and potential regulatory requirements for nutrient removal. He said nutrient removal consisting of phosphorous and nitrogen may be required before wastewater reuse because the EPA wants local streams to continue to be cleaner for bodily contact and a warm water aquatic community.

Mr. Komiske said current WWTP needs include the following:

- Screening improvements - at capacity
- Influent flow metering/splitting – at capacity
- Rehab existing primary clarifiers - at capacity
- New aeration basins (3) – at capacity
- Replace existing AB Diffusers – at capacity
- Secondary clarifiers (2) - at capacity
- RAS pumping – at capacity
- WAS pumping – at capacity
- UV disinfection –regulation driven
- Post aeration – regulation driven
- Parallel discharge line – at capacity
- WAS thickening (2) – at capacity
- Sludge blending – at capacity
- Anaerobic digestion – at capacity
- Odor control
- Standby power – at capacity

Councilmember Gallagher asked if wastewater reuse is allowed, will it require additional equipment and Mr. Komiske said yes, if reuse is for water to placed back into the reservoir it would cost closer to $100 million than the $52 million current needs estimated cost. He said it sounds like a lot more money, but it would balance out costs by not having to acquire water from another source.

Councilmember Kovach asked if the $100 million estimate would include reuse as well as using methane gas for power or sludge for bio-fuel and Mr. Komiske said yes, there would be a way to store methane gas so there is a constant source of gas for electrical maintenance. He said it would also include bio-composting for Class A sludge that can be used as compost for plants.

Mayor Rosenthal asked about the impact of having odor control and Mr. Komiske said it will not be an odorless WWTP, but would help control odor in various stages of the cleaning process. Mr. Graves said technology used would help destroy organic related odors as well as hydrogen sulphide odors. Mayor Rosenthal felt odor control is a quality of life issue.

Councilmember Lockett asked how far the improvements would take us into the future and Mr. Komiske said twenty years or more without a north treatment plan, but eventually a WWTP will be needed on the north side. Councilmember Lockett asked what the maintenance costs covered and Mr. Komiske said the estimated maintenance costs are for repairing pieces of equipment that need to be replaced as well as day to day maintenance.

Mayor Rosenthal asked about reuse regulations and felt that the City is a long way from reusing water to be pumped back into the Lake Thunderbird reservoir. Mr. Komiske said the State does not have rules regarding reuse of effluent and he has been working with the State on writing regulation. He said the cleaner you make the water, the more you can do with it including indirect potable reuse, which would be putting it back into the reservoir. He said there would be different categories for reuse of the water such as irrigation, etc.

Councilmember Griffith asked if projected future costs would include treating pharmaceuticals and Mr. Komiske yes that would be a goal.

Mr. Steve Lewis, City Manager, said, in order to advance the project, the City needs to file the $52 million plan of action with ODEQ to respond to the NOV and asked for Council direction. Council agreed the plan should be submitted. Mr. Graves said in conjunction with the report the City will also file an updated construction schedule to show compliance by July 2013.

Councilmember Kovach asked about the timeline for the project and Mr. Graves said, design would take approximately 18 months, six months for the permitting process through ODEQ, and two years for construction so there would be a four year implementation window.

Items submitted for the record

1. Memorandum dated November 3, 2011, from Kenneth Komiske, Director of Utilities, and Mark Daniels, Utilities Engineer, to Norman Utilities Authority Council Conference
2. Norman Wastewater Treatment Plant, Phase 2, Recommended Plan Conceptual Cost Estimates
3. PowerPoint presentation entitled, "Norman Wastewater Treatment Plant: Phase 2 Improvements," City Council Conference, November 8, 2011

The meeting adjourned at 6:12 p.m.

ATTEST:

City Clerk

Mayor

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

November 8, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 8th day of November, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by students of Truman Elementary School.

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 4, 2011
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 18, 2011
CITY COUNCIL FINANCE COMMITTEE MINUTES OF OCTOBER 19, 2011
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 25, 2011
CITY COUNCIL MINUTES OF OCTOBER 25, 2011 *
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 25, 2011*
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 25, 2011*
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 25, 2011*

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

Items submitted for the record
1. Text File No. GID-1112-32 dated October 24, 2011, by Brenda Hall, City Clerk
2. City Council Study Session minutes of October 4, 2011
3. City Council Study Session minutes of October 18, 2011
4. City Council Finance Committee minutes of October 19, 2011
5. City Council Conference minutes of October 25, 2011

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

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

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

* The City Council, Norman Utility Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority Minutes of October 25, 2011, were withdrawn by staff to be considered at the November 22, 2011, City Council meeting.

* * * * *

Item 4, being:

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

Councilmember Kovach moved to allow the Mayor to present Citizenship Awards to students from Truman Elementary School, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. TMP-164 dated October 31, 2011

Participants in discussion
1. Mayor Rosenthal and Councilmember Ezzell presented Citizenship Awards to students Caleb Berryhill, Emerson Coffman, Rylie Jackson, Jalen Johnson, Maria Lopez, Meredith McAlester, Janet Martinez, Hailan Qian, Jade Robinson, Saif Salim, Ava Wheeler, Will Windes, and Ryan Womack
2. Ms. Robye Kay Jackson, Principal of Truman Elementary School, said the fourth and fifth grade students were selected as representatives of good citizens of Truman Elementary School

and the question being upon allowing the Mayor to present Citizenship Awards to students from Truman Elementary School, a vote was taken with the following result:

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

The Mayor declared the motion carried and the Mayor was allowed to present Citizenship Awards to students from Truman Elementary School.

* * * * *

Item 5, being:

PRESENTATION OF AN AWARD BY THE OKLAHOMA WATER RESOURCES BOARD ON BEHALF OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) NATIONAL FLOOD INSURANCE PROGRAM FOR THE CITY OF NORMAN'S PARTICIPATION IN THE COMMUNITY RATING SYSTEM PROGRAM.

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

Items submitted for the record
1. Text File No. GID-1112-33 dated October 24, 2011, by Shawn O'Leary, Director of Public Works
2. Letter dated October 20, 2011, from Sandra K. Knight, PhD, PE, Deputy Associate Administrator for Mitigation, U.S. Department of Homeland Security, Federal Emergency Management Agency, to Steve Lewis, Norman City Manager

Participants in discussion
1. Mr. Gavin Brady, State Coordinator of the Oklahoma Water Resources Board National Flood Insurance Program, and Mr. Kent Wilkins, Head of the Oklahoma Water Resources Board Fields Services Section, presented the award

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

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

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

* * * * *

Item 6, being:

PROCLAMATION NO. P-1112-9: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, NOVEMBER 26, 2011, AS SMALL BUSINESS SATURDAY IN THE CITY OF NORMAN.

Councilmember Quinn moved that receipt of Proclamation No. P-1112-9 proclaiming Saturday, November 26, 2011, as Small Business Saturday in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. P-1112-9 dated November 1, 2011, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-9

Participants in discussion
1. Mr. John Woods, Executive Director of the Norman Chamber of Commerce, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-9 proclaiming Saturday, November 26, 2011, as Small Business Saturday in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-9 proclaiming Saturday, November 26, 2011, as Small Business Saturday in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 7, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 8 through Item 16 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Quinn; and the question being upon the placement on the consent docket by unanimous vote of Item 8 through Item 16, a vote was taken with the following result:

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

The Mayor declared the motion carried and Item 8 through Item 16 were placed on the consent docket by unanimous vote.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1011-60 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 EAST HALF OF SECTION 17 OF TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY, AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

Councilmember Kovach moved that Ordinance No. O-1011-60 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. O-1011-60 dated May 10, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-60
3. Site plan
4. Location map
5. Staff report dated October 13, 2011, recommending approval
6. Norman Predevelopment Summary Case No. PD 11-12 dated March 24, 2011, for Jack Eure for property located south of Tecumseh Road on the west side of 12th Avenue N.E.
7. Protest area map containing 0.7% protest within notification area
8. Letters of protest dated March 14, and March 17, 2011, from Shirley Matthies
9. Letter of protest dated March 13, 2011, from Barbara Bridgeford
10. Pertinent excerpts from Planning Commission minutes of July 8, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-60 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1011-60 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-1112-16 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE IV BOARD OF HOSPITAL MANAGEMENT; REPEALING IN ITS ENTIRETY ARTICLE VI CABLE COMMUNICATIONS ADVISORY COMMISSION, ARTICLE XVIII UTILITIES COMMISSION, AND ARTICLE XX TRAFFIC APPEALS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-16 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. O-1112-16 dated November 1, 2011
2. Ordinance No. O-1112-16
3. Legislatively noted copy of Ordinance No. O-1112-16
4. Pertinent excerpts from City Council Special Session minutes of October 11, 2011

Item 9, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1112-16 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-16 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 10, being:

SPECIAL CLAIM NO. SC-1112-5: A CLAIM IN THE AMOUNT OF $3,240.25 SUBMITTED BY DEBRA HARTSON FOR COSTS INCURRED WHEN A SANITATION VEHICLE BACKED INTO HER VEHICLE IN A ONE-WAY ALLEY AT 131 EAST MAIN STREET.

Councilmember Kovach moved that Special Claim No. SC-1112-5 be approved and payment in the amount of $3,240.25 be directed contingent upon obtaining a Release and Covenant Not to Sue from Debra Hartson, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. SC-1112-5 dated October 25, 2011, by Jeanne Snider, Assistant City Attorney
2. Special Claim No. SC-1112-5 filed October 17, 2011, submitted by Debra Hartson in the amount of $3,676.41
3. Estimate No. 1017659624-1-3 dated January 12, 2011, from Farmers Insurance Company, Inc., in the amount of $2,735.22 less adjustments of $758.81 for a net cost of repairs in the amount of $1,976.41
4. Service Order dated from S & S Paint and Body in the amount of $2,735.25
5. Rental Agreement No. 8TQPSG dated January 7, 2011, from Enterprise in the amount of $505
6. State of Oklahoma Certificate of Title for Debra Day Hartson issued January 8, 2007

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving Special Claim No. SC-1112-5 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Special Claim No. SC-1112-5 approved; and payment in the amount of $3,240.25 was directed contingent upon obtaining a Release and Covenant Not to Sue from Debra Hartson.

* * * * *

Item 11, being:

AMENDMENT NO. TWO CONTRACT NO. K-0607-148: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CLEARWATER ENTERPRISES, L.L.C., FOR THE PURPOSE OF REMOVING THE NORMAN PUBLIC LIBRARY FACILITY FROM THE CONTRACT AS A GAS RECIPIENT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0607-148 with Clearwater Enterprises, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Text File No. K-0607-148, Amendment No. Two, dated October 11, 2011, by Shawn O'Leary, Director of Public Works
2. Amendment No. Two to Contract No. K-0607-148 with Exhibit B-2, Facility Listing and Estimated Monthly Usage; Exhibit C-1, Seller Addresses and Contacts; and Exhibit D, Buyer Addresses and Contacts

and the question being upon approving Amendment No. Two to Contract No. K-0607-148 with Clearwater Enterprises, L.L.C., a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Two to Contract No K-0607-148 with Clearwater Enterprises, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 12, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-0910-27: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RED CLIFF, INC., INCREASING THE CONTRACT AMOUNT BY $8,053.27 FOR THE LITTLE RIVER INTERCEPTOR, PHASE III, AND NORTHWEST INTERCEPTOR PROJECTS AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. Two to Contract No. K-0910-27 with Red Cliff, Inc., increasing the contract amount by $8,053.27 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of $39,000 be directed, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Text File K-0910-29, Change Order No. Two, dated October 25, 2011, by Mark Daniels, Utilities Engineer
2. Change Order Two to Contract No. K-0910-27
3. Purchase Order No. 178503 dated September 29, 2009, in the amount of $1,637,392 to Red Cliff, Inc., adding Change Order No. One in the amount of $57,273.68, Amendment No. One in the amount of $175,000, and Change Order No. Two in the amount of $8,053.27 for a revised contract amount of $1,877,718.95

and the question being upon approving Change Order No. Two to Contract No. K-0910-29 with Red Cliff, Inc., increasing the contract amount by $8,053.27 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Change Order No. Two to Contract No K-0910-27 with Red Cliff, Inc, increasing the contract amount by $8,053.27 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of $39,000 was directed.

* * * * *

Item 13, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0910-176: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND ENGINEERING SERVICES AND TESTING (EST), INC., INCREASING THE CONTRACT AMOUNT BY $66,800 TO PROVIDE PROJECT SITE REPRESENTATION SERVICES FOR THE BOYD STREET WATER TOWER RESURFACING PROJECT AND BUDGET TRANSFER.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. One to Contract No. K-0910-176 with EST, Inc., increasing the contract amount by $66,800 be approved, the execution thereof be authorized, and $66,800 be transferred from Project No. WA0039, Water Tower Maintenance, Boyd Street, Construction (031-9354-462.61-01) to Water Tower Maintenance, Boyd Street, Design (031-9354-462.62-01), which motion was duly seconded by Trustee Quinn;

Items submitted for the record
1. Text File No. K-0910-176, Amendment No. One, dated October 21, 2011, by Chris Mattingly, Utilities Superintendent
2. Amendment No. One to Contract No. K-0910-176 with Attachment B, Compensation, and Attachment C, Time Schedule for Scope of Services Performance

Participants in discussion
1. Mr. Ken Komiske, Director of Utilities
2. Mr. Mark Campbell, 1320 Garfield Avenue, made comments

and the question being upon approving Amendment No. One to Contract No. K-0910-176 with EST, Inc., and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0910-176 with EST, Inc., increasing the contract amount by $66,800 approved; the execution was authorized and $66,800 was transferred from Project No. WA0039, Water Tower Maintenance, Boyd Street, Construction (031-9354-462.61-01) to Water Tower Maintenance, Boyd Street, Design (031-9354-462.62-01).

* * * * *

Item 14, being:

CONTRACT NO. K-1112-86: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLEARWATER ENTERPRISES, L.L.C., FOR THE PURCHASE OF NATURAL GAS FOR THE LIBRARY AND COMPRESSED NATURAL GAS (CNG) FACILITIES.

Councilmember Kovach moved that Contract No. K-1112-86 with Clearwater Enterprises, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. K-1112-86 dated October 25, 2011, by Mike White
2. Contract No. K-1112-86 with Exhibit A, Transaction Confirmation; Exhibit B, Facility Listing and Estimated Monthly Usage; Exhibit C, Seller Addresses and Contacts; and Exhibit D, Buyer Addresses and Contacts

and the question being upon approving Contract No. K-1112-86 with Clearwater Enterprises, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1112-86 with Clearwater Enterprises, L.L.C., approved and the execution thereof was authorized.

* * * * *

Item 15, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $25,000 FROM THE OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION TO BE USED FOR THE INSTALLATION OF TREES IN CASTLEROCK PARK, APPROVAL OF CONTRACT NO. K-1112-87, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of $25,000 from the Oklahoma Department of Agriculture, Food, and Forestry to be used for the installation of trees in Castlerock Park be accepted; Contract No. K-1112-87 be approved; execution of the contract be authorized; $25,000 be appropriated from Special Grant Fund Balance (022-0000-253.20-00) to Project No. PR0125, Castlerock Park Tree Grant Project, Construction (022-9813-452.61-01); and upon reimbursement, $25,000 be deposited into Highway Tree Program (022-0000-334.13-27), which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. K-1112-87 dated October 25, 2011, by Suzanne Terry
2. Contract No. K-1112-87
3. Tree placement location map
4. Project site location map

Participants in discussion
1. Mr. Jud Foster, Director of Parks and Recreation

and the question being accepting a grant in the amount of $25,000 from the Oklahoma Department of Agriculture, Food, and Forestry to be used for the installation of trees in Castlerock Park and upon the subsequent approval, authorization, appropriation, and deposit, a vote was taken with the following result:

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

The Mayor declared the motion carried and a grant in the amount of $25,000 from the Oklahoma Department of Agriculture, Food, and Forestry to be used for the installation of trees in Castlerock Park accepted; Contract No. K-1112-87 was approved; execution of the contract was authorized; $25,000 was appropriated from Special Grant Fund Balance (022-0000-253.20-00) to Project No. PR0125, Castlerock Park Tree Grant Project, Construction (022-9813-452.61-01); and upon reimbursement, $25,000 will be deposited into Highway Tree Program (022-0000-334.13-27).

* * * * *

Item 16, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $55,645 PLUS COSTS IN THE AMOUNT OF $1,788.24 FOR A TOTAL AMOUNT OF $57,433.24 REGARDING CASEY D. ELLIOTT VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-01364A.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of $57,433.24 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. GID-1112-34 dated October 25, 2011, by Blaine Nice, Assistant City Attorney, with Attachment No. 2, Workers' Compensation Table
2. Workers' Compensation Court Case No. 2011-01364A, Order Determining Compensability and Awarding Temporary Total and Permanent Partial Disability Benefits, filed July 1, 2011,
3. Worker's Compensation Court Case No. 2011-01364A, Order Nunc Pro Tunc, filed October 18, 2011
4. Purchase Requisition No. 0000193590 dated November 1, 2011, in the amount of $31,709.12, to Casey D. Elliot and William A. Woodson

Item 16, continued

Items submitted for the record, continued

5. Purchase Requisition No. 0000193591 dated November 1, 2011, in the amount of $1,112.90 to Workers' Compensation Administration Fund Tax
6. Purchase Requisition No. 0000193593 dated November 1, 2011, in the amount of $417.34 to Workers' Compensation Occupation and Health Fund Tax
7. Purchase Requisition No. 0000193594 dated November 1, 2011, in the amount of $140 to Workers' Compensation Court
8. Purchase Requisition No. 0000193595 dated November 1, 2011, in the amount of $118 to the Cleveland County Court Clerk

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

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

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of $57,433.24 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 17, being:

RESOLUTION NO. R-1112-55: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DELEGATING ADMINISTRATIVE AUTHORITY TO APPROVE CERTAIN CHANGE ORDER REQUESTS TO THE CITY MANAGER AND DIRECTING THE REPORTING THEREOF.

Councilmember Dillingham moved that Resolution No. R-1112-55 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1112-55 dated October 27, 2011
2. Resolution No. R-1112-55
3. Pertinent excerpts from Finance Committee minutes of September 21 and October 19, 2011

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Kovach moved that Resolution No. R-1112-55 be amended to read as follows:

* * *

§11. That such administrative approvals of change orders shall be reported to the City Council with the City Manager's Weekly Report and at the next regularly scheduled Council meeting and shall be filed with the original contract in the permanent records of the City Clerk.

* * *

which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

and the question being upon amending Resolution No. R-1112-55 as stated above, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-55 was amended as stated above.

Item 17, continued:

and the question being upon adopting Resolution No. R-1112-55, as amended, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-55 was adopted, as amended.

* * * * *

Item 18, being:

CONTRACT NO. K-1011-165: A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND DAVID P. LISLE AS GOLF PROFESSIONAL/MANAGER OF WESTWOOD GOLF COURSE THROUGH MAY 8, 2013.

Acting as the Norman Municipal Authority, Trustee Quinn moved that Contract No. K-1011-165 with David P. Lisle be approved and the execution of the contract be authorized, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record
1. Text File No. K-1011-165 dated April 18, 2011, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1011-165
3. Westwood Golf Course Performance Based Management Business Plan Metrics

Participants in discussion
1. Mr. Jud Foster, Director of Parks and Recreation
2. Mr. Jeff Bryant, City Attorney
3. Mr. Steve Lewis, City Manager

and the question being upon approving Contract No. K-1011-165 with David P. Lisle and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No. K-1011-165 with David P. Lisle approved; and the execution of the contract was authorized.

* * * * *

Item 19, being:

RESOLUTION NO. R-1112-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE STATE MOTTO "LABOR OMNIA VINCIT" IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

Councilmember Kovach moved that Resolution No. R-1112-56 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. R-1112-56 dated October 25, 2011
2. Resolution No. R-1112-56

Thereupon, Councilmember Ezzell moved that Resolution No. R-1112-56 be amended to read as follows:

R-1112-56

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE STATE MOTTO "LABOR OMNIA VINCIT" AND THE PREAMBLE OF THE NORMAN CITY CHARTER IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

* * *

§ 6. WHEREAS, "Labor Omnia Vincit" embodies the spirit of working men and women in Oklahoma.

§ 7. WHEREAS, the preamble of the Norman City Charter states, "We, the people of the City of Norman, in order to secure the benefits of home rule, to encourage efficient and business-like methods in the transaction of municipal affairs, to promote civic advancement and general welfare and to protect the human rights and personal dignity of all persons do ordain and establish this Charter for the City of Norman."

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

§ ~~7.~~ 8. That the State motto "Labor Omnia Vincit" and the preamble of the Norman City Charter shall be added to the historic mottos to be permanently and prominently displayed in the Norman Council Chambers of City Hall.

* * *

which motion was duly seconded by Councilmember Kovach;

Participants in discussion
1. Ms. Bette Maffucci, 752 DeBarr Avenue, protestant
2. Mr. Mark Campbell, 1320 Garfield Avenue, made comments
3. Mr. Larry Dillingham, 1711 South Pickard Avenue, made comments
4. Ms. Mary Francis, 850C Cardinal Creek Condos, protestant
5. Mr. Fred Pope, 1501 Navajo Road, protestant
6. Mr. Gail Poole, 705 Tiffin Avenue, protestant
7. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

Thereupon, Councilmember Gallagher moved that the previous question be called, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion
1. Ms. Brenda Hall, City Clerk

Item 19, continued:

and the question being upon calling the previous question, a vote was taken with the following result:

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

The Mayor declared the motion carried and the previous question was called.

and the question being upon amending Resolution No. R-1112-56 as stated above, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-56 was amended as stated above.

and the question being upon adopting Resolution No. R-1112-56, as amended, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-56 was adopted, as amended.

* * * * *

MISCELLANEOUS DISCUSSION

Rule of Three and Adding "In God We Trust". Mr. Mark Campbell, 1320 Garfield Avenue, said he wished the audience would have gotten to discuss the Rule of Three. He recalled that the ordinance was approved to allow City Council to consider pressing business on the agenda instead of items that were unproductive. He said the slogans that were added this evening would have diminished capacity because these phrases are used so often. He said the Rule of Three was enacted to limit healthy public discussion and now "calling for the question" is a new tool brought forward by those who enacted the Rule of Three which doesn't allow any further discussion at all.

Mr. Larry Dillingham, 1711 South Pickard Avenue, said it was only fair to inform Council of comments received since the resolution had been adopted adding "In God We Trust" in the City Council Chambers. He said he was unable to attend the meeting when this was adopted. He said this could cost approximately $2,000 to $3,000 and a citizen told him it would cost the City a lot more because if this is done with City tax dollars, he would not purchase anything in Norman again.

Ms. Ann Gallagher, 1522 East Boyd Street, said she had only received comments from citizens thanking Council for what they did. She thanked Council and reminded Council and citizens that her patriotism will not impugned.

Mr. Jim Stanley, 3922 Pine Tree Circle, said when he was a Councilmember and Mayor Rosenthal was a Councilmember for Ward Four, it took five Councilmembers to get something on the agenda. He said the Rule of Three is a good rule.

Miscellaneous Discussion, continued:

Rule of Three and Adding "In God We Trust", continued
Ms. Mary Francis, 850C Cardinal Creek Condos, said the Rule of Three should to be amended. She said when three Councilmembers are concerned about something, it is a good idea to voice it, but it is not a good idea to cut the public out of the discussion and the ability to research and reflect on the changes. She said the citizenry ought to have the ability to be a part of the process. She said the Norman Transcript printed a letter to the editor after "In God We Trust" had been adopted that provided information about the group in support of the motto and this information revealed a bigoted anti-Muslim group.

Councilmember Quinn said he was not against the Rule of Three and it was like any other new policy. Council would work through it to get where they need to be. He said he does not question the motivation for the different mottos as presented but he understands the misinterpretation that can be perceived.

Councilmember Lockett said she had enjoyed this discussion and the extreme differences in opinion. She said this is proof there are many opportunities for citizens and she appreciated everyone's comments.

Councilmember Griffith said he hoped Council is finished with mottos and slogans. He said the City Preamble was probably one of the most appropriate slogans to be displayed. He said the Rule of Three has extraordinary merit and he would like to see it modified to issues with a little more meat in them. He said the Rule of Three has not presented anything of significance to Council at this time even though he had signed off in support of some of the items. He voiced concerns about those who feel excluded by the resolutions and emphasized these slogans should show citizens they are welcome to speak before Council.

Councilmember Ezzell said there are obviously times when Councilmembers have sharp disagreements with each other and that is okay because it is part of the process. He said he wanted to assure citizens that Council generally moves past the issue.

Councilmember Gallagher reminded citizens that the shelter idea was not activated until the City Manager was asked to do this by the Rule of Three. He said the Rule of Three brought Ethics up and that Council had unanimously approved the Ethics Ordinance which is a better operation in the City of Norman regarding those who serve on City Council and boards and commissions.

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Enforcement Authority. Ms. Mary Francis, 850C Cardinal Creek Condos, said she had received the City Attorney's opinion that she was not in violation of the Ethics Policy as a member of the Enforcement Authority and thanked Staff for their work on this. She said she understood there was still one outstanding fine levied by the Enforcement Authority ordinance several months ago. She asked that the City Attorney take appropriate action. She also asked how one would go about filing a complaint concerning violation of the City Charter.

Mr. Jeff Bryant, City Attorney, said he would be glad to discuss the matter after the City Council meeting.

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Reception for Educators from Odawara, Japan. Councilmember Quinn said he recently attended a reception for educators who were visiting from Odawara, Japan, as guests of Hitachi Computer Products and Norman Public Schools. He said this has been a cultural exchange initiated by Hitachi that has been occurring for approximately 12 years. He said it is very gratifying to see educators from across the world come to Norman to see what our educators are doing and be impressed by what they see.

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Final Term as Ward Eight Councilmember. Councilmember Quinn said he would not be running for re-election for the Ward Eight Councilmember seat. He said he has enjoyed being on Council and that it has been a great experience. He urged anyone interested in running for office to please contact him. He said the experience has been very rewarding as well as very trying at times, but none the less it is an honor to have a real participatory interest in what is going on with the City. He thanked the voters in Ward Eight for the opportunity to serve them. He thanked his wife and family for supporting him during his time on Council.

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Miscellaneous Discussion, continued:

Shop Norman. Councilmember Quinn urged citizens to "Shop Norman."

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City Election Today. Councilmember Lockett said she hoped everyone had exercised their privilege by voting in today's election.

Mayor Rosenthal reported that both propositions had passed and results were forthcoming.

Councilmember Kovach said he had received unofficial results that over 75% had voted to approve the Animal Shelter Bond Issue and the community had worked together to get this accomplished. He said when the citizens are presented with a clear, well defined need, they always step up.

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Veteran's Day Parade. Mayor Rosenthal invited all citizens to take part in Norman's Veteran's Day Parade this Friday morning. She said the parade will start at Eufaula Avenue and James Garner Boulevard at approximately 8:45 a.m., proceeding south on Jenkins Avenue and concluding at the Cleveland County Veteran's Memorial in Reaves Park. She said Major General Miles Deering, Army National Guard, and State Representative Tom Cole will be speakers for the event. She said most importantly, the event will honor our veterans who have served overseas in various conflicts. She said she hoped this would become a regular event.

Councilmember Dillingham expressed her appreciation to the Committee organizing this event. She commended Councilmember Gallagher for his work with this. She said it is so important to honor the service of those who put their lives on the line to allow Americans to be free to speak their minds. There is no greater honor than to have served your country.

Councilmember Gallagher said the parade and program at the Veteran's Memorial are not for us, but for those who died serving this country. He asked citizens to pay their respects by attending. He said that is the meaning of this Veteran's Day Parade and encouraged those who are not veterans to watch the parade.

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Help With Utility Bills. Councilmember Dillingham said she had been disturbed to find out that the Department of Human Services (DHS) is not going to have enough money to help people with their utility bills this winter. She said there will so many people in need and she would be working with DHS and people in the community. She asked citizens who might have problems with this to please contact her and she would try to find a way to help them.

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United Way. Councilmember Dillingham reminded citizens that the United Way Campaign was not over yet and urged those who have not contributed to do so.

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Small Business Saturday. Councilmember Dillingham said the Saturday after Thanksgiving, November 26th, was Small Business Saturday and asked citizens to shop that day and make their purchases in Norman.

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Transportation Scoping Study. Councilmember Ezzell said the City of Norman is undergoing a Transportation Scoping Study Envisioning Process and a Joint Ward 3/Ward 8 Meeting will be held Wednesday, November 9, 2011, at 6:30 p.m. at Truman Primary School. He said he hoped to see a good turnout and looked forward to the input and comments that come forward.

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Objective Decisions. Councilmember Kovach said as the City's representative to the Association of Central Oklahoma Governments (ACOG) Board, he had attended a recent ACOG meeting and an item had been placed on the Consent Agenda and then removed from consent by one of the board members. He said staff was questioned by proponents of the item and they were told it was not a federal requirement for this item to pass. When board members questioned the staff member about the reason for placing the item on the agenda, he replied that it was the board's wish for the item to move forward. He said he admired Staff members who can remain honest and objective about an item they feel strongly about. He said the City of Norman has staff members like that and he applauded that.

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Miscellaneous Discussion, continued:

The Role of Legal Staff. Councilmember Kovach said he had asked the City Manager to provide a definition of the role of legal staff assigned to Boards and Committee and he read the response to the audience. He said he had attended a recent Human Rights Commission meeting and the legal staff present did not fulfill this role. He said legal staff responded to a question by one of the commissioners by suggesting removing the enumerated protective classes from the City Charter. He said he checked with an independent attorney who said that would cost the City millions in federal money because the City of Norman would be in violation of federal law. He said to present information in such a fashion is unacceptable and asked the City Manager to look into this.

*

Public Input. Councilmember Gallagher said Freedom of Speech was discussed tonight and it is his right to say something whether someone else likes it or not. He said in one of the ward meetings, a person stood up and asked a few questions and he was escorted out of the building. He said this person is one of the most respectable people in this community. He said he had asked the City Manager to comment about this procedure. He said the right of free speech extends to public meetings as well as City Council meetings.

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Pet Licensing. Councilmember Gallagher asked for a status report of improvements in the collection of pet licensing fees. He said the City has lost over $2 million in license fees.

Mr. Steve Lewis, City Manager, said he had provided an update of what Staff had been doing to improve the situation at their last meeting together. He said since that meeting, he has received a revised report from the Police Department. He said the report still does not meet the standards he wished to have before presenting the report to Councilmember Gallagher and the rest of Council and he will continue to work with Staff to meet these expectations. He said Staff is looking at a long-term approach which will require researching some of the most successful registration programs across North America. He said this includes education, changes to the ordinances, providing public information, and cooperation with the local veterinarians. He said Staff wants to be able to provide a comprehensive approach that Staff can implement in order to see some real improvements. He listed as an example, a program in Calgary that has registration levels at 90%.

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Fire Station No. Nine. Councilmember Gallagher said he had not seen any progress on Fire Station No. Nine. He said Fire Station No. Eight was built pretty quickly and the same architects from Fire Station No. Eight had been hired for Fire Station No. Nine. He said nothing has been done and he wanted to know when this project would be bid out.

Mr. Steve Lewis, City Manager, said City Council approved the design contract some time ago with Kirkpatrick Architectural Studios which included preparation of the bid and specifications. He said it was listed on the previous schedule to go out to bid in December, 2011.

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Multi-Housing Project. Councilmember Gallagher asked for a timeline on a multi-housing project discussed by Mr. Keith Humphrey, Police Chief. He said it sounds like an exciting concept and the explanation is really hopeful. He said he hoped to address this in the near future.

Mr. Keith Humphrey, Police Chief, said he spoke with Councilmember Gallagher a few months ago while the Police Department was doing an initiative in his ward and constituents had voiced concerns about multi-family dwellings. He said he explained a concept of Crime Free Multi-Housing that several cities throughout the country are utilizing to address some of the problems they are having in multi-family dwellings and it is something Staff will explore in the City of Norman. He said Staff is in the process of finding a person to facilitate the process because it will be a full-time process. He said Staff will examine what locations need to be addressed and approach each location with the idea of a trial period to see how it works. He said the program would possibly start some time in April, 2012.

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Straight Wind Damage. Mr. Steve Lewis, City Manager, said the City had recently received 3.5 inches of rain and along with the rain came straight line winds which had caused damage to some of the construction at the new Compressed Natural Gas Facility. He said the only other damage reported was minor damage to some of the traffic signals throughout Norman.

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Miscellaneous Discussion, continued:

Sales Tax. Mr. Steve Lewis, City Manager, said November sales tax figures had been received with an increase of approximately 3.3% over November, 2010, levels. To date, through 2011-2012, the City is approximately 5.73% above our prior levels. He said this month's sales tax check which is for sales tax that occurred during September was a little down but in comparison to previous years it is still very good.

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FCC Test. Mr. Steve Lewis, City Manager, announced that the Police Department has informed the community about the Federal Emergency Management Agency (FEMA) Federal Communications Commission (FCC) test that will occur tomorrow, Wednesday, November 9, 2011. He said this will be the first test of our Nationwide Emergency Alert System which will run concurrently across time zones. He reminded citizens that this is just a test and asked them to relay this message to friends and family.

Councilmember Ezzell asked what time the test would be conducted. Mr. Lewis replied 1:00 p.m.

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Fall Cleanup. Mr. Steve Lewis, City Manager, said Fall Cleanup had been very successful with 1,080,000 tons of materials picked up. He said this was a 29% increase over materials collected in previous years. He announced that Spring and Fall Cleanups have been reinstated as a result of the recent Sanitation election.

* * * * *

Item 21, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) TO DISCUSS CONFIDENTIAL COMMUNICATIONS BETWEEN THE CITY AND ITS CITY ATTORNEY REGARDING PENDING LITIGATION OF CAROL A. BUCKMASTER VS. CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY, CASE NO. CJ-2010-505 BH UPON ADVICE OF THE CITY ATTORNEY THAT THE DISCLOSURE OF SUCH COMMUNICATION WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCEED IN THE LITIGATION.

Councilmember Dillingham moved that the City Council Meeting be adjourned out of and an Executive Session be convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(4) to discuss confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. City of Norman, Oklahoma, Cleveland County, Case No. CJ-2010-505 BH upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the City Council Meeting and convening into an Executive Session as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. City of Norman, Oklahoma, Cleveland County, Case No. CJ-2010-505 BH upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation, a vote was taken with the following result:

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

The Mayor declared the motion carried and the City Council Meeting adjourned out of; and an Executive Session was convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. City of Norman, Oklahoma, Cleveland County, Case No. CJ-2010-505 BH upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation.

Item 21, continued:

The City Council adjourned into Executive Session at 9:34 p.m. Mr. Steve Lewis, City Manager, Mr. Jeff Bryant, City Attorney; and Mr. Blaine Nice, Assistant City Attorney, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

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

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

The Mayor declared the motion carried and the City Council Meeting was reconvened at 10:20 p.m.

The Mayor said the confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. City of Norman, Oklahoma, Cleveland County, Case No. CJ-2010-505 BH upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation, was discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 10:21 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-1112-15

File ID:	O-1112-15	**Type:**	Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 5	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/15/2011
File Name:	Amend Req. for CC Campaign Reports & Procedures			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-15 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 7.5-21(F), 7.5-22, 7.5-25(5) AND (6), 7.5-26(7), AND 7.5-27 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN CHANGING THE NAME OF THE ENFORCEMENT AUTHORITY TO NORMAN ELECTION COMMISSION THROUGHOUT AND PROVIDING FOR AMENDMENTS TO THE CAMPAIGN STATEMENTS FILING REQUIREMENTS AND VIOLATION REPORTING PROCEDURE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-15 upon First Reading by title.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 5

Attachments: O-1112-15 Campaign Amendments Clean.pdf,
O-1112-15 Campaign Amendments Annotated.pdf,
Oversight Committee minutes 05-04-11.pdf,
Oversight Committee minutes 09-07-11.pdf,
Oversight Committee minutes 11-02-11.pdf,
November 2 Oversight Committee minutes, Pert Exc
July 26 CC Minutes

Project Manager: Brenda Hall, City Clerk

Entered by: brenda.hall@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File O-1112-15

Body

The City Council Oversight Committee discussed potential changes to Chapter 7.5 (Elections) of the Code of Ordinances at their meeting on May 4, 2011. These changes were suggested as a result of citizen confusion with the language of the Ordinance regarding filing deadlines for supplemental reports and as a result of feedback from the Enforcement Authority.

After reviewing the Oklahoma Political Subdivisions Ethics Act and research provided by the City Attorney's Office, it was the consensus of the Committee to modify the ordinance to eliminate the requirement of filing a supplemental campaign statement, either by a candidate or a committee in support or opposition to a candidate, on the Monday prior to the election. Secondly, the Oversight Committee recommended changing report requirements for committees supporting or opposing a candidate stipulating they are not required to file a report if less than $500 is collected or spent prior to either filing deadline. This recommended change mirrors the requirement under the Oklahoma Political Subdivisions Ethics Act for county, municipal, school board, and statewide campaigns.

City Council, in its meeting of July 26, 2011, received the Enforcement Authority's Final Report, which included a flier distributed by the Cleveland County GOP PAC advocating citizen participation in the municipal election cycle. Council voted to return the report to the Enforcement Authority to remove the flier from the report and requested the Council Oversight Committee undertake a review of the powers and duties of the Enforcement Authority and any other recommendations to modify the Elections Ordinance to address concerns. As a result, the Enforcement Authority met on August 29, 2011, to consider amendments to their report as directed by Council. At that meeting, the Authority voted to remove both the flier and the explanatory paragraph from their report and resubmit the final report to Council.

At that same meeting, the Enforcement Authority also recommended additional amendments to the Elections Ordinance for Council's consideration. The Enforcement Authority is charged with reviewing City Council campaign contribution and expenditure reports and monitoring the municipal candidate election process in Norman. However, the Enforcement Authority expressed a desire to decrease their "enforcement" role and move towards educating citizens about Norman's campaign ordinances and encouraging citizen participation in Norman City Council elections. They recommended removing the language in Chapter 7.5, Section 7.5-27, referencing punishing those persons who willfully violate City of Norman Elections Ordinances or State Election Laws. In addition, the Enforcement Authority asked Council to consider changing the name of the Enforcement Authority to something that better reflects their duties.

The Oversight Committee met again on September 7, 2011, to review the powers and duties of the Enforcement Authority and consider additional possible modifications to the Elections

Ordinance to address concerns as directed by Council in their July 26, 2011, meeting. The Committee reviewed and discussed the proposed amendments recommended in their previous meeting as well as the recommendations from the Enforcement Authority. The Committee reaffirmed their previous recommendation and agreed to include the changes recommended by the Enforcement Authority.

After the Oversight Committee meeting on September 7th, City Council began looking at the City's current Board and Commission procedures and processes. During this process, a request was submitted by Councilmembers Spaulding, Lockett, and Gallagher to dissolve the Enforcement Authority. Council discussed this in their Special Session on October 11, 2011. Some members of Council felt having a local oversight committee was duplicative of the State's requirements and was not needed. Concerns were also raised about the confusion the different filing dates and report requirements for the City and State were causing for candidates and committees supporting or opposing a candidate. As a result of that discussion, Council suggested the Oversight Committee look at the Enforcement Authority's duties and the reporting requirements once again and make a recommendation to Council regarding how to proceed.

Consequently, the Oversight Committee met again on November 2, 2011. At that meeting, it was the consensus of the Committee that the Enforcement Authority continue to function and having a local ordinance with oversight provides the citizens of Norman a higher level of disclosure for contributions and expenditures and ultimately provides more transparency for the overall election process. Chairman Griffith felt other cities would be better served by following Norman's example.

Oversight Committee members discussed other ways to streamline the process and lessen the confusion between the State and City requirements. The Committee recommended maintaining the previously discussed amendments as well as modifying the filing dates for City reports. The Committee recommended adding an additional City report due 10 days prior to the election to mirror the State filing date and maintain the report due on noon the Friday proceeding the election for those who had received or expended funds since the previous filing. Additionally, the Committee discussed changing the final report due date to mirror State law, which is 40 days after the election. I mistakenly reported to the Committee the final report due date for the City was 30 days following the election; however, when reviewing the current language and latest amendments, realized the 40 day change was made in the last update to the ordinance and is currently in place.

The Committee also discussed changing the name of the Enforcement Authority as requested by the Authority to better reflect their duties and the Committee recommended changing it to the Norman Election Commission.

Ordinance No. O-1112-15 included in your packet contains the following amendments:

- Removes the supplemental Monday report;
- Establishes a threshold of $500 for committees supporting or opposing a candidate, i.e., those committees would not be required to report if less than $500 is collected or spent;
- Removes the language regarding punishing offenders from the Enforcement Authority procedures;
- Adds a report due 10 days prior to the election so that the City and State reports are due on the same day; and
- Changes the name of the Enforcement Authority to Norman Election Commission.

In order to have the ordinance amended and effective at the close of the Council candidate filing period, Ordinance No. O-1112-15 is included for First Reading on Council's November 22, 2011, agenda and will be considered for second and Final Reading on the December 13, 2011, agenda. Additionally, it is included for full Council discussion at the Conference on November 22nd. If Council desires, changes can be made between First and Second Reading, if needed, to include direction given at the Council Conference discussion.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 7.5-21(f), 7.5-22, 7.5-25(5) AND (6), 7.5-26(7), AND 7.5-27 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN CHANGING THE NAME OF THE ENFORCEMENT AUTHORITY TO NORMAN ELECTION COMMISSION THROUGHOUT AND PROVIDING FOR AMENDMENTS TO THE CAMPAIGN STATEMENTS FILING REQUIREMENTS AND VIOLATION REPORTING PROCEDURE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 7.5-21(f) of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-21. - Definitions.

(a) *Campaign statement* shall mean an itemized report made according to the form prescribed and supplied by the City Clerk which, when completed and filed, provides the information required in section 7.5-23.

(b) *Candidate* shall mean any person who publicly seeks nomination or election to any elective office in the City government.

(c) *Committee* shall mean any person or combination of two (2) or more persons acting in aid of or opposition to the nomination or election of one (1) or more candidates.

(d) *Contribution* shall mean a gift, subscription, loan, advance deposit, credit given on account, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly in aid of or in opposition to the nomination or election of one (1) or more candidates. Contribution, without excluding other matters covered by the first sentence of this subsection, includes purchasing tickets for dinners, luncheons, rallies, and other fund-raising events; granting discounts or rebates, to a candidate or to a committee, on terms which are not available to the general public; and payment for the services of any person rendered to a candidate or to a committee out of funds not otherwise reported or reportable under the requirements of this article. Contribution does not extend to voluntary personal services rendered, without compensation, to a candidate or to a committee.

(e) *Election* shall mean any primary, general or special election held in the City at which candidates for public office are voted upon.

(f) *Norman Election Commission* shall mean a five-member committee, appointed by the Mayor and approved by a majority of the City Council to serve three-year staggered terms. The terms of initial appointments shall be adjusted so as to provide that no more than two (2) terms shall expire in any one (1) year; subsequent appointments shall be for three-year terms.

(g) *Expenditure* shall mean a payment, pledge, or promise of payment of money or anything of value or other obligation, whether or not legally enforceable, for goods, materials, services or facilities in aid of the nomination or election of one (1) or more candidates. It includes any transfer of anything of value made by one (1) committee to another for purposes enumerated above.

(h) *Person* shall mean any individual, partnership, corporation, association, firm, committee, club or other organization or group of persons, however organized.

§ 2. That Section 7.5-22 of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-22. Campaign statements filing.

Each candidate for nomination or election to the Office of Council Member or Mayor and any committee acting on behalf of or in opposition to a candidate shall file a campaign statement ten (10) days prior to each Municipal or Municipal runoff election in which he or she is a candidate, a supplemental campaign statement no later than 12:00 noon on the Friday preceding each election in which he or she is a candidate, and a final campaign statement within forty (40) days subsequent to the final election. Committees in support or opposition to a candidate are not required to submit campaign statements if less than $500.00 was collected or spent prior to either filing deadline. The supplemental campaign statement shall not be required to be filed by any candidate who has no campaign contributions or expenditures to report since the filing of the initial campaign statement. Any such statements shall be filed in the office of the City Clerk during regular business hours. If the time for filing expires on a Sunday or on a holiday, the statement may be filed on the next regular business day. Every candidate or candidate committee or every other committee failing to file registrations, designations of agents, and reports of contributions and expenditures on or before the days specified herein shall be assessed a late filing fee of up to ten dollars ($10.00) for each day after a report of contributions and expenditures is due that said report remains unfiled; provided, the total amount of such fees assessed per report shall not exceed one hundred dollars ($100.00). The agent, except for agents for candidates or candidate committees, may be liable for the late fee. Failure to file a report shall be deemed to be a separate offense for each day that the report remains unfiled after it becomes due.

§ 3. That Sections 7.5-25(5) and (6) of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-25. - Duties of the City Clerk.

The City Clerk shall:

(1) Supply appropriate forms for campaign statements required by this article to all candidates and committees and other persons required to file such campaign statements;

(2) Furnish written instructions explaining the duties of candidates and committees under the provisions of this article, including required closing and filing dates for all campaign statements;

(3) Examine all campaign statements filed in the Clerk's office pursuant to this article and check for irregularities that do not meet the requirements of this article. (Acceptance of the statement by the City Clerk shall not constitute approval of said statement);

(4) Notify promptly all persons known to have failed to file a statement in the form or at the time required;

(5) Refer all apparent irregularities or failures to file required statements to the Norman Election Commission for subsequent action;

(6) Cooperate with the Norman Election Commission;

(7) Maintain a current list of all campaign statements on file in the City Clerk's office;

(8) Preserve each campaign statement for at least four (4) years from the date upon which it was required to be filed;

(9) Make statements available for public inspection as soon as practicable during regular business hours;

(10) Provide copies of filed campaign statements (contributions and expenditures) or parts of statements at a normal charge;

(11) Distribute without fees or charge to each candidate or campaign committee one (1) copy of the election code of the State and one (1) copy of all city ordinances relating to election campaign matters and all blank forms required for campaign statements.

§ 4. That Section 7.5-26 and 7.5-26(7) of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-26. - Duties of the Norman Election Commission.

In addition to any other duties designated by the terms of this article, the Norman Election Commission shall:

(1) Enforce the provisions of this article;

(2) Cooperate with the City Clerk in preparing the design and content of appropriate forms for campaign statements required by this article;

(3) Cooperate with the City Clerk in the preparation and publication of written instructions explaining the duties of person and committees under this article;

(4) Determine whether the statements required to be filed under this article and also the statements required to be filed by State Statute in the Office of the City Clerk have been properly filed;

(5) To review, compare and examine for inconsistencies or other deficiencies all statements filed in the Office of the City Clerk, including forms required to be filed under this article and also State forms required to be filed in the Office of the City Clerk by the applicable State Statutes;

(6) Investigate any substantial discrepancy, including, but not limited to, total expenditures listed in campaign statements filed before the election and expenditures listed in statements filed after the election;

(7) Make a public report to the City Council within forty (40) days after the Municipal Election and ninety (90) days after the final election, including, but not limited to, ongoing investigations, violations of this article and violations of the election laws of the State of Oklahoma;

(8) Recommend or advise the City Council on possible changes as needed to this article;

(9) Make an effort to inform the public about the importance of reporting all contributions and expenditures by candidates for local offices as well as the political action committees (PACs) involved in a given campaign.

§ 5. That Section 7.5-27 of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-27. Norman Election Commission procedure.

(a) Any person who believes that a violation of any portion of this article has occurred may, within fourteen (14) days after the date in which the final report is filed, file a complaint, verified before an Oklahoma Notary Public or other Oklahoma official authorized to administer oaths or affirmations, with the Office of the City Clerk. For the purpose of this subsection, the fourteen-day filing period shall begin to run following the day on which a candidate files his final report. If the Norman Election Commission determines that there is reason to believe that a violation of this article has occurred, it shall make an investigation.

(b) Whenever the Norman Election Commission has reason to believe a willful violation of this article has occurred, it will send its documentation to the City Attorney with a recommendation for the appropriate legal action.

(c) Whenever the Norman Election Commission has reason to believe a willful violation of the State Election Laws has occurred, it shall send its documentation to the District Attorney of Cleveland County with a recommendation for appropriate legal action.

(d) The Norman Election Commission shall cause notice of its meetings to be mailed to each candidate required to file statements with the Commission for the current municipal election. This notice shall be accomplished by mailing to the candidate, at the address of the candidate on file in the Office of the City Clerk, a copy of the agenda setting forth the date, time and place of the meeting of the Commission and the matters to be covered at the meeting.

(e) The Norman Election Commission may at any time demand and shall be furnished records of campaign contributions and expenses of a candidate or committee. The Norman Election Commission shall also call a candidate or candidates before the Commission for the purpose of discussing any irregularities or inconsistencies in the candidate's filings.

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

ADOPTED this _____ day

of _____, 2011.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2011.

_____

Cindy Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 7.5-21(f), 7.5-22, 7.5-25(5) AND (6), 7.5-26(7), AND 7.5-27 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN CHANGING THE NAME OF THE ENFORCEMENT AUTHORITY TO NORMAN ELECTION COMMISSION THROUGHOUT AND PROVIDING FOR AMENDMENTS TO THE CAMPAIGN STATEMENTS FILING REQUIREMENTS AND VIOLATION REPORTING PROCEDURE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 7.5-21(f) of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-21. - Definitions.

(a) *Campaign statement* shall mean an itemized report made according to the form prescribed and supplied by the City Clerk which, when completed and filed, provides the information required in section 7.5-23.

(b) *Candidate* shall mean any person who publicly seeks nomination or election to any elective office in the City government.

(c) *Committee* shall mean any person or combination of two (2) or more persons acting in aid of or opposition to the nomination or election of one (1) or more candidates.

(d) *Contribution* shall mean a gift, subscription, loan, advance deposit, credit given on account, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly in aid of or in opposition to the nomination or election of one (1) or more candidates. Contribution, without excluding other matters covered by the first sentence of this subsection, includes purchasing tickets for dinners, luncheons, rallies, and other fund-raising events; granting discounts or rebates, to a candidate or to a committee, on terms which are not available to the general public; and payment for the services of any person rendered to a candidate or to a committee out of funds not otherwise reported or reportable under the requirements of this article. Contribution does not extend to voluntary personal services rendered, without compensation, to a candidate or to a committee.

(e) *Election* shall mean any primary, general or special election held in the City at which candidates for public office are voted upon.

(f) ~~*Enforcement authority*~~ Norman Election Commission shall mean a five-member committee, appointed by the Mayor and approved by a majority of the City Council to serve three-year staggered terms. The terms of initial appointments shall be adjusted so as to provide that no more than two (2) terms shall expire in any one (1) year; subsequent appointments shall be for three-year terms.

(g) *Expenditure* shall mean a payment, pledge, or promise of payment of money or anything of value or other obligation, whether or not legally enforceable, for goods, materials, services or facilities in aid of the nomination or election of one (1) or more candidates. It includes any transfer of anything of value made by one (1) committee to another for purposes enumerated above.

(h) *Person* shall mean any individual, partnership, corporation, association, firm, committee, club or other organization or group of persons, however organized.

§ 2. That Section 7.5-22 of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-22. Campaign statements filing.

Each candidate for nomination or election to the Office of Council Member or Mayor and any committee acting on behalf of or in opposition to a candidate shall file a campaign statement ~~no later than 12:00 noon on the Friday preceding~~ ten (10) days prior to each Municipal or Municipal runoff election in which he or she is a candidate, a supplemental campaign statement no later than 12:00 noon on the ~~Monday~~ Friday preceding each election in which he or she is a candidate, and a final campaign statement within forty (40) days subsequent to the final election. Committees in support or opposition to a candidate are not required to submit campaign statements if less than $500.00 was collected or spent prior to either filing deadline. The supplemental campaign statement shall not be required to be filed by any candidate who has no campaign contributions or expenditures to report since the filing of the initial campaign statement. Any such statements shall be filed in the office of the City Clerk during regular business hours. If the time for filing expires on a Sunday or on a holiday, the statement may be filed on the next regular business day. Every candidate or candidate committee or every other committee failing to file registrations, designations of agents, and reports of contributions and expenditures on or before the days specified herein shall be assessed a late filing fee of up to ten dollars ($10.00) for each day after a report of contributions and expenditures is due that said report remains unfiled; provided, the total amount of such fees assessed per report shall not exceed one hundred dollars ($100.00). The agent, except for agents for candidates or candidate committees, may be liable for the late fee. Failure to file a report shall be deemed to be a separate offense for each day that the report remains unfiled after it becomes due.

§ 3. That Sections 7.5-25(5) and (6) of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-25. - Duties of the City Clerk.

The City Clerk shall:

(1) Supply appropriate forms for campaign statements required by this article to all candidates and committees and other persons required to file such campaign statements;

(2) Furnish written instructions explaining the duties of candidates and committees under the provisions of this article, including required closing and filing dates for all campaign statements;

(3) Examine all campaign statements filed in the Clerk's office pursuant to this article and check for irregularities that do not meet the requirements of this article. (Acceptance of the statement by the City Clerk shall not constitute approval of said statement);

(4) Notify promptly all persons known to have failed to file a statement in the form or at the time required;

(5) Refer all apparent irregularities or failures to file required statements to the ~~Enforcement Authority~~ Norman Election Commission for subsequent action;

(6) Cooperate with the ~~Enforcement Authority~~ Norman Election Commission;

(7) Maintain a current list of all campaign statements on file in the City Clerk's office;

(8) Preserve each campaign statement for at least four (4) years from the date upon which it was required to be filed;

(9) Make statements available for public inspection as soon as practicable during regular business hours;

(10) Provide copies of filed campaign statements (contributions and expenditures) or parts of statements at a normal charge;

(11) Distribute without fees or charge to each candidate or campaign committee one (1) copy of the election code of the State and one (1) copy of all city ordinances relating to election campaign matters and all blank forms required for campaign statements.

§ 4. That Section 7.5-26 and 7.5-26(7) of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-26. - Duties of the ~~Enforcement Authority~~ Norman Election Commission.

In addition to any other duties designated by the terms of this article, the ~~Enforcement Authority~~ Norman Election Commission shall:

(1) Enforce the provisions of this article;

(2) Cooperate with the City Clerk in preparing the design and content of appropriate forms for campaign statements required by this article;

(3) Cooperate with the City Clerk in the preparation and publication of written instructions explaining the duties of person and committees under this article;

(4) Determine whether the statements required to be filed under this article and also the statements required to be filed by State Statute in the Office of the City Clerk have been properly filed;

(5) To review, compare and examine for inconsistencies or other deficiencies all statements filed in the Office of the City Clerk, including forms required to be filed under this article and also State forms required to be filed in the Office of the City Clerk by the applicable State Statutes;

(6) Investigate any substantial discrepancy, including, but not limited to, total expenditures listed in campaign statements filed before the election and expenditures listed in statements filed after the election;

(7) Make a public report to the City Council within forty (40) days after ~~each election~~ the Municipal Election and ninety (90) days after the final election, including, but not limited to, ongoing investigations, violations of this article and violations of the election laws of the State of Oklahoma.

(8) Recommend or advise the City Council on possible changes as needed to this article.

(9) Make an effort to inform the public about the importance of reporting all contributions and expenditures by candidates for local offices as well as the political action committees (PACs) involved in a given campaign.

§ 5. That Section 7.5-27 of Chapter 7.5 of the Code of the City of Norman shall be amended to read as follows:

Sec. 7.5-27. ~~Enforcement Authority~~ Norman Election Commission procedure.

(a) Any person who believes that a violation of any portion of this article has occurred may, within fourteen (14) days after the date in which the final report is filed, file a complaint, verified before an Oklahoma Notary Public or other Oklahoma official authorized to administer oaths or affirmations, with the Office of the City Clerk. For the purpose of this subsection, the fourteen-day filing period shall begin to run following the day on which a candidate files his final report. If the ~~Enforcement Authority~~ Norman Election Commission determines that there is reason to believe that a violation of this article has occurred, it shall make an investigation.

(b) Whenever the ~~Enforcement Authority~~ Norman Election Commission has reason to believe a willful violation of this article has occurred, it will send its documentation to the

City Attorney with a recommendation for the appropriate legal action. ~~to prevent further violations and to punish the offender(s).~~

(c) Whenever the ~~Enforcement Authority~~ Norman Election Commission has reason to believe a willful violation of the State Election Laws has occurred, it shall send its documentation to the District Attorney of Cleveland County with a recommendation for appropriate legal action. ~~to prevent further violations of the State Election Laws and to punish the offender(s).~~

(d) The ~~Enforcement Authority~~ Norman Election Commission shall cause notice of its meetings to be mailed to each candidate required to file statements with the ~~Authority~~ Commission for the current municipal election. This notice shall be accomplished by mailing to the candidate, at the address of the candidate on file in the Office of the City Clerk, a copy of the agenda setting forth the date, time and place of the meeting of the ~~Authority~~ Commission and the matters to be covered at the meeting.

(e) The ~~Enforcement Authority~~ Norman Election Commission may at any time demand and shall be furnished records of campaign contributions and expenses of a candidate or committee. The ~~Enforcement Authority~~ Norman Election Commission shall also call a candidate or candidates before the ~~Authority~~ Commission for the purpose of discussing any irregularities or inconsistencies in the candidate's filings.

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

ADOPTED this _____ day

of _____, 2011.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2011.

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Cindy Rosenthal, Mayor

ATTEST:

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Brenda Hall, City Clerk

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

May 4, 2011

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:35 p.m. in the City Council Conference Room on the 4th day of May, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Griffith, Kovach, and Chairman Dillingham
ABSENT:	Councilmember Atkins
OTHERS PRESENT:	Mr. Jeff Bryant, City Attorney Ms. Susan Connors, Director of Planning and Community Development Ms. Jayne Crumpley, Interested citizen Ms. Brenda Hall, City Clerk Ms. Leah Messner, Assistant City Attorney Ms. Linda Price, Revitalization Manager Ms. Syndi Runyon, Administrative Assistant IV

DISCUSSION REGARDING CLARIFYING CHAPTER 7.5, SECTION 7.5-22, OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN RELATING TO MUNICIPAL CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORTING.

Chairman Dillingham said the recent Council election cycle raised questions about when campaign statements and supplemental statements must be filed as well as questions about regulating issue only advocacy.

Ms. Leah Messner, Assistant City Attorney, said she and Kathryn Walker, Assistant City Attorney, had researched the issues and provided a written legal opinion to the Committee. She said the 10th Circuit Court of Appeals made a decision on a case on November 9, 2010, that dealt with campaign reporting. In October, City Council voted to amend portions of Chapter 7.5 of the Norman City Code regarding campaign filing. The City Attorney's Office was asked to review the case and determine whether the Court's decision had any implications on the recent Council enactment.

Ms. Messner discussed the case of Sampson v. Buescher in Colorado. She said Sampson was a group formed in Colorado to campaign against annexation and the group circulated a petition. The City Council declared the petition invalid because a sufficient number of residents had withdrawn their signatures from the petition. The group opposing the petition spent $780 towards that effort. The proponent to the annexation learned that Colorado requires issue committees to register, which he did. The proponent then filed a complaint alleging that the opponent group failed to register and comply with reporting requirements related to contributions. The opponent group filed an action in the United States District Court alleging the Colorado law regulating ballot issue committees violated the First Amendment. The Court ultimately struck down Colorado's regulation that required registration of the Committee including identification of the contributors who contributed anything over $20. The Court stated that issue committees function differently than candidate committees and it does not matter who supports the issue.

Ms. Messner said contrary to that, a new case from Maine, the National Organization for Marriage v. McKee, was also an issue election on whether or not to overturn Maine legislation that had allowed gay marriage. She said there was a lot more money involved in this election and a much bigger issue than local annexation as the National Organization for Marriage contributed $1.9 million to support the ballot question, but did not register or file a campaign report; however, the Maine Court upheld their statutes because they had a higher reporting

threshold of $5,000 in contributions before registration is required and disclosure of a contribution over $100. She said even though the decision in National Organization for Marriage had a different result than Sampson, Sampson remains the controlling law in Oklahoma. She said although the same analysis of balancing of registration and disclosure with First Amendment speech and association rights was used on both cases Sampson's application to Norman's campaign finance ordinance still holds.

Chairman Dillingham asked if the Legal Department had found any examples of issues and candidate committees overlapping, i.e., a group or individuals were talking about being against the Porter Corridor, which was not on a ballot, but in speaking out against the Porter Corridor they used specific candidate images in their materials. Mr. Jeff Bryant, City Attorney, said he did not think Staff had found any cases directly related to that, but it all relates to protection of political speech, which commands the highest level of scrutiny by the Courts who will protect political speech every way they can. He said Courts have drawn the line between issue oriented versus candidate oriented and, except for the Maine case, Courts believe issue oriented regulation is pretty much hands off. He said candidate oriented issues have more leniency in the Courts as far as the ability of the Municipalities to regulate. Mr. Bryant said if the City has a committee that is formed to advocate an issue, but the advocating goes on during a campaign candidate cycle, he believes the Court will view that more as a candidate campaign as opposed to an issue campaign because it is in the election cycle. Chairman Dillingham agreed and said there was no issue on the ballot for that to be directed to.

Chairman Dillingham said, based upon the Sampson case, does the City need to do anything differently to its ordinance and Ms. Messner said the City's ordinance does not cover issue advocacy or issue based campaigns; however, State statutes do under the Political Subdivisions Ethics Act. She said Brenda Hall, City Clerk, is following that statute when candidates file their finance reports for issue campaigns or issue committees. She said because it is not a City ordinance, the Enforcement Authority is not reviewing those reports; however, Council could expand the Enforcement Authority's role and amend the ordinance to include oversight of issue committees.

Councilmember Kovach asked if the State statute reporting minimum is $200 on issues instead of $500 and Ms. Messner said yes. Councilmember Kovach said he was curious because the candidate minimum is $500 and $200 is the limit in the Colorado case. Mr. Bryant said the City does not regulate issue oriented advocacy, therefore it would be challenged at the State level by the Attorney General. He said the City can regulate if Council wants to expand the role of the Enforcement Authority.

Councilmember Kovach said that even though the Sampson case was based on an issue, one of the arguments presented was that you do not want to overburden the public's right to free speech by making it too onerous or difficult to participate. He questioned whether or not the City should have a minimal level, such as $200, before an individual has to file a report. He said a person that decides to get involved in a campaign over the weekend after the Friday filing deadline and runs to the store to buy a poster board and marker to make a sign they hold up on a street corner is technically required to file a report and setting a minimum would alleviate that. Ms. Hall said, currently, any person or committee spending any amount of money must file. Councilmember Kovach suggested adding language that any committee formed after the deadlines would file a report within 24 hours or the next business day. Mr. Bryant said the purpose of the filing requirement on Friday by noon is to allow the newspapers time to print the information for public review prior to the Tuesday election and if someone forms a committee over the weekend, it is too late to get that information to the public anyway. Ms. Hall said, under the State Political Subdivision Act, an individual can spend as much money as they want in support of an issue and do not have to report anything; however, if a committee expends $500 or more they are required to file with the State, while with the City, you must file if you have any contributions and/or expenditures. Councilmembers felt that mirroring the State statute minimums would be the fairest and most balanced solution.

Councilmember Kovach suggested allowing committees to fill out the forms online and send to the City Clerk electronically by the filing deadline then sign later and have the signature notarized. Ms. Hall said, technically, the reports are not valid until they have been notarized and the City has thought about online filing, but she did not know what costs would be incurred. She said it took the State years to get online filing mastered and they still deal with notary issues. Mr. Bryant asked if the State filing deadline was Friday or Monday before the election and Ms. Hall said State filing deadlines are earlier and the City requires filing on the Friday before the election to be able to provide the public with the most current information. She said if additional contributions and/or expenditures are collected over the weekend the candidate must file by noon on the Monday before the Tuesday election, but the newspapers have never printed the Monday reports. Mr. Bryant asked when the Monday filing was added and the Committee said 2008. Councilmember Kovach said Monday was specifically added because a candidate collected several thousand dollars in contributions over the weekend and it was not published. He said a candidate can plan to not disclose monies until the final report if filed after the election. Mr. Bryant said if someone really waits until the weekend before the Tuesday election to collect their money, he felt it would not make a difference to the election outcome and Councilmember Kovach agreed.

Ms. Hall said a threshold makes sense as last year, a committee that filed had spent only $7, but this year, a committee formed over the weekend spent over $500. Councilmember Kovach suggested excluding committees from the Monday filing requirement and Mr. Bryant said he did not think a committee forming on a weekend could affect the outcome of the campaign. Councilmember Kovach agreed and felt Monday filing could be burdensome on the candidates as well. Councilmember Kovach suggested removing the requirement for Monday filing and everyone agreed. Chairman Dillingham suggested establishing the State minimums and Ms. Hall said language should stipulate "Committee's supporting or opposing a candidate must file a report." Mr. Bryant asked if the Oversight Committee wanted to regulate issue committees and they felt they should be regulated by the State.

Mr. Bryant asked if Staff should bring a draft ordinance back to the Committee and Chairman Dillingham said to move it forward to a Council Conference.

Items submitted for the record

1. Memorandum dated April 27, 2011, from Leah Messner, Assistant City Attorney, through Jeff Bryant, City Attorney, to City Council Oversight Committee, Councilmember Atkins, Councilmember Dillingham, Councilmember Griffith, and Councilmember Kovach
2. Memorandum dated December 27, 2010, from Jeff H. Bryant, City Attorney, and Kathryn L. Walker, Assistant City Attorney, to Steve Lewis, City Manager

DISCUSSION REGARDING POLITICAL SIGN REGULATIONS.

Chairman Dillingham said there have been problems with campaign signs causing site problems when placed in residential front yards at intersections. Councilmember Kovach felt that a 4' by 8' sign placed in a yard during the 2010 election year was ridiculous and suggested 2' by 4' be the standard limited size for signs in residential areas. Mr. Bryant said City ordinances regulating free speech on private property is almost impossible to uphold. He said cities can regulate signs on rights-of-way, if it is a traffic or safety hazard, but not size of signs in neighborhoods unless they pose a safety hazard. Chairman Dillingham said she was only concerned about signs blocking traffic and/or pedestrian sight around corners. Mr. Bryant said the City can only regulate time, place, and manner. Councilmember Kovach asked how the City can regulate not placing a sign on a fence, which people do anyway. Mr. Bryant said it is still hard to enforce if the sign is on private property and although the ordinance states, "fence signs prohibited," it also states, "political signs allowable, not regulated." Mr. Bryant said if you have an obnoxious political sign on a fence on an arterial roadway, that could be considered a distraction to drivers, but felt even then it would be a stretch to prosecute.

Councilmember Griffith asked about aesthetics of the signs and Mr. Bryant said some political speech is designed to be aesthetically unpleasing to get attention. Councilmember Griffith asked if the City could regulate sign height in the right-of-way, such as maximum 3 feet to alleviate site problems, and Ms. Linda Price, Revitalization Manager, said signs are not allowed in the right-of-way except in a single family dwelling then it cannot be taller than 20 inches tall and 30 inches wide and that is the only exception to the right-of-way.

Councilmember Kovach asked how Staff judges the site triangle and Ms. Price said the rule is it supposed to be 30 feet each way from the property line to form a triangle. She said you can not do that easily if there is no sidewalk so, at the minimum, Staff measures from the curb line. He asked how tall a sign could be in the site triangle and Ms. Price said no signs are allowed in the site triangle. Councilmember Kovach asked if information is distributed to candidates regarding measuring the site triangle and Ms. Hall said no, candidates do receive information on political sign regulations and that could be added. Chairman Dillingham suggested a drawing as a visual aid and Ms. Price said the site triangle in rights-of-way vary from location to locations so they usually tell candidates to contact the Planning Department who would be happy to supply examples.

Councilmember Kovach asked if Staff is proactive in regulating political signs and Ms. Price said any sign in the right-of-way is proactively removed unless the sign is from a group, such as the United Way, that has a Limited License approved by City Council allowing them to place signs in the right-of-way for a limited time.

Ms. Hall said the Enforcement Authority stresses sign regulations during the candidate's orientation process, but candidates use volunteers to help place signs who are not informed of the regulations so they place signs anywhere.

Chairman Dillingham said all the City can do is explain the regulations and ask everyone to play nice.

Ms. Susan Connors, Director of Planning and Community Development, said the current ordinance is confusing as it reads that fence signs are prohibited, but political signs are allowed and asked if Council wanted clarify the language. Mr. Bryant suggested, "prohibited, unless they are political signs" and Chairman Dillingham added, "as regulated herein." Councilmember Kovach asked if that included issues as well as candidates and Mr. Bryant said yes.

Items submitted for the record

1. Memorandum dated April 28, 2011, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Excerpts from the City of Norman Sign Regulations
3. Political Sign Regulations

MISCELLANEOUS DISCUSSION.

Chairman Dillingham said the Committee will discuss special events at their June meeting. Chairman Dillingham said she did not want the Special Events Ordinance to be about the Music Festival and that is what happened in the March meeting. Chairman Dillingham said future subjects will include Saturday parking meter issues, Charter Review Committee ordinance, water conservation, and big construction trucks traveling small streets such as Elm and College. She said the trucks are tearing trees up as they drive through.

The meeting adjourned at 6:32 p.m.

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

September 7, 2011

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the City Council Conference Room on the 7th day of September, 2011, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Kovach, Spaulding, and Chairman Griffith
ABSENT:	None
OTHERS PRESENT:	Mr. Roger Gallagher, Ward One Councilmember Ms. Linda Lockett, Ward Seven Councilmember Mayor Cindy Rosenthal Ms. Brenda Hall, City Clerk Ms. Leah Messner, Assistant City Attorney Ms. Syndi Runyon, Administrative Assistant IV Mr. Bobby Cleveland, Interested citizen Ms. Mary Francis, Enforcement Authority Member Ms. Joy Hampton, Norman Transcript Mr. Ty Hardiman, Enforcement Authority Co-Chair

DISCUSSION REGARDING POSSIBLE MODIFICATIONS TO CHAPTER 7.5, ELECTIONS.

Chairman Griffith said there has been previous discussions regarding removing the Monday filing requirement from Chapter 7.5 and asked Mr. Ty Hardiman, Co-Chair of the Enforcement Authority (the Authority), his opinion. Mr. Hardiman said the Authority, as a whole, believes the Monday filing requirement serves a purpose and there is merit in keeping the requirement. Chairman Griffith said he would rather call the report an additional report instead of supplemental report.

Mr. Hardiman said the Authority's task is to bring awareness to the voters of Norman as to who is financially supporting the City Council candidates. He said it is valuable for voters to know who is contributing to a campaign, but is also valuable for other candidates to know. He said, over the years, the Authority has changed elements of the ordinance to be in compliance with the State to make the report process easier to understand. He said while the Authority does not want the system to be too burdensome, they do feel it is important for disclosure purposes and ensure voters have access to the reports on the day of the election. He said a report is due on the Friday before an election, but due to an incident several years ago when a candidate raised a considerable amount of money over the weekend before the election and the money was not reported until the next filing deadline 40 days after the election, the Authority added the Monday reporting requirement. He said the Authority felt a Monday filing requirement would address similar incidents occurring in the future. Councilmember Dillingham felt that anyone wanting to evade reporting money, would simply not raise the funds until after the election.

Councilmember Kovach asked what position the Authority took on the Oversight Committee's recommendation that language be added to Chapter 7.5 § 7.5-22 stating, "Committees in support of opposition to a candidate are not required to submit campaign statements if less than $500 was collected or spent prior to either filing deadline." Mr. Hardiman said Authority felt the $500 figure is consistent with the State Political Subdivision Ethics Act and although it seems that what is good for a State level election would be good City eelctions, it does not work as well with a smaller number of voters and smaller amount of money raised. He felt the figure should be $50 or $100. Councilmember Kovach said a lot of the threshold discussion resulted from court cases, one of which was a Colorado case that talked about the level of burden placed on individuals. He said, ideally, the Authority is there to help the public become engaged in the election process as much as possible, but if the

process is burdensome for the people to be a part of that process then they may not be a part of that process. He said the reason the Oversight Committee decided on the $500 threshold was to avoid a possible court challenge of the ordinance. He said the Oversight Committee wants to balance the freedom of speech with the right to know. He felt it burdensome if someone wanted to form a committee over the weekend that committee would have to come to the City Clerk's office by Monday at noon and if they work they may not be able to file by that deadline, so they would be in violation of the ordinance. He said, technically, without the $500 threshold, if someone went to Target and bought a poster board and magic marker to make a sign to hold up on a street corner on Election Day, they have violated the ordinance. He said no one wants to tell citizens that they cannot spontaneously participate in an election without filing a report. Mayor Rosenthal asked if $500 was the threshold for County elections as well as State and Ms. Brenda Hall, City Clerk, said it is the threshold for both.

Councilmember Dillingham said interests of the State and Municipalities must be balanced in providing information to the public against a person's free speech right and felt it might be better to improve Norman's information dissemination techniques by getting the Friday reports onto the website, making sure they are posted on the City Hall doors, and are hand carried to The Norman Transcript eliminating the Monday report. She said she was more concerned about having balance in non-candidate committee's.

Councilmember Lockett said when she was running for the Ward Seven Council seat, she knocked doors and asked constituents what they thought of her contributors and they did not care who the contributors were. She felt $500 was a fair amount. Ms. Hall said the $500 minimum would apply only to committees supporting or opposing candidates, not the candidates. She said candidates will still report every dollar spent and contributed.

Councilmember Spaulding asked if a committee were not supporting or opposing a candidate, simply educating, would have to file a report and Ms. Hall said the ordinance is specific to supporting or opposing a candidate. Councilmember Kovach said if you are not doing either, you do not have to report and Ms. Hall said correct and reminded Councilmembers that the City does not regulate issue campaigns.

Mayor Rosenthal asked about multiple committees where the principles were the same people and one committee spent $499 for yes to support, and another committee spent $499 for maybe to support, how would that work with reporting and Ms. Hall said if the committee's expenditures fell below the established threshold, they would not have to file a report.

Ms. Hall said if anything such as a flyer or brochure were brought to the attention of the Authority or the City Clerk's Office, there would have to be contact made to determine whether or not they had to file a report. Councilmember Dillingham asked if committee's have to register whether they have to file a report or not and Ms. Hall said they are not required to register if they are below the threshold.

Mr. Hardiman said the Authority does now review reports from a first amendment or constitutional right aspect, but at what is best for the election itself and that is why he believes the Monday report and lower threshold contribute a value to the election.

Councilmember Kovach said, in regards to the Authority's annual report, he would like the Authority to include all reports as well as all relevant documents attached to the final report for a more comprehensive report. He said this would be beneficial to anyone researching past elections. He said Council does not want to see items that are beyond the purview of the Authority in the report. Mr. Hardiman suggested that in order to better reflect the desires of Council and be more useful for future research, the Authority place all information collected from the calendar year election period in a binder including minutes from all Enforcement Authority meetings, all reports filed, and all material submitted to the Authority for their review, but not necessarily be attached to the final report. Councilmember Spaulding agreed and said if an item is submitted and deemed a non-violation by the

Authority it should not be included in the final report. Mayor Rosenthal agreed and said the binder should be separate from the final report but accessible to the public and reflect the totality of the work by the Authority.

Mayor Rosenthal said electronic filing would help tremendously and Ms. Hall said the reports are required to be notarized so there would have to be a process in place to allow that piece to remain in the electronic process. She said she is not sure what the cost would be or how difficult it would be to put something in place, but it cannot be done with the unresolved notary issue. Mayor Rosenthal suggested removing the notary requirement and Ms. Hall said the State report must be notarized and those reports are filed with the City Clerk, not at the State. She said electronic filing has been on the back burner for awhile and it would be a matter of budgeting and timing.

Mayor Rosenthal asked if there were any court cases regarding registering a committee whether or not they file a report and Ms. Leah Messner, Assistant City Attorney, said she would have to research that. Councilmember Kovach asked if the City would have two thresholds, one being the $500 and the other requiring registration and asked what the registration threshold would be. Councilmembers discussed requirements and Ms. Hall said it all comes back to education, which has been problematic in the past. She said the Authority has worked hard to educate on who has to file and when. She said there is difficulty in people forming committees without knowing they have to register that committee so if the City required every committee to register, the Authority and City Clerk would still be seeking those committees out to inform them they need to register. Councilmember Kovach suggested registering be done on a voluntary basis. Mayor Rosenthal said one person using their own money is not a committee, but if they solicit money from another individual, they are a committee. Councilmember Kovach said if you define a committee in that way, it means an individual can spend unlimited amount of money, not be a committee, and not have to register or file a report. Councilmembers Dillingham and Kovach asked what the State Ethics Commission defined a committee as and Ms. Hall said it is pretty broad. Mayor Rosenthal read Norman's definition of a committee, which states one person is a committee. Ms. Hall said the State definition states one or more persons may be a committee.

Councilmember Spaulding asked what other cities have an Enforcement Authority and Ms. Hall said Norman is the only city in the State that has a local Enforcement Authority. She said at the time the Authority was appointed, the State did not have regulations for local elections, so everyone files State reports only. Councilmember Dillingham said Norman is an extraordinary community that cares a great deal about the election process and getting information to citizens. Councilmember Lockett said e-mails, Twitter, and Facebook will be used more and more and they do not cost anything. Councilmember Gallagher asked if Staff had found any gross violations in cities that do not have an Enforcement Authority and Ms. Messner said Oklahoma City (OKC) has some issues, but no opinion was issued. She said attending OKC Councilmembers requested that an addition to the Subdivision Ethics Act requirement that would require a disclosure statement for the Municipal Elections be filed with the Clerk. She said she did research a couple of cities in Texas with similar Charter language as Tulsa and OKC and they follow State law.

Councilmember Lockett said, in the past, when a candidate violated the ordinance there had been no punishment and Ms. Hall said if the Authority's ultimate goal is to garner the information for public disclosure and the information is submitted, even if it is filed late, there is no longer a violation. She said the Authority had recommended charges be filed against a candidate that refused to file a report years ago and those charges were filed for failure to comply with the ordinance.

Councilmember Kovach asked if reports can be required to be filed earlier than Friday at noon and Ms. Hall said, yes, but if someone does file early, she will accept the report and inform them that they will have to file another report if they accept or expend any money by the Friday noon deadline. She encourages them to wait until the

last minute to file in order to capture as much information as possible. She said the noon deadline was originally selected to meet media weekend deadlines.

Mr. Hardiman said the Enforcement Authority would like to change there name because it has a negative or aggressive connotation and does not adequately explain the Authority's duties. He said a suggestion is Norman Council Election Compliance Committee or Election Compliance Committee or Authority. Councilmember Kovach suggested Election Information Committee. Councilmember Gallagher suggested Norman Election Committee. Councilmember Lockett said she would like more time for discussion on a name and not rush into the decision. He said another change recommended by the Authority is to strike language in Section 7.5.27(b) and (c) that reads, "and to punish the offenders." He said punishing people does not accomplish the goals of the Authority as the goals are best served when the voters have full disclosure before the election and that is why education and compliance is important. Chairman Griffith agreed and said the City Attorney or District Attorney's Offices would be the appropriate parties to handle any type of punishment.

Councilmember Kovach asked if the language requirements for the Enforcement Authority's final report to Council needed to be placed in the ordinance or could be done through policy and Ms. Hall said it could be a policy. She said the Authority is open to criteria being established if that is Council's desire.

The Oversight Committee agreed to remove the Monday reporting requirement, place a threshold of $500 for requiring committee filing, striking language regarding punishing offenders, and changing the name of the Enforcement Authority. Councilmembers asked that these recommendations be submitted to the full Council at a Conference or Study Session.

Ms. Hall asked if the Oversight Committee wanted to change any of the duties of the Enforcement Authority and highlighted those duties. Councilmembers did not want to make any changes to the duties at this time. Councilmember Dillingham asked if Committee Members would like the Authority to work on voter turnout and participation and Councilmember Gallagher felt that no one could bring out voters except the candidates and Councilmember Dillingham agreed.

Items submitted for the record

1. Memorandum dated September 1, 2011, from Brenda Hall, City Clerk and Leah Messner, Assistant City Attorney, to City Council Oversight Committee, Councilmember Griffith, Councilmember Dillingham, Councilmember Kovach, and Councilmember Spaulding
2. City Council Oversight Committee minutes of May 4, 2011
3. Enforcement Authority Committee minutes of August 29, 2011

MISCELLANEOUS DISCUSSION. None

The meeting adjourned at 6:58 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

November 2, 2011

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

PRESENT:	Councilmembers Dillingham, Kovach, Spaulding and Chairman Griffith
ABSENT:	None
OTHERS PRESENT:	Councilmember Roger Gallagher, Ward One Councilmember Linda Lockett, Ward Seven Mayor Cindy Rosenthal Mr. Ty Hardiman, Enforcement Authority Chairman
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Ms. Brenda Hall, City Clerk Mr. Steve Lewis, City Manager Ms. Syndi Runyon, Administrative Assistant IV

CONTINUED DISCUSSION REGARDING CHAPTER 7.5, ELECTIONS.

Chairman Griffith said proposed amendments to Chapter 7.5 include eliminating the Monday report filing requirement; changing requirements for committees supporting or opposing a candidate to mirror State statutes, which would not require them to file reports until they have expended or received $500; and changing the name of the Enforcement Authority. He asked the Committee for their comments.

Councilmember Kovach said Council had discussed being more in-line with State campaign report regulations. He said he wanted to keep the Friday before the election reporting requirement. He said final reports are due 30 days after the election and that could be changed to be more in-line with State requirements that call for final reports within 31 to 40 days after the election. Ms. Brenda Hall, City Clerk, said, in a previous amendment, the City's reporting period was changed to 30 days after the election, which would allow State and City reports to be filed on the same day. Councilmember Kovach said there is a State filing requirement for the 10th day before the runoff or general election. He said the City could require a report be filed on the 10th day before an election the same as the state and an amended filing by noon on the Friday preceding the election, if a candidate collects or expends any monies between the 10th day and that Friday. Councilmember Dillingham felt that requiring a report 10 days prior to the election would not give the public as much up-to-date information as the Friday reporting requirement. Councilmember Kovach said it would get information to the public a week before the election and if there are additional expenditures or contributions it would be reported on the Friday before the election so there would be no less reporting. Mayor Rosenthal suggested State reports be filed 10 days before the election, as required, and City reports be filed on the Friday before the election, which is effectively what is being proposed. Councilmember Kovach said his proposal was to have the Friday reporting only if there is additional activity and some candidates will not. Councilmember Kovach felt this would be more beneficial to get the information to the public earlier in order for them to review it versus giving them the information to review a couple of days before the election. Mr. Ty Hardiman, Enforcement Authority Chairman, said he did not have an objection to the proposal, but would like to keep the Monday reporting requirement. He said the Enforcement Authority's goal is to get information to the public in a timely manner not only through reporting, but also through other education methods. He said if Council thought this proposal advanced the dissemination of information then he would

not speak against it if it came before Council. Councilmember Dillingham said if the goal is public disclosure, she would not have a problem with the proposal and the rest of the Committee supported it as well.

Mayor Rosenthal said the State requires final reports be filed between the 31st and 40th day after the election and asked if City reports should be aligned with the State requirement. Councilmember Kovach asked Ms. Hall if that would cause any problems and Ms. Hall said she did not foresee problems with mirroring State requirements and the Committee agreed.

Councilmember Kovach said there had been previous discussions regarding changing the name of the Enforcement Authority and he supported that idea. He suggested the name "Election Information Committee" because the Enforcement Authority provides information to the public. Mr. Hardiman suggested "City Council Election Financial Compliance Committee" as that describes the Enforcement Authority's role as far as how finances come to play in the City elections. He felt there was more to the committee than election information, but not necessarily "enforcement." He said the name would also differentiate Council elections from issue or bond elections. Chairman Griffith asked if the Enforcement Authority had discussed that name and Mr. Hardiman said there had been some discussion and he would be glad to place that item on an Enforcement Authority agenda as soon as possible. Councilmember Kovach felt the name was a little wordy and said the ordinance describes the Enforcement Authority's duties in detail and although he appreciated the Enforcement Authority wanting to make the name specific to Council elections. Mr. Hardiman said beyond distributing information, the Enforcement Authority is charged with making sure campaign reports are accurate and proper and felt that is not reflected in the name "Election Information Committee." Councilmember Dillingham agreed and said the "oversight" concept may get closer to that charge. Mr. Hardiman said he could meet with the Enforcement Authority regarding the name "Election Oversight Committee" and explain why that might be a good name. Councilmember Kovach suggested inserting the word "citizens" in the name such as "Citizens Council Election Oversight Committee" because it is important for people to understand that it is the citizens that are reviewing the reports. Chairman Griffith said he would like the Enforcement Authority to come up with a name and Councilmember Kovach asked if that would come back to the Oversight Committee or Council as a whole.

Ms. Hall said time is of the essence for any ordinance amendments to be adopted and become effective prior to the candidate filing cycle in January and encouraged the Committee to select a name tonight. She said Council will review a resolution in December setting the election dates so proposals made tonight should be reviewed and accepted at the same time to meet that cycle. She felt that everything needed to be in place by the time candidates file. Mayor Rosenthal said she supported a previously proposal of "Norman Election Commission" from Councilmember Gallagher. She felt the name was simple and straightforward and Mr. Hardiman and the Committee agreed.

Councilmember Gallagher said he had asked the Legal Department to research other cities to see if there had been any problems with reporting dates or candidates' reports and asked for an update. Mr. Jeff Bryant, City Attorney, said the City of Norman is the only city that has a separate reporting requirement so there is no comparison to other cities, but he was not aware of any problems with State reporting requirements within other cities. Councilmember Gallagher asked Ms. Hall if there had been any chronic problems with violations. Ms. Hall said there have not been issues with candidate reports, but there have been some issues regarding committees that form to support or oppose a candidate in that they do not always file a report in a timely manner.

Mayor Rosenthal said Oklahoma City is in the middle of a huge controversy regarding municipal election finance reporting. She said there is no one at the State level to monitor election finance reports and felt that

Norman is well served by having an Enforcement Authority. Chairman Griffith agreed and said citizens need to know what expenditures and contributions candidates are generating even though they may not be as extreme as Oklahoma City or Tulsa elections. Councilmember Dillingham agreed and said the reports do not provide the level of disclosure that Norman citizens deserve and have come to expect. She said City Council has a higher desire, on the part of elected officials, to communicate openly and honestly. Chairman Griffith agreed and felt other cities and the State would be better served by following Norman's example.

Councilmember Kovach said the whole genesis of these discussions is based on a court case in Colorado and Norman has done some tweaking based on the idea that the City has to balance free speech without overburdening someone with disclosure to the public. He asked Mr. Bryant if the City's reporting disclosure threshold is too low or could someone say it is overly burdensome. Mr. Bryant said the Colorado case was about an issue committee not a candidate committee and he would have to do further study in order to answer that question. Councilmember Kovach said he would like to know if there is a red flag before voting on changes. Chairman Griffith felt City thresholds were not unreasonable. Ms. Hall reminded the Committee their current proposal for a $500 threshold only applies to committees that support or oppose a candidate and candidates will still have to report everything. Councilmember Kovach felt there should be a higher burden of disclosure on a candidate running for office.

Chairman Griffith asked when the amendments would move forward to Council. Ms. Hall said she could schedule the item on a Conference or Study Session agenda by the end of the month in order to have proposed amendments on First Reading no later than the first meeting in December.

Items submitted for the record

1. Memorandum dated October 24, 2011, from Brenda Hall, City Clerk, to City Council Oversight Committee; Councilmember Griffith, Chair; Councilmember Dillingham; Councilmember Kovach; and Councilmember Spaulding
2. Ordinance No. O-1112-15
3. Comparison of State and City Campaign Reporting Requirements
4. City Council Oversight Committee minutes of September 7, 2011
5. Pertinent excerpts from City Council Special Session minutes of September 11, 2011

MISCELLANEOUS DISCUSSION.

Councilmember Kovach asked what future topics were being scheduled for the Oversight Committee's review and Ms. Hall said she did not have her schedule for December. She said some future topics are on hold waiting on data such as traffic enforcement using the speed feedback signs and changing alley solid waste pick up to street pick up. She said she believed proactive code enforcement is the topic is that to be discussed in December. Councilmember Kovach said he wanted to make sure the bullying topic did not get overlooked.

The meeting adjourned at 6:17 p.m.

ATTEST:

City Clerk

Mayor

Item 8, being:

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

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

Items submitted for the record
1. RPT-111-2 dated July 11, 2011, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report of June 30, 2011

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

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

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

* * * * *

Item 9, being:

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

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

Items submitted for the record
1. Text File No. RPT-1112-3 dated June 11, 2011, by Brenda Hall, City Clerk
2. Monthly Departmental Reports for the month of June, 2011

Participants in discussion
1. Ms. Kathryn Walker, Assistant City Attorney

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

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

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

* * * * *

Item 10, being:

SUBMISSION OF A FINAL REPORT FROM THE ENFORCEMENT AUTHORITY.

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

Items submitted for the record
1. Text File No. RPT-111-1 dated May 23, 2011, by Brenda Hall, City Clerk
2. Final Report from the Enforcement Authority dated July 13, 2011, with attached informational mailer paid for by Bob Cleveland, President, Republican Party (GOP) Political Action Committee (PAC)
3. Enforcement Authority minutes of December 10, 2010, and February 25, March 4, April 15, May 6, and July 1, 2011

Item 10, continued:

Participants in discussion
1. Ms. Brenda Hall, City Clerk
2. Mr. Bobby Cleveland, 10701 York Road, Lexington, asked questions
3. Ms. Jeanette Coker, 620 East Main Street, made comments

Thereupon, Councilmember Spaulding moved that the report be returned to the Enforcement Authority to remove the attached postcard and any comments related thereto, which motion was duly seconded by Councilmember Dillingham; and the question being upon returning the report to the Enforcement Authority to remove the attached postcard and any comments related thereto, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the report will be returned to the Enforcement Authority to remove the attached postcards and any comments related thereto.

* * * * *

Item 11, being:

CONSIDERATION OF AWARDING OF BID NO. 1011-76, APPROVAL OF CONTRACT NO. K-1011-174 WITH CENTRAL CONTRACTING SERVICES, INC. IN THE AMOUNT OF $178,311.50; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY $14,898.50; AND RESOLUTION NO. R-1011-62 FOR THE FYE 2012 CONCRETE PROJECTS AND BUDGET TRANSFERS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $178,311.50 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-174 and Change Order No. One increasing the contract by $14,898.50 be approved; the Mayor be authorized to execute the contract and change order and to sign Performance Bond No. B-1011-100, Statutory Bond No. B-1011-101, and Maintenance Bond No. MB-1011-97 contingent upon the City Attorney's approval; Resolution No. R-1011-62 be adopted; and $8,210 be transferred from Project No. EF0134, Fire Station No. 1 Repair, Construction (050-9677-419.61-01) to Project No. TC00245, Citywide Sidewalk Reconstruction Project, Construction (050-9052-431.61-01) in the amount of $1,464, Project TC0238, Sidewalk Accessibility Project, Construction (050-9316-431.61-01) in the amount of $5,363, and Project TC0246, Downtown Area Sidewalks and Curbs, Construction (050-9716-431.61-01) in the amount of $1,383, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. K-1011-174 dated July 7, 2011, by Jack Burdett, Engineering Assistant with attached table detailing the FYE 2012 Concrete Projects and the FYE 2012 Concrete Projects Budget
2. Bid tabulation for the FYE 2012 Concrete Projects
3. FYE 2012 Concrete Project Locations
4. Contract No. K-1011-174
5. Change Order No. One to Contract No. K-1011-174
6. Resolution No. R-1011-62

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

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

NAYES: None

City of Norman, OK

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

Master

File Number: AP-1112-9

File ID:	AP-1112-9	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Appointments to ECAB			**Final Action:**	

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

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 11-22-11 TO 10-27-13: CHARLES SEVER, 930 SCHULZE DRIVE
TERM 11-22-11 TO 10-27-14: JAMES HARP, 801 PARKSIDE ROAD
TERM: 11-22-11 TO 10-27-14: JAMES GREER, 4509 MOORGATE DRIVE

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Charles Sever will replace Yves Badaroux who has resigned; James Harp will replace Jane Dye who does not wish to be reappointed; and James Greer will replace Larry Steele.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 6

Attachments:

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-1112-9

City of Norman, OK

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

Master

File Number: RPT-1112-17

File ID:	RPT-1112-17	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 7	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Finance Director's Investment Report 10/31/11			**Final Action:**	

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

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

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 7

Attachments: Finance Dir Investment Report 10/31/11

Project Manager: Clint Mercer, Chief Accountant

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-1112-17

DATE: 02-Nov-11

TO: City Council

FROM: Anthony Francisco, Director of Finance

PREPARED BY: Clint Mercer, Chief Accountant

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE12	MONTHLY INTEREST EARNINGS October 2011	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE12-YTD	INTEREST EARNINGS YTD FYE12	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$8,333	$5,819	-30.17%	9.03%	$33,333	$21,726	-34.82%	8.58%
PUBLIC SAFETY SALES TAX FUND	N/A	$6,243	100.00%	9.69%	N/A	$21,923	100.00%	8.66%
ROOM TAX FUND	$250	$150	-40.12%	0.23%	$1,000	$545	-45.48%	0.22%
CAPITAL PROJECTS FUND	$12,500	$14,543	16.34%	22.57%	$50,000	$59,724	19.45%	23.58%
SINKING FUND	$2,083	$2,714	30.28%	4.21%	$8,333	$11,271	35.25%	4.45%
G.O. BOND FUND	$167	$130	-22.17%	0.20%	$667	$458	-31.30%	0.18%
WESTWOOD FUND	$625	$58	-90.70%	0.09%	$2,500	$2,666	6.63%	1.05%
WATER FUND	$10,000	$10,628	6.28%	16.50%	$40,000	$39,307	-1.73%	15.52%
WASTEWATER FUND	$8,333	$6,277	-24.68%	9.74%	$33,333	$24,915	-25.26%	9.84%
HALLPARK FUND	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
DEVELOPMENT EXCISE	$16,667	$8,795	-47.23%	13.65%	$66,667	$34,546	-48.18%	13.64%
SEWER SALES TAX	$6,250	$5,700	-8.79%	8.85%	$25,000	$21,977	-12.09%	8.68%
SANITATION FUND	$2,500	$564	-77.46%	0.87%	$10,000	$1,378	-86.22%	0.54%
PARKLAND FUND	$1,250	$1,003	-19.80%	1.56%	$5,000	$3,824	-23.53%	1.51%
TRUST & AGENCY FUNDS	N/A	$4	100.00%	0.01%	N/A	$16	100.00%	0.01%
TAX INCREMENT DISTRICT	$1,458	$879	100.00%	1.36%	$5,833	$4,537	100.00%	1.79%
SPECIAL GRANTS FUND	N/A	$77	100.00%	0.12%	N/A	$1,135	100.00%	0.45%
CLEET FUND	N/A	$16	100.00%	0.03%	N/A	$74	100.00%	0.03%
HOUSING	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$34	100.00%	0.05%	N/A	$130	100.00%	0.05%
ARTERIAL ROAD FUND	N/A	$431	100.00%	0.67%	N/A	$1,657	100.00%	0.65%
SEIZURES	$42	$363	770.41%	0.56%	$167	$1,437	761.98%	0.57%
	$70,458	$64,428	-8.56%	100.00%	$281,833	253,245	-10.14%	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 $ 113.13 million as of 10/31/11 are represented by working capital cash balances of all City funds of approximately $ 65.23 million, outstanding encumbrances of $20.03 million, General Oblig.ation Bond proceeds of $5.52, NUA revenue bond proceeds of $13.07 million, NMA bond proceeds of $4.04 million, and UNP TIF reserve amounts of $5.24 million.

INVESTMENT BY TYPE

October 31, 2011

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	NUA REV. FD.				$0.00	$0.00	$0.00
BANK OF AMERICA	GEN'L DEP.			0.25%	$1,790.13	$10,083,119.62	$10,083,119.62
BANK OF AMERICA	WARRANTS PAYABLE				$0.00	($1,664,480.95)	($1,664,480.95)
BANK OF AMERICA	PAYROLL				$0.00	($2,222,370.69)	($2,222,370.69)
BANK OF AMERICA	COURT BOND REFUNDS				$0.00	$213,464.02	$213,464.02
BANK OF AMERICA	INSURANCE CLAIMS				$0.00	($49,221.78)	($49,221.78)
BANK OF AMERICA	HALLPARK			0.01%	$0.78	$94,131.71	$94,131.71
**Subtotal					$1,790.91	$6,454,641.93	$6,454,641.93
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$4.61	$1,131,233.97	$1,131,233.97
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$32.31	$3,724,918.64	$3,724,918.64
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$0.31	$313,781.24	$313,781.24
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$60.27	$11,934,740.89	$11,934,740.89
Bank of Oklahoma UNP TIF	MONEY MKT.			0.01%	$36.16	$4,595,644.20	$4,595,644.20
REPUBLIC BANK UNP TIF	MONEY MKT.			0.60%	$294.43	$639,977.92	$639,977.92
FIRST FIDELITY	MONEY MKT.			0.30%	$57.81	$0.00	$0.00
BANK OF AMERICA	MONEY MKT.			0.25%	$4.33	$452,402.67	$452,402.67
BANK OF AMERICA	MONEY MKT.			0.05%	$8.77	$332,418.35	$332,418.35
BANK OF AMERICA - Drinking W	MONEY MKT.			0.25%	$162.50	$765,527.44	$765,527.44
BANK OF AMERICA - Clean Wate	MONEY MKT.			0.25%	$0.18	$1,595.28	$1,595.28
BANK OF AMERICA-2008A	MONEY MKT.			0.25%	$163.58	$768,056.78	$768,056.78
BANK OF AMERICA-2008B	MONEY MKT.			0.25%	$356.06	$1,677,392.16	$1,677,392.16
BANK OF AMERICA-2010	MONEY MKT.			0.25%	$651.80	$3,070,596.07	$3,070,596.07
**Subtotal					$1,833.12	$29,408,285.61	$29,408,285.61
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$1,734,051.62	$1,734,051.62
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/11	03/31/12	0.30%	$62.50	$250,000.00	$250,000.00
GREAT NATIONS BANK	CD	09/30/11	09/30/12	0.65%	$132.42	$250,000.00	$250,000.00
**Subtotal					$194.92	$500,000.00	$500,000.00
**U.S. Treasury Securities/Agency Securities							
FHLB	3133XWD71	12/31/09	02/28/12	1.24%	5,172.68	5,000,000.00	$5,016,100.00
FHLB	3133XWD71	12/31/09	02/28/12	1.25%	5,196.26	5,000,000.00	$5,016,100.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	6,539.41	6,000,000.00	$6,033,249.00
T-Note	912828KP4	12/31/09	05/15/12	1.31%	7,357.44	6,750,000.00	$6,803,451.00
FHLB	3133XTS49	03/31/10	06/20/12	1.30%	107.99	100,000.00	$101,017.00
FNMA	313359MNU3	11/30/10	08/01/12	0.73%	4,215.48	8,000,000.00	$8,286,800.00
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	131.58	100,000.00	$101,684.00
US T-Note	912828MN7	05/20/11	02/15/13	0.48%	2,833.72	7,500,000.00	$7,613,925.00
FFCB	31331JBV4	06/30/11	02/21/13	0.49%	762.12	2,000,000.00	$2,033,760.00
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,534.60	2,000,000.00	$2,121,500.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,484.75	4,000,000.00	$4,080,920.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,314.66	5,000,000.00	$5,053,900.00
FNMA	31398A5Q1	12/02/10	11/08/13	1.06%	7,356.60	8,250,000.00	$8,250,742.50
FHLB	313371WK8	11/30/10	02/25/14	1.00%	1,458.33	1,750,000.00	$1,750,665.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,157.23	3,500,000.00	$3,672,830.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,264.95	3,000,000.00	$3,067,560.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	900.18	2,000,000.00	$2,044,840.00
FNMA	3136FTBJ7	09/30/11	09/30/15	1.05%	4,375.00	5,000,000.00	$5,006,850.00
U.S. STRIPS (Hallpark)	912833KC3	06/09/04	05/15/14	5.12%	445.64	79,860.00	$130,860.84
**Subtotal					60,608.62	75,029,860.00	$76,186,754.34
TOTAL					64,427.57	113,126,839.16	$114,283,733.50

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

City of Norman, OK

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

Master

File Number: RPT-1112-16

File ID:	RPT-1112-16	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Monthly Departmental Reports October 2011			**Final Action:**	

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

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

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 8

Attachments:

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-1112-16

City of Norman, OK

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

Master

File Number: RPT-1112-15

File ID:	RPT-1112-15	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/07/2011
File Name:	NCVB Semi Annual Report 6/30/11			**Final Action:**	

Title: CONSIDERATION OF THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., (NCVB) SEMI-ANNUAL REPORT ENDING JUNE 30, 2011.

INFORMATION: Amendment No. Six to Contract No. K-9293-136 was approved by City Council on June 22, 2011, which requires that "The NCVB shall report to the City no less than approximately semi-annually, with information that provides the City with a reasonably good understanding of the activities that the NCVB has undertaken since the prior reporting, through efforts to encourage, promote, and foster the convention and tourism development of the City." The NCVB has submitted a report for activities through June 30, 2011.

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

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 9

Attachments: NCVB Semi-Annual Report June 30, 2011

Project Manager: Brenda Hall, City Clerk

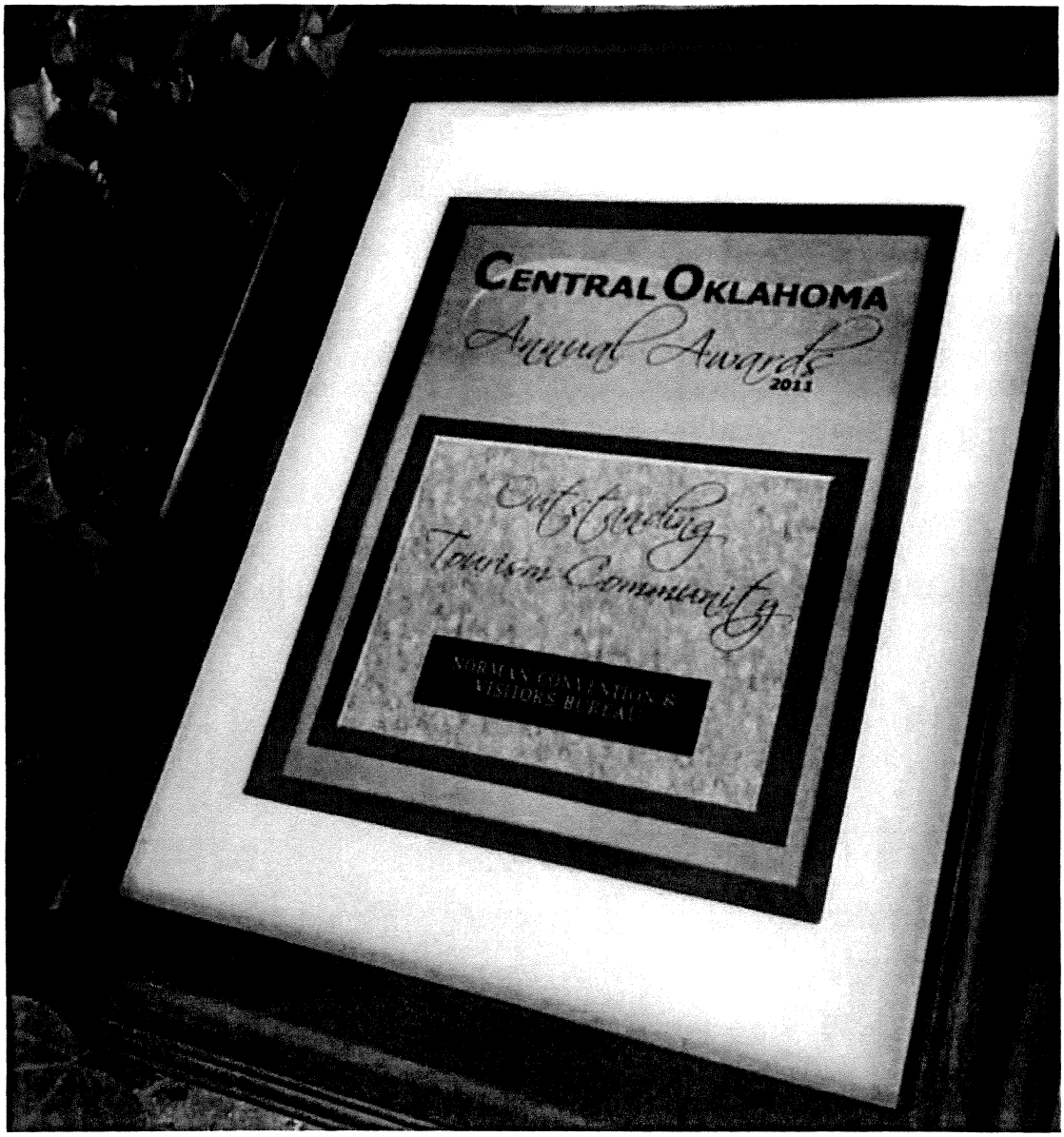
Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1112-15



We're not the only ones
who think Norman's a winner.

ANNUAL REPORT 2011

THE NORMAN CONVENTION AND VISITORS BUREAU

NORMAN

Visit Norman.com

A FEW WORDS

In 2011, the Norman Convention and Visitors Bureau ended the fiscal year literally blowing the roof off as a storm blew through the city in late June, damaging the NCVB offices. Before that took place, however, the staff was blowing the roof off the 2010 numbers by identifying conferences and events to take place overnight in Norman and attracting interest from potential visitors.

All but two numbers in this report are up over last year. Recognizing the number of room nights booked decreased and the amount of generated leads also were down versus 2010, a new sales manager with long-standing ties to the Norman hospitality industry has joined the staff. Using the fundamental principle of extending a circle of influence and word-of-mouth marketing, the NCVB leadership expects to see measureable increases in 2012.

We report our activities during the 2011 fiscal year to you all with pleasure. Again, all but two number in this report are up over last year. The key indicators of average daily rate ($79.49), occupancy (56.6 percent), Rev Par ($45.09), transient guest tax ($1.069 million) and sales tax ($47.97 million) showed increases. Other key indicators will be marked by a key symbol.

Most importantly among the key indicators is the return on investment that tourism brings into the local economy. For every dollar the Norman Convention & Visitors Bureau invested through marketing ($533,343), there were 42 dollars returned to Norman through visitors.

With results like we report throughout this document, you will see promoting Norman is a privilege and we hope to be able to answer any and all questions that might arise. We're excited about our recent initiatives and continued progess being made. If you have any questions, please feel free to call.

Stephen Koranda
Executive Director
Norman CVB

Joe Sparks
Board President
Norman CVB

COMMUNICATIONS

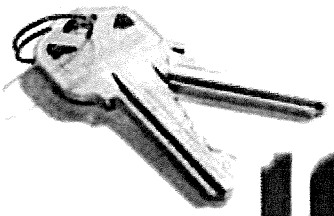
Communications works proactively with travel media (newspapers, magazines, broadcast, electronic) throughout the state and region. This includes promoting Norman as a premier travel destination to the travel trade industry through press releases, newsletters and electronic social networks.

MEDIA BLITZES
9

MEDIA CONTACTS
126

Communciations also coordinates familiarization tours throughout Norman as well as media trips to provide print and broadcast media with first-hand knowledge of our destination. Three publications visited Norman as part of one familiarization tour in fiscal year 2010.

The communications manager sent out 43 press releases which resulted in 31 direct phone calls. She also initiated a media blitz in the Los Angeles area and met with18 association and leisure publications. To preview the annual Chocolate Festival, the communications manager secured segments on two local television station programs. During April, three on-air placements included KWTV's "Day Out in Norman," Discover Oklahoma's Eco/Earth Day episode and KSBI's noon show to highlight the Norman Music Festival.



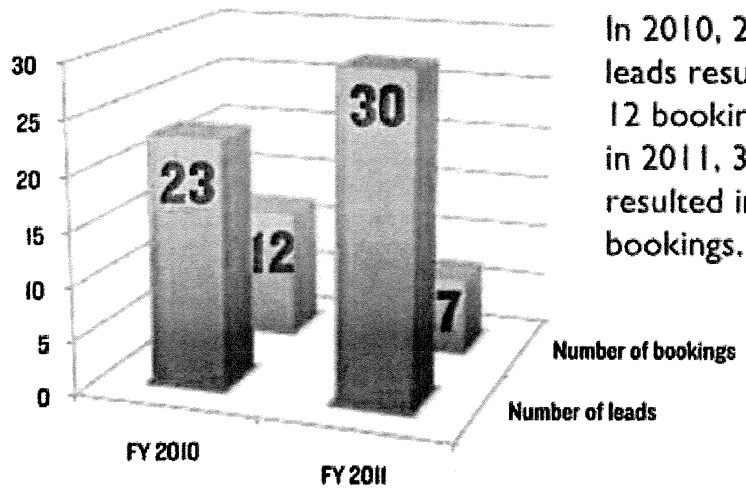
276 PLACEMENTS
RESULTED IN
104.5 MILLION IMPRESSIONS

GROUP SALES

Sales works pro-actively to solicit new meetings, conventions and sports events to be held in Norman. In 2011, the staff conducted eight site inspections, made 30 bids and attended 16 trade shows. The staff also made 1,520 sales calls and conducted three sales missions.

As mentioned previously, the number of room nights booked and leads generated -- 1,221 and seven (with no group tour bookings) -- were down in 2011. It should be noted, however, that the number of room nights forwarded to Norman hotels this year were up over the previous year, with fewer leads but better "quality" and more room nights. The staff is following up to identify when we can expect these rooms to be booked, increasing our performance. Although initial contact may occur in one fiscal year, the actual result could materialize in subsequent years.

In addition to staff changes, to make sales efforts more effective in fiscal year 2012, the staff will use two new tools, a more robust customer relationship management system and MINT, a database with more than 40,000 meetings.



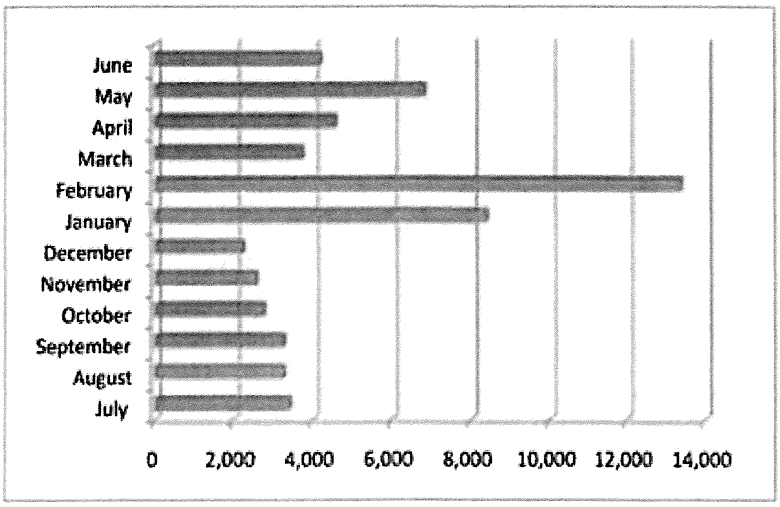
In 2010, 23 issued leads resulted in 12 bookings while in 2011, 30 leads resulted in seven bookings.

LEISURE

The NCVB promotes Norman and its attractions across various media outlets including print, direct mail, trade shows and the entire online realm of websites, blogs, social networks and related portals.

The leisure and communications sectors did generate increased numbers during the 2011 fiscal year. Employing 110 programs, the CVB gained nine million impressions and increased by 10,000 the number of visitors guides distributed from 49,000 to 59,000 (59,167 converted).

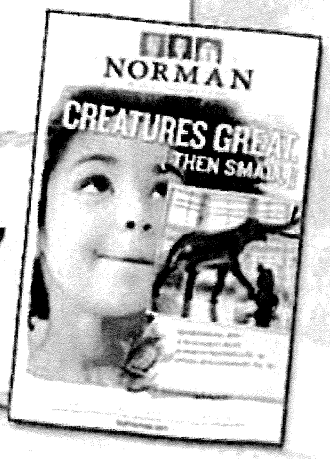
The production of the visitors guide was outsourced in FY 2011. The NCVB contracted with Key of Oklahoma to sell and print the guide freeing staff time and resources to concentrate on other initiatives. With more than $25,000 in advertising no longer going through the CVB, the co-op resources generated dropped to $1,650.



VISITOR GUIDE DISTRIBUTION

Inquiries through marketing programs, website and office

60,617



WEBSITE

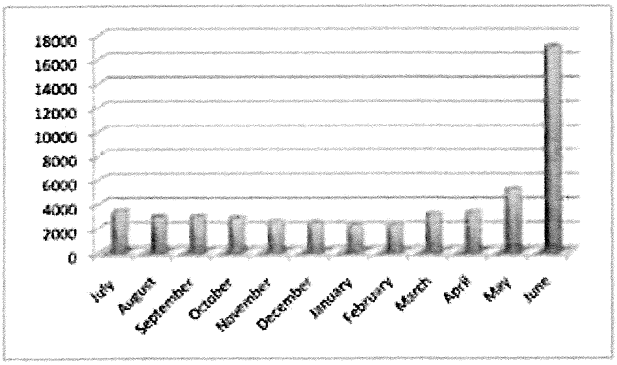
The NCVB realized a new website in late May 2011. The new site immediately **DOUBLED** the number of visitors, **TRIPLED** the time a visitor spent on the site and **QUADRUPLED** the number of page views per visit.

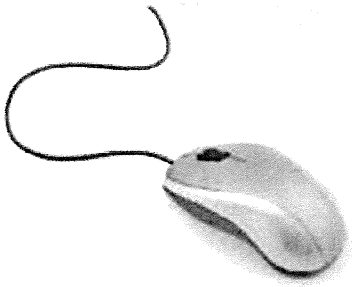
Site features include:

- An online booking system allowing visitors to make their room reservation without even leaving the site.
- An expanded calendar of events that allows the visitor to view events during a date specific time.
- A video library intended to make the attraction come to life further enticing the web user to visit Norman.

The Norman CVB has released a mobile site for Smartphones.

WEBPAGE VIEW COUNTS





BY THE NUMBERS:

17,474
FANS/FRIENDS

1,017
FOLLOWERS

DEVELOPMENT

Recognizing that responsible marketing includes product development, the Norman Convention and Visitors Bureau has engaged in dialogue to improve or enhance several areas within the community.

Throughout the fiscal year 2011, NCVB staff:

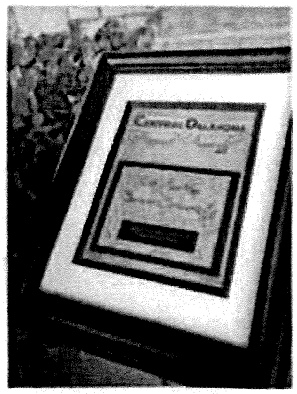
- Worked with the Norman Downtowners on three beautifcation projects
- Provided testimony to the Oklahoma Legislature for passenger railway expansion
- Discussed four action steps to address parking issues for Campus Corner and downtown
- Applied for tourist directional signage through the Oklahoma Department of Transportation
- Worked on the animation of Downtown Norman through lighting
- Sponsored a Sister City signing ceremony

The CVB staff also assisted with various prposed attractions to attract visitors to Norman including:

- The National Weather Museum
- New cross-country course through Norman Parks & Recreation
- A competitive swim facility
- Norman Economic Development Coaltion projects

NORMAN NAMED TOURISM COMUNITY OF THE YEAR

The award is generated through the Norman Convention & Visitors Bureau application through the Frontier Country Marketing Association.



LEADERSHIP

2012 BOARD OF DIRECTORS, NORMAN CVB

- Joe Sparks, board chair, Legends Resturant (restaurant industry)
- Kris Glenn, vice chair, Tyler Outdoor Media (at large)
- William Murray, treasurer, Montford Inn (hotel industry)
- Suzanne McAuley, secretary, First American Bank (Norman Chamber of Commerce representative)
- Sherri Brown, Republic Bank (Norman Arts Council)
- Dr. Roger Brown, Norman Public Schools
- Randy Laffoon, Sports Talk 1400 (mayoral appointment)
- Jay Potter, Hampton Inn (hotel industry)
- Juna Stovall, University of Oklahoma College of Continuing Education (mayoral appointment)
- Charle Taylor, Univerity of Oklahoma Atheltic Department (university representative)
- Michael Vance, Embassy Suites (at large)
- Paige Williams, Chickasaw Nation (at large)

EX-OFFICIO BOARD MEMBERS

- Brenda Hall, City of Norman (city manager appointee)
- Dan Quinn, Norman City Council (mayoral appointee)
- Don Wood, Norman Economic Development Coalition
- John Woods, Norman Chamber of Commerce

EXECUTIVE DIRECTOR

Stephen Koranda
2424 Springer Drive, Suite 107
Norman, OK 73069
405.366.8095
Stephen@VisitNorman.com

City of Norman, OK

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

Master

File Number: K-1112-56

File ID:	K-1112-56	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**	$84,942.60	**File Created:**	10/31/2011
File Name:	K-1112-56 Firehouse Art Center Exterior Repairs			**Final Action:**	

Title: CONSIDERATION OF BID NO. 1112-26; CONTRACT NO. K-1112-56 WITH RON WALTERS CONSTRUCTION SERVICES, INC., IN THE AMOUNT OF $84,942.60, PERFORMANCE BOND NO. B-1112-13; STATUTORY BOND NO. B-1112-14; MAINTENANCE BOND NO. MB-1112-16, AND RESOLUTION NO. R-1112-39 FOR THE FIREHOUSE ART CENTER EXTERIOR REPAIRS PROJECT.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of $84,942.60 to Ron Walters Construction Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1112-56 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; and adopt Resolution No. R-1112-39.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 10

Attachments: Bid Tab Firehouse Art Center Repairs.pdf, Contract Firehouse Repairs.pdf, Bonds Firehouse Repairs.pdf, Project Agent Resolution, PR Ron Walters

Project Manager: Mitch Miles, Park Planner

Entered by: mitch.miles@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-56

Body

BACKGROUND: During the FYE 2010 and FYE 2011 Capital Budget processes, City Council approved funding for several facility maintenance projects for the Parks and Recreation Department, one of which was the Firehouse Art Center Repairs Project. That project includes replacing the store-front entry on the west side of the building, re-roofing the entire building and replacing the existing exterior vinyl siding with new Hardie System cement fiber board siding.

The new store-front entry and roof replacement portions of this project have been completed. However, while the new entry was being installed, water damage was discovered on the west wall. The necessary repairs were made and the new entry was installed. After further investigation of the building, it was determined that some of the existing siding was allowing water to penetrate behind it and damage the framing and sheathing on the buildings exterior. In preparing the specifications for this part of the project, an add-alternate was included which calls for a per square foot price to repair any other water damage if found. Any water damage found will be inspected and any and all repairs will be approved by City staff prior to the work being done. If none are discovered, then the add-alternate will not be needed.

DISCUSSION: During Fiscal Year 2010, the entry and roof repairs were completed and it was determined that the funds remaining would be combined with the funds programmed in Fiscal Year 2011 in order to maximize the exterior repairs scope of work. On September 9th and 16th, the exterior repair project was advertised for bids in the Norman Transcript, Bid News, E News, Southwest Construction News and Dodge Report. A mandatory Pre-Bid Conference was held at the Firehouse Art Center on September 20th. Five contractors attended the pre-bid conference and showed interest in the project.

Of the five contractors who attended the pre-bid conference, two submitted complete bids. The lowest and best bid was received from Ron Walters Construction Services, Inc., in the amount of $84,942.60. This amount is within the available funds for the project.

The project has a balance to pay for, if needed, any repairs required for water damage if found. The amount of water damage cannot be determined until all of the existing siding is removed and the sheathing and frame work is exposed to be inspected. Upon doing so, if it is determined that repairs are necessary the add-alternate will be executed.

A Maintenance, Statutory and Performance Bond are being provided for this project, as well as all required Affidavit, Contract, Insurance and Liability forms.

RECOMMENDATION NO. 1: It is recommended that Bid No. 1112-26 be awarded to Ron Walters Construction Services, Inc., in the amount of $84,942.60. Funding is available in Maintenance of Existing Facilities, Project No. EF0122, Firehouse Art Center, Construction (050-9677-419.61-01).

The estimated budget is $106,000.

RECOMMENDATION NO. 2: It is further recommended upon acceptance of Bid No. 1112-26 that the following contracts and bonds be approved:

Contract No. K-1112-56
Performance Bond No. B-1112-13
Statutory Bond No. B-1112-14
Maintenance Bond No. MB-1112-16

RECOMMENDATION NO. 3: It is further recommended that upon awarding of Bid No. 1112-26 that Ron Walters Construction Services, Inc., be authorized and appointed as project agent for the Firehouse Art Center Exterior Repairs Project through Resolution No. R-1112-39.

CITY OF NORMAN
Parks and Recreation Department
Norman, Oklahoma
8 November 2011

TABULATION OF BID QUOTES

The following is a tabulation of quotes received by the City of Norman for the Firehouse Art Center Exterior Repairs Project. Funding for this project is available in the Maintenance of Existing Facilities, Account Number 050-9677-419.6101, Project Number EF0122.

Bidders	Total Bid
Ron Walters Construction **Oklahoma City,OK**	**$84,942.60**
Aztec Building Solutions Norman, OK	$105,825.00
Lopp Construction Coyle, OK	No Bid
Champion Roofing Edmond, OK	No Bid
Meridian Roofing and Siding Norman, OK	No Bid

RECOMMENDATION: That the project be awarded to Ron Walters Construction, in the amount of $84,942.60, as the lowest and best bidder to meet specifications.

City of Norman

Jud Foster
Director of Parks and Recreation

Contract # K-1112-56

CONTRACT

THIS CONTRACT made and entered into this _____ day of _____ ___, 20 11, by and between

_____ as Party of the First Part, hereinafter designated as the CONTRACTOR, and the City of Norman, a municipal corporation, hereinafter designated as the City, Party of the Second Part.

WITNESSETH

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

FIREHOUSE ART CENTER EXTERIOR REPAIRS

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

WHEREAS, the Contractor in response to said Solicitation for Bids, has submitted to the City of Norman on the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and

WHEREAS, the City, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named Contractor to be the lowest and best bidder on the above-prepared project, and has duly awarded this contract to said Contractor, for the sum named in the proposal, to wit: Eighty-four thousand nine hundred forty-two and 60/100 Dollars ($ 84,942.60);

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

1. The Contractor shall, in a good and first-class, workmanlike manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this Contract and the following Contract Documents:

Specifications, Provisions and Bonds thereto, all of which documents are on file in the office of the City Clerk of the City of Norman, and are made a part of this Contract as fully as if the same were set out at length, with the following additions and or exceptions: (If none, so state.)

2. The City shall make payments to the Contractor in the following manner: On or about the first day of each month, the project engineer, or other appropriate person, will make accurate estimates of the value, based on contract prices, or work done, and materials incorporated in the

work and of materials suitably stored at the site thereof during the preceding calendar month. The Contractor shall furnish to the project engineer, or the appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate for payment must contain or have attached an affidavit as required by Senate Bills 469 of the 1974 Legislature.

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

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

3. It is further agreed that the Contractor will commence said work within 10 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same in 90 calendar days.

The Notice to Bidders published in the Norman Transcript_____, the instructions to bidders, the special and general provisions of specifications and the Contractor's bid or proposal, each of said instruments on file in the office of the City Clerk of the City of Norman, are hereby referred to and by reference thereto are made part of this contract as if fully written in detail herein or attached thereto.

To that end, no provision of this contract or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the City to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the Contractor, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligation of the Contractor; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the City or in any way to restrict the freedom of the City to exercise full discretion in its dealing with the Contractor.

4. The sworn, statement below must be signed and notarized before this Contract will become effective.

Contract # K-1112-- 56

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 12th day of October, 2011.

CORPORATE SEAL

Ron Walters Construction
Company Name

ATTEST: Susan J Sellers
Corporate Secretary

BY _____
President

STATE OF Oklahoma)
COUNTY OF Oklahoma)

Ron Walters, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by Contractor to submit the above Contract to the City. Affiant further states that Contractor has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the City any money or other thing of value, either directly or indirectly, in the procuring of the contract.

_____
President

Subscribed and sworn to before me this 12th day of October, 2011.

Susan J Sellers
Notary Public

SUSAN J. SELLERS NOTARY # 10006738 EXP. 08/17/14 PUBLIC STATE OF OKLAHOMA

My Commission Expires: 08/17/2014
Commission Number: 10006738

CITY OF NORMAN

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

_____
City Attorney

Approved by the City Council this _____ day of _____, 20___.

_____
Mayor

ATTEST:

_____
City Clerk

Surety Bond #GR19817

Bond # B-1112-13

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Ron Walters Construction Services, Inc., as Principal, and Granite Re, Inc., a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto THE CITY OF NORMAN, a Municipal Corporation and city of the first class, of the State of Oklahoma, in the full and just sum of Eighty Four Thousand Nine Hundred Forty Two & 60/100 DOLLARS, ($ 84,942.60), for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, themselves and its successors and assigns jointly and severally, firmly by these presents. Dated this 1 day of , 20 11 .

The conditions of this obligation are such, that whereas, said Principal is the lowest and best bidder for the making of the following city work and improvements, viz.:

FIREHOUSE ART CENTER EXTERIOR REPAIRS

and has entered into a certain written contract with THE CITY OF NORMAN dated October 12 20 11 , for the erection and construction of said work and improvement, which said contract is hereby made a part and parcel of this bond as if literally written herein.

NOW, THEREFORE, if said Principal shall, in all particulars, well, truly and faithfully perform and abide by said Contract and each and every covenant, condition and part thereof and shall fulfill all obligations resting upon said Principal by the terms of said contract and said specifications; and if said Principal shall promptly pay, or cause to be paid, all labor, materials and/or repairs and all bills for labor performed on said work, whether by subcontract or otherwise; and if said Principal shall protect and save harmless said City of Norman from all loss, damage and expense to life or property suffered or sustained by any person, firm, or corporation caused by said Principal or his or its agents, servants, or employees in the construction of said work, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of said Principal or his or its agents servants, or employees, and if said Principal shall protect and save the City of Norman harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void, otherwise to be and remain in full force and effect.

It is further expressly agreed and understood by the parties thereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Bond #B-1112-13

ATTEST:

Ron Walters Construction Services, Inc.
Company Name

Susan J. Sellers
Corporate Secretary

BY _____
Principal

~~ATTEST:~~ Witness
Debbie Slack
~~Corporate Secretary (Surety)~~

Granite Re, Inc.
Surety Name

BY Vicki Wilson
Surety

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 12th day of Oct., 2011 personally appeared Ron Walters to me know to be the identical person who executes the foregoing, and acknowledge to me that he executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Susan J. Sellers
Notary Public

SUSAN J. SELLERS NOTARY PUBLIC # 10006738 EXP. 08/17/14 STATE OF OKLAHOMA

My Commission Expires: 08.17.2014
Commission Number: 10006738

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

_____
City Attorney

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

_____
Mayor

ATTEST:

_____
City Clerk

Bond # SB-1112-14

STATUTORY BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Ron Walters Construction Services, Inc., as Principal, and Granite Re, Inc., a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the penal sum of Eighty Four Thousand Nine Hundred Forty Two & 60/100 DOLLARS ($84,942.60), for the payment of which well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, themselves, and its successors and assigns, jointly and severally, firmly by these presents.

Dated this _____ day of _____ October _____, 20 11.

The conditions of this obligation are such, that whereas, the above Bonded Principal Ron Walters Construction Services, Inc. is the lowest and best bidder for the making of the following City work and improvement, viz.:

FIREHOUSE ART CENTER EXTERIOR REPAIRS

and has entered into a certain written contract with THE CITY OF NORMAN, dated October 12, 20 11, for the erection and construction of said work and improvement, in exact accordance with the bid of said Principal, and according to certain specifications heretofore made, adopted and placed on file in the office of the City Clerk of the City of Norman.

NOW, THEREFORE, if the said Ron Walters Construction Services, Inc. Principal, shall well and truly pay all indebtedness incurred for labor and material and repairs to and parts for equipment furnished in the making of said public improvement incurred by said Principal or subcontractors, then this obligation shall be void. Otherwise, this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after same becomes due and payable, the person, firm, or corporation entitled thereto may sue and recover on this bond, the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said Surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Bond # SB-1112-14

ATTEST:

Susan J Sellers
Corporate Secretary

Ron Walters Construction Services, Inc.
Company Name

BY _____
Principal

~~ATTEST:~~ Witness

Debbie Slack
~~Corporate Secretary (Surety)~~

Granite Re, Inc.
Surety Name

BY Vicki Wilson
Surety

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State on this 12th day of Oct., 2011 personally appeared Ron Walters to me known to be the identical person who executed the foregoing, and acknowledged to me that he executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Susan J Sellers
Notary Public

SUSAN J. SELLERS NOTARY # 10006738 EXP. 08/17/14 PUBLIC STATE OF OKLAHOMA

My Commission Expires: 08-17-2014
Commission Number: 10006738

Approved as to form and legality this _____ day of _____, 2011.

_____
City Attorney

Approved by the Council of the City of Norman, this _____, day of _____ 20___.

ATTEST:

_____
Mayor

_____
City Clerk

Bond # MB-1112-16

MAINTENANCE BOND

Ron Walters Construction

WHEREAS, THE UNDERSIGNED Services, Inc. ___ ___, hereinafter referred to as the Principal, has entered into a certain contract dated __ ,20 11 , for the construction of:

FIREHOUSE ART CENTER EXTERIOR REPAIRS

WHEREAS, under the ordinances of said City of Norman the said Principal is required to furnish to the City a maintenance bond covering said construction, said bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of said construction.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the said Principal and Granite Re, Inc., as a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as surety, are jointly and severally, firmly held and bound unto said City in the penal sum of Dollars ($ 84,942.60), in lawful money of the United States of America, same being 100% of the cost of the construction herein referred to for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

The condition of this bond is such that if the said Principal shall keep and maintain, subject to normal wear and tear, the said construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, for a period of one year from the date of the written final acceptance thereof by the City, and shall promptly repair, without notice from the City, any and all defects or failures occurring or arising from improper workmanship, materials, or failure to protect new work until it is accepted within a period of one year without notice from said City, and without expense to said City, thence this obligation shall be null and void and of no force and effect; otherwise to be and remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the Principal to make any needed repairs upon said construction, or to maintain any part of the same, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the Principal by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the Principal at the address set forth below, then the Principal and surety shall jointly and severally be liable to the City, for the cost and expense for making such repairs, or otherwise maintaining the said construction.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said Surety has

11

Bond # MB-1112-16

caused these presents to be executed in its name its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Executed and delivered this 12th day of October, 20 11.

ATTEST: Susan J. Sellers
Corporate Secretary

Ron Walters Construction Services, Inc.
Company Name

Mailing Address of Principal:

8501 S Walker Ave

Oklahoma City, OK 73139

BY _____
Principal

Granite Re, Inc.
Surety Name

BY: Vicki Wilson
Attorney-in-Fact

STATE OF OKLAHOMA, COUNTY OF CLEVELAND,SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 12th day of Oct., 2011, personally appeared Ron Walters to me known to be the identical person who executed the foregoing, and acknowledge to me that he executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Susan J. Sellers
Notary Public

SUSAN J. SELLERS NOTARY PUBLIC # 10006738 EXP. 08/17/14 STATE OF OKLAHOMA

My Commission Expires: 08.17.2014
Commission Number: 10006738

Approved as to form and legality this ___ day of _____, 20___.

_____
City Attorney

Approved by the Council of the City of Norman, this ___ day of _____, 20___.

_____
Mayor

ATTEST: _____
City Clerk

Resolution

R-1112-39

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING RON WALTERS CONSTRUCTION SERVICES, INC., AS PROJECT AGENT FOR THE FIREHOUSE ART CENTER EXTERIOR REPAIRS PROJECT.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Ron Walters Construction Services, Inc., for the Firehouse Art Center Exterior Repairs Project; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Ron Walters Construction Services, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Ron Walters Construction Services, Inc., to purchase materials which are in fact used for the Firehouse Art Center Exterior Repairs Project; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Ron Walters Construction Services, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 22nd day of November, 2011, did appoint Ron Walters Construction Services, Inc., who is involved with the Firehouse Art Center Exterior Repairs Project an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the construction of a Firehouse Art Center Exterior Repairs Project .

PASSED AND ADOPTED THIS 22nd day of November, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000194271

STATUS: DIVISION APPROVAL

REQUISITION BY: TERRY-FOSTER

REASON: FIREHOUSE ART CENTER IMPROVEMENTS

DATE: 11/17/11

SHIP TO LOCATION: PARKS AND RECREATION

SUGGESTED VENDOR: 9729 RON WALTERS CONSTRUCTION SERVI

DELIVER BY DATE: 11/17/11

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	FIREHOUSE ART CENTER IMPROVEMENTS-COUNCIL 11/22/11 CITY COUNCIL AGENDA OF 11/22/2011 PER CONTRACT #K-1112-56 COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION AND UPGRADES	84942.60	EA	1.0000	84942.60	CONTRACTK-1112-56

REQUISITION TOTAL: 84942.60

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05096774196101	Capital Projects Construction	EF0122 Firehouse Art Ctr Imp	100.00	84942.60
					84942.60

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: E-1112-10

File ID:	E-1112-10	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/07/2011
File Name:	E-1112-10 for FYE 2011 Concrete Projects			**Final Action:**	

Title: EASEMENT NO. E-1112-10: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY EASEMENT DONATED BY KIMBERLY F. COOPER AS PART OF THE FYE 2011 CONCRETE PROJECTS.

ACTION NEEDED: Motion to accept or reject Easement No. E-1112-10; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 11

Attachments: Easement Location Map, E-1112-10

Project Manager: Jack Burdett, Engineering Assistant

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File E-1112-10

Body

BACKGROUND: On August 24, 2010 City Council approved FYE 2011 Concrete Projects, Contract No. K-1011-09. The "Sidewalks for Schools and Arterials Project" is one of these projects and is assigned to build new sidewalks along the west side of Wylie Road north of Jackson Elementary and the south side of Camden Way between Alcott Middle School and Jackson Elementary. The project on Wylie requires a connection with the Main Street sidewalk which currently has very little right-of-way to make this connection. The attached right-of-way dedication has been provided by the adjacent land owner in order to allow the sidewalk construction as well as enhancing the sight triangle at the Main Street/Wylie Road intersection.

DISCUSSION: The property owner, Kimberly F. Cooper, has donated the permanent roadway easement containing 0.0043 acres on the condition that the existing fence or new fence is relocated along the new established right-of-way line. Staff recommends acceptance of this condition included in the construction contract. The cost to relocate the fence is included in the unit price bid item for chain link fence in the current construction contract. Funds are available in the project budget to pay for the fence relocation.

RECOMMENDATION: Staff recommends the above described easement be accepted, and the filing be directed thereof.

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: E-1112-10

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

A tract of land in the Northeast Quarter (NE1/4) of Section Thirty Six (36), Township 9 North, Range 3 West of the Indian Meridian, Cleveland County Oklahoma, also being a part Lot 14, Block 1 of Edgemere Fourth Addition, a plat recorded in book 2, page 3 of the Plat Records of Cleveland County, Oklahoma being more particularly described as follows:

Beginning at northeast corner of said Lot and Block;
thence south along the east boundary of said lot and block a distance of 15.00 feet;
thence northwesterly a distance of 29.15 feet to a point on the north line of said lot and block;
thence east a distance of 25.00 feet along said north boundary line of said lot and block to the point of beginning;
containing 0.0043 acres more or less.

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

Public Sidewalk, Roadway and Drainage

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

SIGNED and delivered this 02 day of November, 2011.

BY _____ BY Kimberly F. Cooper

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 2nd day of November, 2011, personally appeared Kimberly F. Cooper, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written. Rone N. Tromble

Notary Public 07005523

My Commission Expires: June 7, 2015

OFFICIAL SEAL
RONE N. TROMBLE
Commission # 07005523
Expires June 7, 2015
NOTARY PUBLIC SEAL STATE OF OKLAHOMA

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

City Attorney

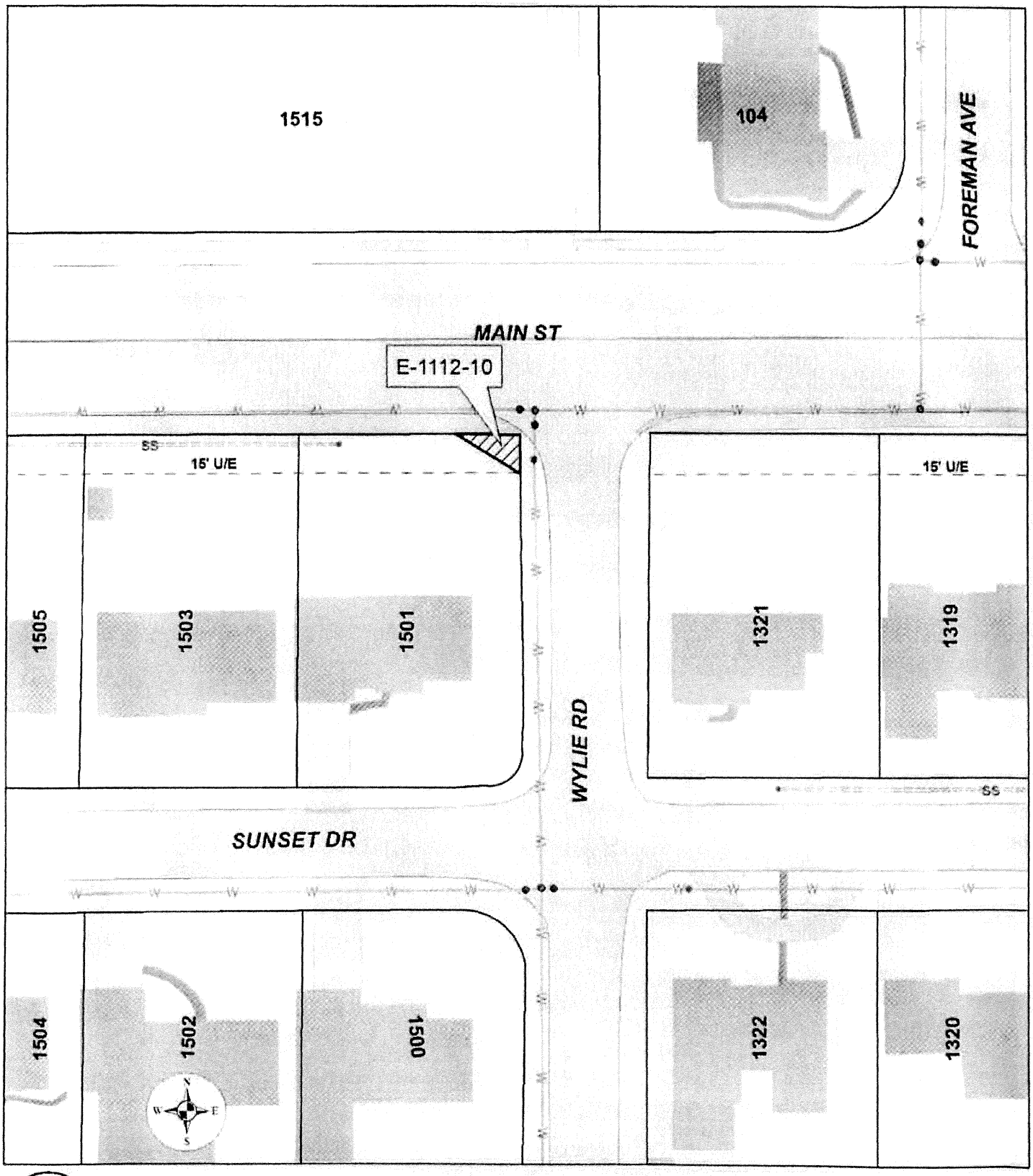
Approved and accepted by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

SEAL:



1 inch = 50 feet

1501 SUNSET DRIVE
Edgemere Fouth Add., Lot 14, Block 1

E-1112-10

City of Norman, OK

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

Master

File Number: E-1112-11

File ID:	E-1112-11	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	EASEMENT NO. E-1112-11 OG&E CNG			**Final Action:**	

Title: CONSIDERATION OF GRANTING EASEMENT NO. E-1112-11 TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE INSTALLATION OF AN ELECTRIC LINE TO THE COMPRESSED NATURAL GAS (CNG) FACILITY.

ACTION NEEDED: Motion to grant or deny the easement; and, if granted, direct the execution thereof.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 12

Attachments: E-1112-11 (CNG Facility)

Project Manager: Mike White, Fleet Superintendent

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File E-1112-11

body

BACKGROUND: On July 27, 2010, City Council approved Contract No. K-1011-49 accepting an American Recovery and Reinvestment Act (ARRA) grant in the amount of $945,000 from the Oklahoma Department of Commerce (ODOC) to construct a compressed natural gas (CNG) fast fill/slow fill public fueling station. In addition, on May 25, 2010, City Council approved Contract No. K-0910-179 accepting Association of Central Oklahoma Governments (ACOG) grant in the amount of $200,000 for the construction of a CNG slow fill station. The two grants have been combined into a joint project to develop one CNG fueling facility with both fast fill and slow fill capabilities, which will be open to the general

public.

Construction of the CNG Fueling Facility is 80% complete. The facility will be completed and open for service in December, 2011.

DISCUSSION: During design of the CNG Fueling Facility, it was determined that Oklahoma Gas & Electric Company (OG&E) must install and maintain a power line from the Flood Street right-of-way into the fueling facility property where a connection/metering station will be located. OG&E requested an exclusive utility easement for this purpose and prepared the attached easement document, legal description and drawing. The proposed easement is ten (10) feet wide and contains 0.028 acres.

RECOMMENDATION: Staff recommends that City Council dedicate the above described easement as proposed and the filing be directed thereof.

AFTER RECORDING RETURN TO:
OGE ELECTRIC SERVICES
RIGHT-OF-WAY AGENT,-M/C WNM-12
PO BOX 321
OKLAHOMA CITY OK 73101-0321

EASEMENT

Work Order #7321256

KNOW ALL MEN BY THESE PRESENTS: THAT **THE CITY OF NORMAN, OKLAHOMA, a Municipal Corporation,** Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto **OKLAHOMA GAS AND ELECTRIC COMPANY,** an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in Cleveland County, State of Oklahoma, to wit:

A part of the **NE/4, Section 24, T9N, R3W,** I.M., being part of a tract of land described in Book 2949, at Page 1266, described in Exhibit "A", and shown on Exhibit "B" attached hereto and hereby made a part of this easement.

Grantor further covenants and agrees that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantor further acknowledges the requirements of 63 Oklahoma Statutes (1991) Section 142.1, et. seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Approved this _____ day of _____, 2011, by the City of Norman.

ATTEST: _____
Brenda Hall, City Clerk

By: _____
Cindy Rosenthal, Mayor

Approved as to form this 15th day of November, 2011.

City Seal

By: _____
City Attorney

CITY ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS;
Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____, 2011, personally appeared Cindy Rosenthal, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Mayor, and acknowledged to me that she executed the same as her free and voluntary act and deed of such city, for the uses and purposes therein set forth.

My Commission Expires:_____
Commission #_____

_____
Notary Public

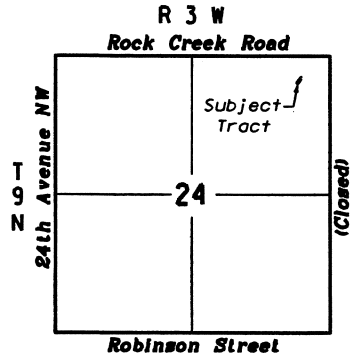
CNG Station at Goddard and Flood Avenue
Form 469 D (Rev 8/2001) SNOR_UG-C1.DOT tjb Atlas Sheet No. 059-273

EXHIBIT "A"

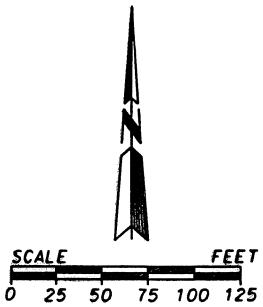
To that certain easement from City of Norman, Oklahoma, a Municipal Corporation to Oklahoma Gas and Electric Company, on the _____ day of _____, 2011.

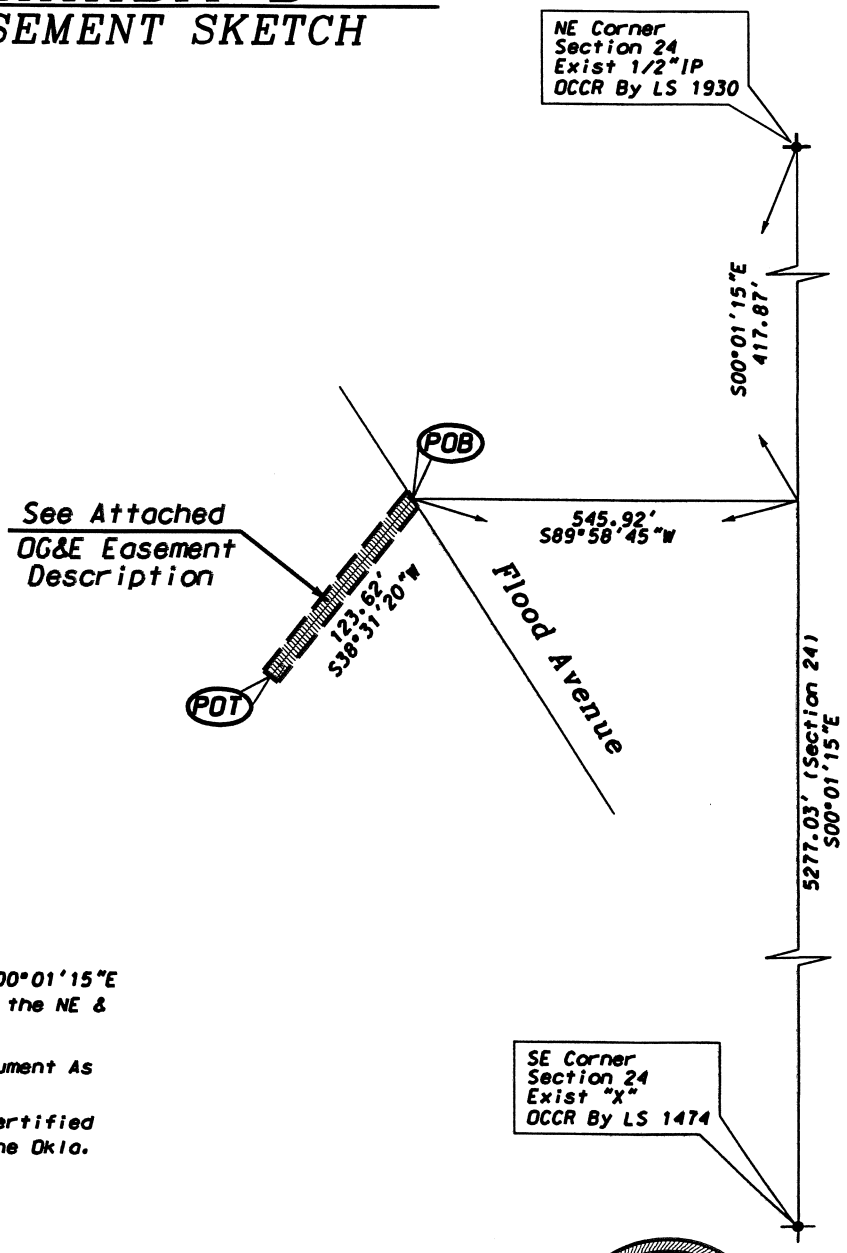
An Utility Easement in **Northeast Quarter (NE1/4) of Section Twenty-four (24), Township Nine (9) North, Range Three (3) West** of the Indian Meridian, Cleveland County, Oklahoma, written by Timothy G. Pollard, PLS 1474, on October 26, 2011, using a Deed Bearing of S00°01'15"E between existing monuments at the Northeast and the Southeast Corners of said Section 24, as a BASIS OF BEARING, and as shown on **Exhibit "B",** said easement further described as being Ten (10) feet in width Five (5) feet each side of a centerline described as:
Commencing at the Northeast corner of said NE1/4;
Thence S00°01'15"E, on the East line of said NE1/4, for a distance of 417.87 feet;
Thence S89°58'45"W for a distance of 545.92 feet to the **POINT OF BEGINNING**;
Thence S38°31'20"W, on said centerline, for a distance of 123.62 feet to the **POINT OF TERMINATION**.

EXHIBIT "B"
EASEMENT SKETCH



LOCATION MAP





Note: Bearings Are Based On S00°01'15"E Between Existing Monuments at the NE & SE Corners of of Section 24.

(●) - Indicates Existing Monument As Noted Hereon.

(OCCR) - Indicates Oklahoma Certified Corner Record on Filed With The Okla. Department of Libraries.

I, Timothy G. Pollard, a Professional Land Surveyor, herby certify that the attached drawing is a true and accurate representation of the attached easement description and is subject to all notes and qualifying statements.

Timothy G. Pollard

Timothy G. Pollard, PLS 1474
Dated: Oct.26, 2011

REGISTERED PROFESSIONAL LAND SURVEYOR
TIMOTHY G. POLLARD
1474
OKLAHOMA

OKLAHOMA GAS AND ELECTRIC COMPANY		
POLLARD & WHITED SURVEYING INC. 2514 TEE DRIVE, NORMAN, OKLAHOMA 73069 CA#2385 EXP 06-30-13 405-366-0001	OG&E EASEMENT SKETCH WO# 7321256 PART OF NE1/4 OF SECTION 24, T9N, R3W, IM NORMAN, CLEVELAND COUNTY, OKLAHOMA	REVISIONS:
DRAWN BY: T. POLLARD DATE: Oct.26, 2011	FILE #: 24-9N3W.ASC DATE: Oct.14, 2011	SCALE: 1" = 100'
APPROVED BY: D. MEEKS DATE: Oct.26, 2011	DRWG #: 24-9N3W.DGN DATE: Oct.26, 2011	SHEET 1 OF 1

City of Norman, OK

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

Master

File Number: FP-1112-8

File ID:	FP-1112-8	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/21/2011
File Name:	Brookhaven Mansions Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN MANSIONS ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W., 1195 FEET SOUTH OF WEST ROCK CREEK ROAD)

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

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 13

Attachments: Brookhaven Mansions Location Map, Brookhaven Mansions Final Plat, Staff Report Brookhaven Mansions, Brookhaven Mansions Site Plan, Brookhaven 41 Rev. Prelim. Plat, 10-13-11 PC Minutes - Brookhaven Mansions

Project Manager: Ken Danner, Development 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	10/13/2011					

Text of Legislative File FP-1112-8

body

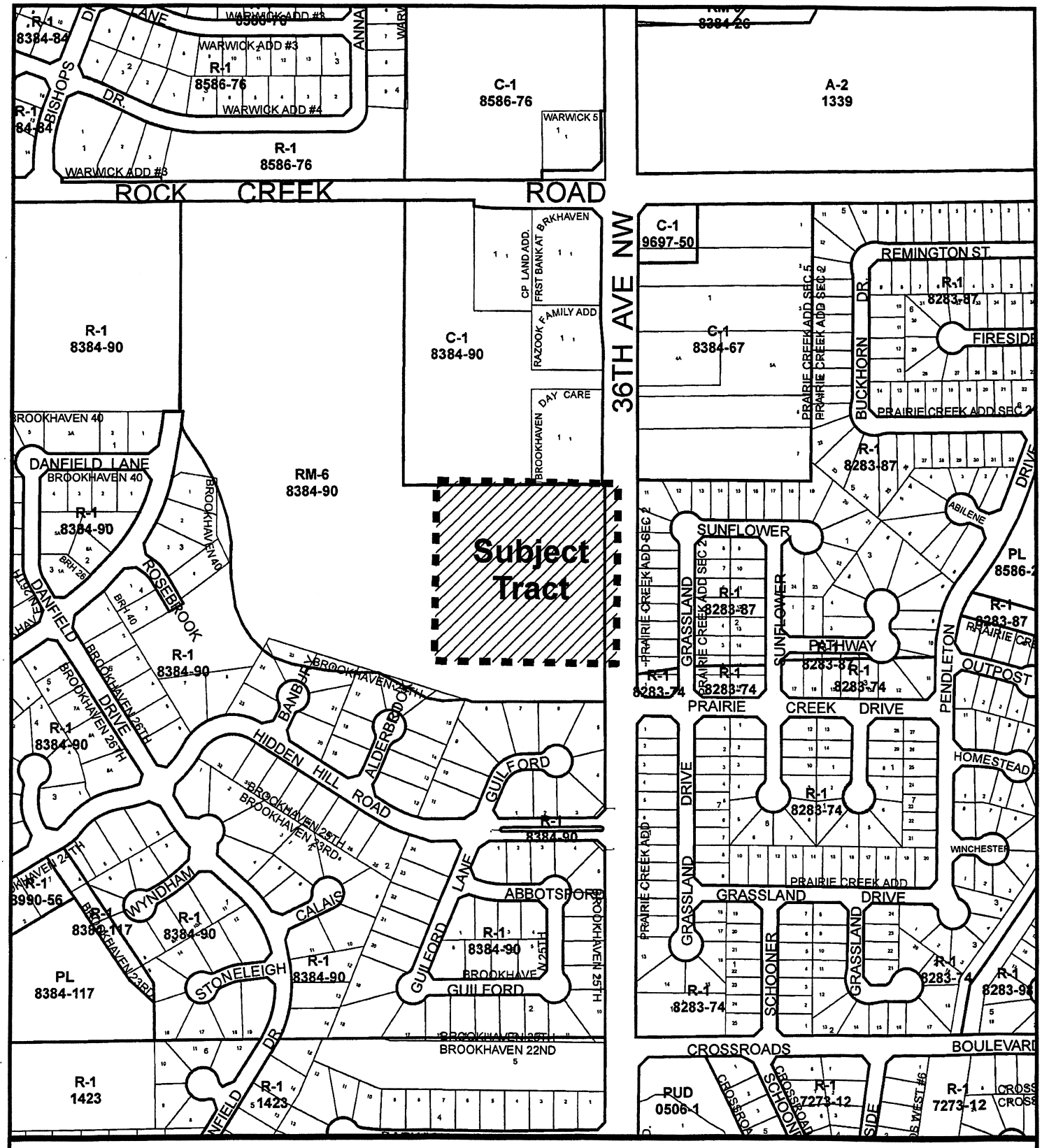
BACKGROUND: This item is a final plat for Brookhaven Mansions Addition and is generally located on the west side of 36th Avenue N.W. and 1,195 feet south of West Rock Creek Road. City Council, at its meeting of April 13, 1984, adopted Ordinance No. O-8384-90 placing this property in RM-6, Medium Density Apartment District zoning classification. City Council, at its meeting of February 26, 2008, approved the preliminary plat for Brookhaven No. 41 Addition. This property consists of one (1) lot and 7.2 acres. The proposal is for an Independent Senior Living Center, single story facility with courtyards.

Planning Commission, at its meeting of October 13, 2011, approved the final plat for Brookhaven Mansions Addition.

DISCUSSION: Construction plans have been reviewed for the required public improvements for this property. These improvements consist of sidewalks, water mains with fire hydrants, and drainage, including off plat drainage.

Park land requirements have been met for this property as part of Brookhaven Park located to the south adjacent to Brookhaven Boulevard.

STAFF RECOMMENDATIONS: The final plat is consistent with the preliminary plat. Based on the above information, staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat subject to completion of public improvements and the City Development Committee's acceptance of all required public improvements or bonds and authorizes the Mayor to sign the final plat and bonds.



Location Map

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

N W E S

October 5, 2011

0 200 400 Ft.

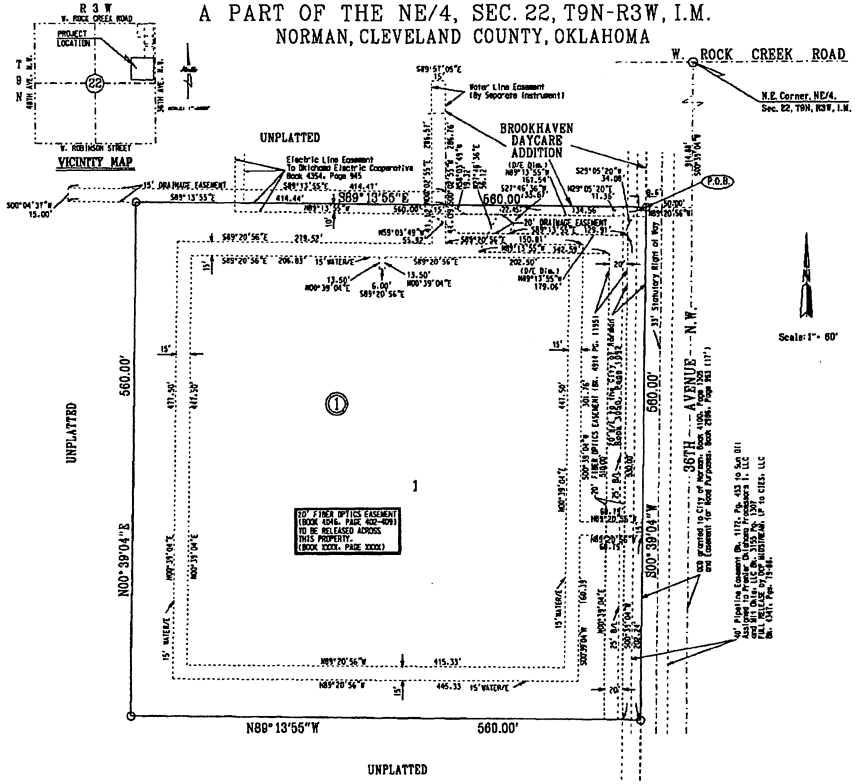
Subject Tract

Zoning

FINAL PLAT
BROOKHAVEN MANSIONS ADDITION

A PART OF THE NE/4, SEC. 22, T9N-R3W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



LEGAL DESCRIPTION:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty Two (22), Township Nine (9) North, Range Three (3) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows:

Commencing at the Northeast Corner of said NE/4;
Thence S00°39'04"E on the East Line of said NE/4 for a distance of 914.88 feet;
Thence N89°20'56"E for a distance of 60.00 feet to the POINT OF BEGINNING, said point being on the West Right-of-Way Line of 36th Avenue N.W.;
Thence S00°39'04"E on said Right-of-Way Line for a distance of 560.00 feet;
Thence N89°13'55"W for a distance of 560.00 feet;
Thence N00°39'04"E for a distance of 560.00 feet;
Thence S89°13'55"E for a distance of 560.00 feet to the POINT OF BEGINNING, containing 7.1963 acres, more or less.

BENCH MARK:

Brass Cap in top of .....
ELEV. - XXXX.XX

O Denotes 3/8" Iron Pin

ENGINEERS SURVEYORS PLANNERS **CPES** Clour Planning & Engineering Services
436 Bennister Cir., Norman, OK 73072 • 405-633-2522 • C.A. No. 5936. Exp. Date 06-30-2012

BROOKHAVEN MANSIONS ADDITION
A PART OF THE NE/4, SEC. 22, T9N-R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Drawn By: BURCHSTATION	Checked By:	Sheet 1 of 2	JOB NO. P-009
Dwg. File: P-009B.dwg	Scale: 1"=60'		
Date: 8-10-2011	Rev.:		

FINAL PLAT ITEM NO. 6

STAFF REPORT

ITEM: Consideration of a Final Plat for BROOKHAVEN MANSIONS ADDITION.

LOCATION: Generally located on the west side of 36th Avenue N.W. and approximately 1195-feet south of West Rock Creek Road.

INFORMATION:

1. Owners. Brookhaven Mansions, L.L.C.
2. Developer. Brookhaven Mansions, L.L.C.
3. Engineer. Clour Planning and Engineering Services

HISTORY:

1. March 8, 1984. Planning Commission, on a vote 8-0, recommended to City Council that this property be placed in R-1 and removed from A-2 zoning classification.
2. March 8, 1984. Planning Commission approved the preliminary plat for Brookhaven 22nd Addition.
3. April 3, 1984. City Council adopted Ordinance No. O-8384-90 placing this property in RM-6 and removing it from A-2 zoning classification.
4. July 14, 1988. Planning Commission, on a vote of 7-0, approved the revised preliminary plat for Brookhaven 22nd Addition.
5. May 13, 1993. Planning Commission, on a vote of 9-0, approved the revised preliminary plat for Brookhaven No. 26 Addition.
6. June 13, 2002. Planning Commission, on a vote of 7-0, recommended to City Council that the preliminary plat for Brookhaven No. 38 Addition be approved.

HISTORY (con't):

7. August 13, 2002. City Council approved the preliminary plat for Brookhaven No. 38 Addition.

8. August 13, 2007. The preliminary plat approval for Brookhaven No. 38 Addition became null and void.

9. January 10, 2008. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Brookhaven No. 41 Addition be approved.

10. February 26, 2008. City Council approved the preliminary plat for Brookhaven No. 41 Addition.

IMPROVEMENT PROGRAM:

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

2. Permanent Markers. Permanent markers will be installed prior to City acceptance of street improvements.

3. Sanitary Sewers. Sanitary sewer main is existing.

4. Sidewalks. Sidewalks will be constructed adjacent to 36th Avenue N.W.

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Storm water will be conveyed to a redesigned off plat privately-maintained detention pond.

6. Streets. Thirty-sixth Avenue N.W. is existing.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards to provide fire protection. There is an existing twelve-inch (12") water main adjacent to 36th Avenue N.W.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat. An off plat drainage easement will be submitted for the off plat drainage detention pond.

2. Rights-of-Way. Street right-of-way has previously been dedicated.

3. Park Land Dedication. Park land requirements have been met for the preliminary plat for Brookhaven No. 41 Addition. Brookhaven Park met the requirements for this area.

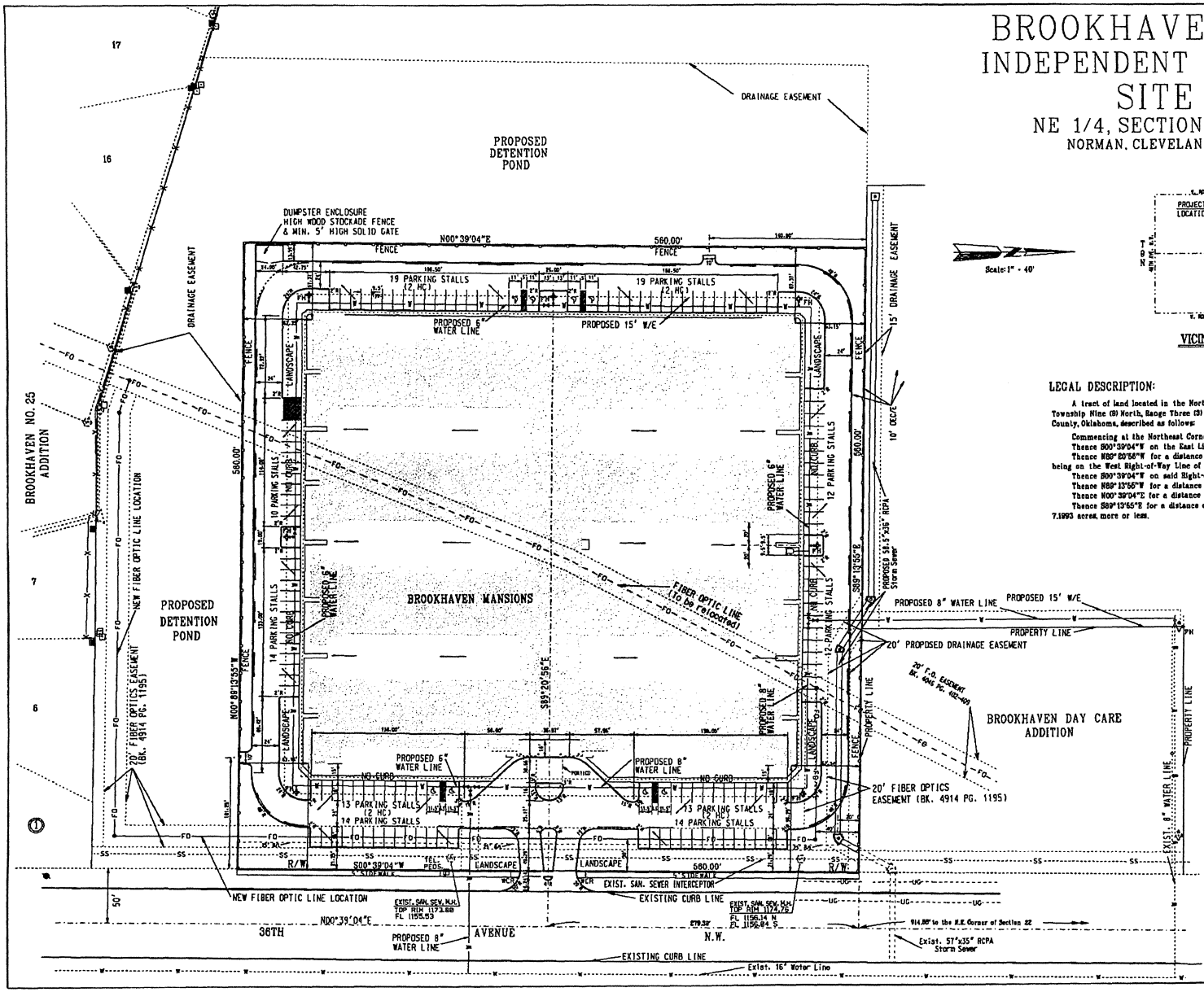
SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final plat, and site plan are included in the Agenda Book.

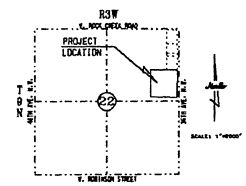
STAFF COMMENTS AND RECOMMENDATION: The owner proposes to develop a single lot independent living center. Staff recommends approval of the final plat for Brookhaven Mansions Addition.

ACTION NEEDED: Approve or disapprove the Final Plat for Brookhaven Mansions Addition.

ACTION TAKEN:_____

BROOKHAVEN MANSIONS
INDEPENDENT LIVING CENTER
SITE PLAN
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





VICINITY MAP

LEGAL DESCRIPTION:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty Two (22), Township Nine (9) North, Range Three (3) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows:

Commencing at the Northeast Corner of said NE/4:
Thence S00°39'04"W on the East Line of said NE/4 for a distance of 914.88 feet:
Thence N89°20'56"W for a distance of 50.00 feet to the POINT OF BEGINNING, said point being on the West Right-of-Way Line of 36th Avenue NW:
Thence S00°39'04"W on said Right-of-Way Line for a distance of 560.00 feet:
Thence N89°13'55"W for a distance of 560.00 feet:
Thence N00°39'04"E for a distance of 560.00 feet:
Thence S89°13'55"E for a distance of 560.00 feet to the POINT OF BEGINNING, containing 7.1993 acres, more or less.

LEGEND

- DRAINAGE ARROWS
- PROPOSED WATER LINE
- EXISTING WATER LINE
- 8' STOCKADE FENCE W/BRICK COLUMNS
- EXISTING FIBER OPTICS LINE
- PROPOSED FIBER OPTICS LINE
- EXISTING SANITARY SEWER LINE
- EXISTING UNDERGROUND UTILITY
- FH PROPOSED FIRE HYDRANT

PARKING COUNT SUMMARY		
PARKING LOT:	PARKING SPACES:	HANDICAP PARKING SPACES:
NORTH	24	-
SOUTH	24	-
EAST	50	4
WEST	34	4
TOTAL	132	8

ENGINEERS SURVEYORS PLANNERS
C.A. No. 5976 Exp. Date 06-26-2012 • 408 Bernister Ct., Norman, Ok. • 405-833-2522

CPES
Clour Planning & Engineering Services

BROOKHAVEN MANSIONS
INDEPENDENT LIVING CENTER
SITE PLAN
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Drawn By: [illegible] Checked By: _____
Dwg. File: [illegible]
Date: 06-14-2011 Rev.: _____

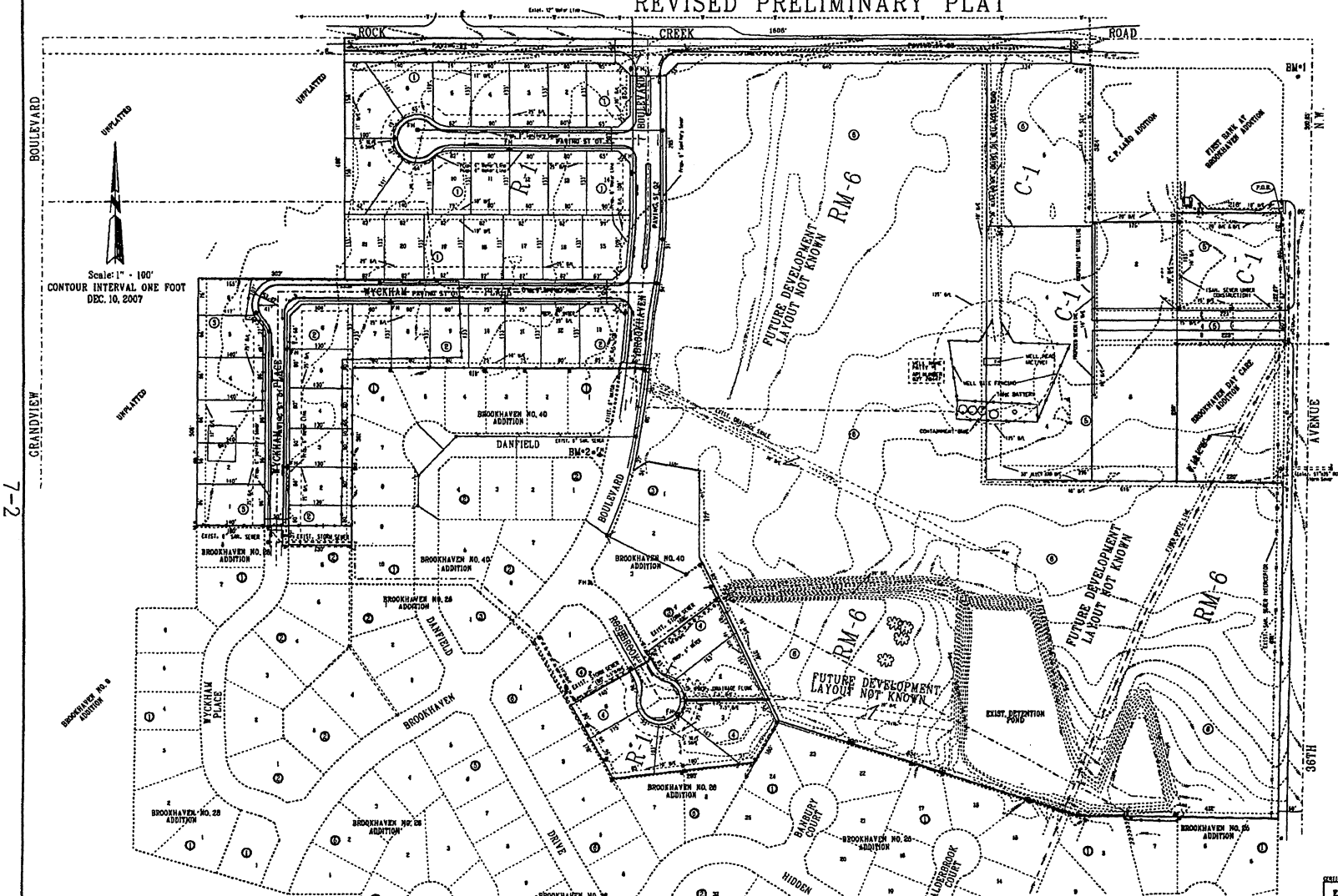
Sheet 2 of 2

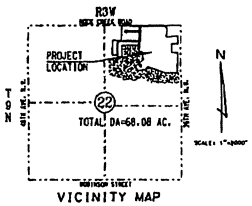
JOB NO. P-009

BROOKHAVEN NO. 41 ADDITION

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

REVISED PRELIMINARY PLAT





VICINITY MAP

Sidewalks to be constructed in accordance with the Standards of The City of Norman on each lot including Rock Creek Road. Sidewalks are not shown on this drawing for clarity.

ZONING
EXISTING ZONING R-1, RM-6 AND C-1
PROPOSED ZONING - SAME

OWNER:
Cies Properties Inc.
1203 Brookhaven Boulevard
Norman, Oklahoma 73072
405-329-0256

ENGINEER/SURVEYOR
CLOUR ENGINEERING OF OKLAHOMA, INC.
Phil Clour, P.E. No. 10849, L.S. No. 1160
2113 Goddard Avenue
Norman, Oklahoma 73069

THE SUBJECT PROPERTY SHOWN HEREON IS ABOVE AND OUTSIDE THE 100 YEAR FLOOD LIMITS AS SHOWN ON THE (FIRM) FLOOD INSURANCE RATE MAP NO. 40027C0060F DATED MARCH 17, 1997

THE SMALL GROUP OF TREES SHOWN WEST OF THE DETENTION POND ARE LOCATED BY AERIAL PHOTOGRAPHY. THEIR SIZE IS NOT KNOWN. THEY ARE NOT IN THE AREA BEING CONSIDERED FOR DEVELOPMENT AT THIS TIME.

46 SINGLE FAMILY LOTS
29.75 ACRES OF RM-6
NOT DIVIDED INTO LOTS
5 COMMERCIAL LOTS

THE EXISTING OIL WELL, (PATTY #1), SHOWN HEREON IS AN ACTIVE WELL. IT MAY REMAIN IN PRODUCTION FOR SOME TIME TO COME.
THE OIL WELL ACCESS ROAD IS TEMPORARY, AND ACCESS ACCEPTABLE TO THE CITY OF NORMAN WILL BE RELOCATED WHEN LOTS 4 AND 5 ARE DEVELOPED.
THE RM-6 PROPERTY HAS NOT BEEN SUBDIVIDED INTO LOTS ON THIS PRELIMINARY PLAT. CITY REQUIREMENTS WILL BE MET BEFORE DEVELOPMENT IN BLOCK 6 CAN BE FINAL PLATTED.

CERTIFICATE OF AUTHORIZATION NO. 1712 EXP. DATE 6-30-2009

ENGINEERS
SURVEYORS
PLANNERS

CLOUR
Engineering of Oklahoma, Inc.

BROOKHAVEN NO. 41 ADDITION
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
REVISED PRELIMINARY PLAT

Drawn By: WICHOLTAYER Checked By:			JOB NO.
Dwg. File: P7071 Preliminary Plat.dgn		Sheet of	P-7071
Date: 11-14-2007 Rev.:			

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 13, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of October 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Diana Hartley Tom Knotts Curtis McCarty (arrived at 6:38 p.m.) Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Cynthia Gordon Chris Lewis Roberta Pailes

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst

* * *

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

Item No. 3, being:
APPROVAL OF THE SEPTEMBER 8, 2011 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1112-6 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UTC AREA SIX, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION V, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 2, BLOCK 2, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF MOUNT WILLIAMS DRIVE.

Item No. 5, being:
FP-1112-7 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR GREENLEAF TRAILS ADDITION, SECTION 5, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE N.W. APPROXIMATELY ¼ MILE SOUTH OF TECUMSEH ROAD.

Item No. 6, being:
FP-1112-8 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BROOKHAVEN MANSIONS, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN MANSIONS ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W. AND 1195 FEET SOUTH OF ROCK CREEK ROAD.

*

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

Mr. Trachtenberg asked the status of item 5, since the City Council approved a final plat in January and the final plat was filed on February 23, 2011. Mr. Danner explained that this is a replat of Lot 2 to take in some additional unplatted property to the north to create a larger lot.

Diana Hartley moved to place approval of Item Nos. 3 through 6 on the Consent Docket and approve by one unanimous vote. Tom Knotts seconded the motion.

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

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

Recording Secretary Roné Tromble announced that the motion, to place approval of Item Nos. 3 through 6 on the Consent Docket, passed by a vote of 5-0.

* * *

Item No. 6, being:
FP-1112-8 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY BROOKHAVEN MANSIONS, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN MANSIONS ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W. AND 1195 FEET SOUTH OF ROCK CREEK ROAD.

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

The Site Plan and the Final Plat for BROOKHAVEN MANSIONS ADDITION were approved on the Consent Docket by a vote of 5-0.

* * *

City of Norman, OK

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

Master

File Number: CPC-1112-1

File ID:	CPC-1112-1	**Type:**	Certificate of Plat Correction	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/08/2011
File Name:	Certificate of Plat Correction OEC Hemphill Addition			**Final Action:**	

Title: CONSIDERATION OF APPROVAL OF CERTIFICATE OF PLAT CORRECTION NO. CPC-1112-1 FOR OEC HEMPHILL ADDITION. (GENERALLY LOCATED SOUTH OF HEMPHILL DRIVE AND WEST OF 24TH AVENUE N.W.)

ACTION NEEDED: Motion to approve or reject Certificate of Plat Correction No. CPC-1112-1 in connection with OEC Hemphill Addition; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 14

Attachments: OEC-Plat Correction, OEC-SMC Ltr

Project Manager: Ken Danner, Development Manager

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File CPC-1112-1

Body

BACKGROUND: The final plat for OEC Hemphill Addition was approved by City Council at its meeting of November 10, 2009. OEC Hemphill Addition is a single lot subdivision of land located south of Hemphill Drive and west of 24th Avenue N.W. Oklahoma Electric Cooperative (OEC) recently completed the construction of a new office and staging facility on this lot. It was filed of record with the Cleveland County Clerk on July 29, 2011. It has been determined that certain scrivener's errors have been found within the plat. Title 11.0S, 1983,

§41-115 permits or provides a method of amending or correcting final plats subject to the governing body of a City approving such changes.

DISCUSSION: The engineer/surveyor has indicated there is one (1) correction regarding the final plat. There is a looped public water line that provides fire protection and was platted in a designated fifteen-foot (15') utility easement. There is not a need for other utility companies to be within this easement. Therefore, the water line should have been installed within a designated fifteen-foot (15') water line easement.

RECOMMENDATION: It is recommended that the error in question be corrected since a procedure has been established without the requirement for District Court action. Staff recommends approval of Certificate of Plat Correction No. CPC-1112-1 for the above-mentioned subdivision.

CERTIFICATE OF REGISTERED LAND SURVEYOR
CORRECTION OF PLAT

STATE OF OKLAHOMA)
) SS:
COUNTY OF CLEVELAND)

1. The undersigned, John Powers, the Registered Land Surveyor who executed the subdivision plat of OEC Hemphill Addition, an addition to the City of Norman, Oklahoma, being a part of the S.E. ¼ of Section 26, Township 9 North, Range 3 West, of the Indian Meridian, certifies that said Plat was duly filed and recorded in Plat Book 22, Page 191 of the records in the office of the County Clerk of Cleveland County, Oklahoma.

2. The surveyor hereby certifies that said instrument is being corrected as follows;

Corrected 15' Utility easement to be 15' City of Norman waterline easement

(as shown on Exhibit "A")

This revision is hereby amended and corrected by the certificate pursuant to the provisions of Section 41-115 of Title 11 of the Oklahoma Statutes.

Dated this 21ST day of OCTOBER, 2011.

REGISTERED PROFESSIONAL LAND SURVEYOR
JOHN POWERS
L.S. 1369
OKLAHOMA

John Powers, L.S. 1369

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

Before me, the undersigned Notary Public, in and for said County and State, on this 21st day of October, 2011, personally appeared John Powers, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

LAURA L. PONS
NOTARY
03006929
EXP. 06/01/15
PUBLIC
STATE OF OKLAHOMA

My Commission Expires: 6-1-15 Laura L Pons
Notary Public

APPROVED by the Council and SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, on this _____ day of _____, 2011.

ATTEST: _____
MAYOR

_____
CITY CLERK

REVIEWED for form and legality.

RB 10-25-11
ASSISTANT MUNICIPAL COUNSELOR

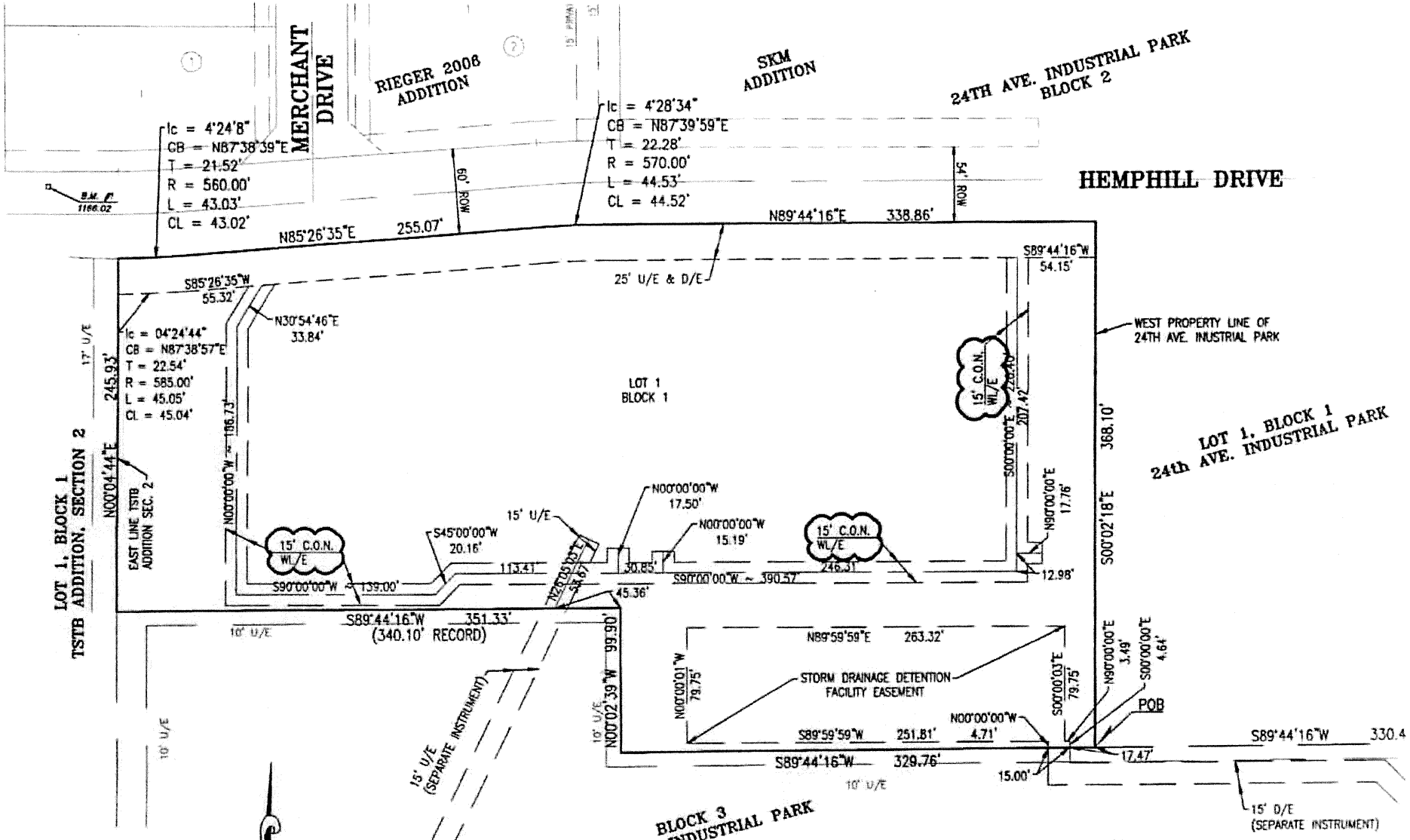


EXHIBIT "A"
PLAT CORRECTION
OEC HEMPHILL ADDITION

15' C.O.N. WL/E = 15' CITY OF NORMAN WATERLINE EASEMENT

SCALE: 1" = 100'

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

October 21, 2011

Mr. Ken Danner
Development Coordinator
City of Norman
P.O. Box 370
Norman, Oklahoma 73070
Ph. : 366-5458

Re : Final Plat – Plat Correction
OEC Hemphill Addition
Norman, Oklahoma
SMC Project No. 4540.00

Dear Mr. Danner,

Here is a Plat Correction for OEC Hemphill Addition. This plat correction is to correct the 15' Utility easement to be a 15' City of Norman Waterline easement.

Please proceed with getting it signed at City Council.

Sincerely,

SMC Consulting Engineers, P.C.

Ole M. Marcussen, P.E.

c.c. Patrick Grace, OEC
Harold Heiple, Attorney
File

City of Norman, OK

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

Master

File Number: EN-1112-4

File ID:	EN-1112-4	**Type:**	Encroachment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/09/2011
File Name:	Encroachment OEC			**Final Action:**	

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-4 FOR LOT 1, BLOCK 1, OEC HEMPHILL ADDITION, TO BUILD A CANOPY ON THE EAST SIDE OF THE NEW OKLAHOMA ELECTRIC COOPERATIVE OFFICE BUILDING LOCATED ON SOUTH SIDE OF HEMPHILL DRIVE WEST OF 24TH AVENUE N.W.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-4; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 15

Attachments: EN-1112-4, Request Packet, Danner Memo, Speck memo

Project Manager: Blaine Nice, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File EN-1112-4

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Harold Heiple on behalf of Oklahoma Electric Cooperative (OEC), requesting a Consent to Encroach into a City of Norman water line easement at the above-described property.

DISCUSSION: The application for a consent to encroach concerns the encroachment upon a City of Norman water line easement in order to accommodate the canopy on the east side of

the new Oklahoma Electric Cooperative office building located on the south side of Hemphill Drive west of 24th Avenue N.W. The canopy is 11' above ground level and runs the length of their building's east side. Staff has reviewed the application and the "hold harmless" clause. Therefore, 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 easement.

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 such 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.

CONSENT
Consent to Encroachment No. 1112-4

WHEREAS, the City of Norman, Cleveland County, is in possession of a water line easement on the land described as follows, to-wit:

> Lot, 1, Block 1, OEC Hemphill Addition, Cleveland County, Oklahoma; subject easement is fifteen feet (15') wide with a centerline more particularly described as: Begin 61.65' West and 25' South of the NE Corner of OEC HEMPHILL ADDITION, then running South a distance of 220.40';

AND WHEREAS, the owner of the above-described property requests that a canopy which is 11' above ground level that runs the length of their building's east side be allowed to encroach upon an existing water line easement;

AND WHEREAS, the City has been requested to consent in writing for canopy which is 11' above ground level that runs the length of their building's east side being located at the requested location;

NOW, THEREFORE, the City of Norman does hereby consent to said a canopy which is 11' above ground level that runs the length of their building's east side being within and upon the water line easement with the following conditions:

1. The property owner be responsible for the cost of repairs for any damages to the canopy caused by any excavation or other construction activities conducted by the City; and

2. The property owner will be responsible for any damages to the City's water line as a result of property owner's repair or maintenance of canopy; and

3. The property owner will be responsible for the cost the City incurs to remove any or all of the canopy which is 11' above ground level that runs the length of their building's east side, if needed, to facilitate maintenance or repair of the City's water line easement; and

4. The property owner will be responsible for the cost to repair or replace any or all of canopy which is 11' above ground level that runs the length of their building's east side for such repairs.

5. The property owner waives and releases any claims against the City for any damages to any or all canopy which is 11' above ground level that runs the length of their building's east side caused by any excavation by the City for purposes of maintaining or replacing the City's water line facilities within the easement area.

The consent is limited to the canopy as indicated in the application being located within the water line 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 water line easement as required at any time in the future.

The City, or any other entity so authorized, shall not be held responsible for any and all direct or consequential damages to encroaching improvements resulting from entry, by the City or any other entity so authorized, upon said water line easement, for any purpose associated with the maintenance, construction, relocation, etc. of any water line located within the said easement.

IN WITNESS WHEREOF, the undersigned has executed this consent this ____ day of _____, 2011.

THE CITY OF NORMAN, OKLAHOMA

_____
Mayor

ATTEST:

_____
City Clerk

On this _____ day of _____, 2011, before me personally appeared _____ _____, to me to be known to be the identical persons who executed the same as their free and voluntary act and deed of such municipal corporation, for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

My Commission Expires:

_____
Notary Public

_____

OWNER:
Oklahoma Electric Cooperative

By: _____
Max Meek, Chief Executive Officer

On this 16th day of November, 2011, before me personally appeared MAX H. Meek 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.

Tempie Power #5703
Notary Public

My Commission Expires: May 1, 2012

TEMPIE POWER
Notary Public - State of Oklahoma
McClain County
Commission # 00005703
My Commission Expires May 1, 2012

The City of Norman
Post Office Box 370
Norman, OK 73070

office memorandum

DATE: November 4, 2011

TO: Jeff Bryant, City Attorney
Doug Koscinski, Current Planning Manager
Ken Danner, Development Coordinator
Ken Komiske, Director of Utilities

FROM: Brenda Hall, City Clerk

SUBJECT: Request Consent to Encroachment No. 1112-4

I am in receipt of an encroachment request for permission to encroach on a utility easement in Lot 1, Block 1, OEC Hemphill Addition, to build a canopy, which is 11 feet above ground level that runs the length of the building's east side. The legal description states the subject easement is fifteen feet wide with a centerline more particularly described as beginning 61.65 feet west and 25 feet south of the northeast corner of OEC Hemphill Addition then running south a distance of 220.40 feet I am forwarding the letter of request and site plan. 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.

Due to ongoing construction at this location, the item will be scheduled as an agenda item on November 22, 2011, and the **information must be received in my office by November 11, 2011**. If there is a problem in meeting that timeframe, please advise.

smr
attachments

HEIPLE LAW OFFICES, INC.

218 East Eufaula
P. O. Box 847
Norman, OK 73070
(405) 321-0090

FAX (405) 321-9763
heiplelaw@cox.net

October 22, 2011

City of Norman
ATTN: City Clerk Brenda Hall
Norman City Hall (*hand-delivered*)

RE: OEC Hemphill Drive new building

Ladies and Gentlemen:

This office represents Oklahoma Electric Cooperative ("**OEC**"). This letter is to address a point that has been raised by City inspectors regarding the captioned facility which has been completed.

Canopy over water line easement prohibition: A buried main City water line enters the building on the East side and furnishes all water to the facility. There is a canopy which is 11 feet above ground level that runs the length of the building's East side. Technically, the canopy constitutes a "*structure*" and City code says that no structure can be built within a City utility easement. Apparently, the canopy was not shown on the particular set of building plans that was approved by the City, although the canopy was shown on other documents at City Hall, according to my understanding. City officials do not want to be responsible for any damage that might be done to the canopy by City crews working on the subject water line.

The water line lies within a City water line easement which is 15 feet wide (*see attached map*). The filed Plat incorrectly shows the easement as a "*utility*" easement. There are no other utilities located in, or contemplated for, that easement. Tom McCaleb's office has prepared a Plat correction to reflect that the easement is a "City *water line* easement".

OEC requests that the City Council approve the canopy, as currently installed. If the City Council consents to the canopy's encroachment into the water line easement, OEC agrees to hold the City of Norman harmless from any claim and/or payment for damages to the canopy that might result when City crews and/or City contractors are working on the subject line. If there are questions or problems, we will be happy to meet at City Hall with City officials. Thank you.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-24-11

Sincerely,

Harold Heiple

H. L. Heiple

HLH:db
cc: Ken Danner
Client and Tom McCaleb

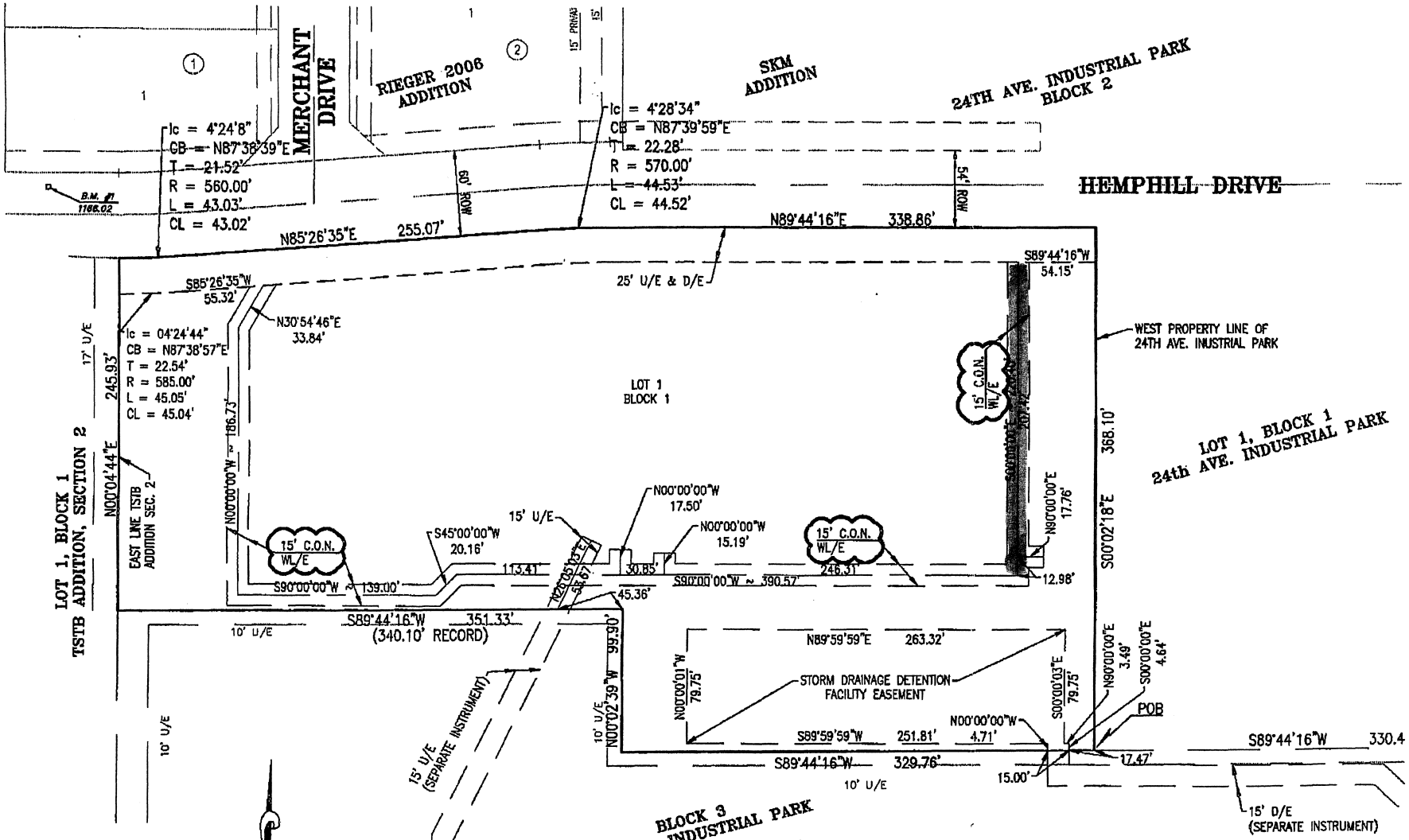


EXHIBIT "A"
PLAT CORRECTION
OEC HEMPHILL ADDITION

15' C.O.N. WL/E = 15' CITY OF NORMAN WATERLINE EASEMENT

SCALE: 1" = 100'

office memorandum

Date: November 9, 2011

To: Blaine Nice, Assistant City Attorney

From: Ken Danner, Subdivision Development Manager K.D.

Subject: Consent to Encroach
Lot 1, Block 1, OEC Hemphill Addition
2520 Hemphill Drive

OEC went through the platting process and has installed the required public improvements. To expedite the completion of the building, concurrent construction was approved by the Development Committee. In the course of concurrent construction, a canopy was constructed over a fifteen foot (15') easement containing a public six inch (6") water main.

Through the submittal of site plans, building permit application and water line construction plans only two drawings made reference to the canopy. It would had been City staff's desire that the canopy would not have been installed. However, since the canopy is existing there is a mechanism to protect the City during any maintenance of the water main and that the City be held harmless to any damages to the structure encroaching the easement. Public Works/Engineering will yield to the Utilities Department regarding their responses to this encroachment. OEC officials may want to entertain the re-routing of the water line outside of the encroachment at some time in the future.

Utility companies were not notified of the encroachment because the easement was intended for public water improvements only. I have prepared an item for the correction of plat and the description of the easement as an item on this agenda.

If you have any further questions, please feel free to contact me.

Reviewed by: Shawn O'Leary, Director of Public Works SOL

cc: Brenda Hall, City Clerk
Ken Komiske, Director of Utilities

office memorandum

Date: November 9, 2011

To: Brenda Hall, City Clerk

From: Jim Speck, Capital Projects Engineer JS

Re: Consent to Encroach 1112-4
Lot 1, Block 1, OEC Hemphill Addition

Lot 1, Block 1, OEC Hemphill Addition has a platted 15-foot wide Waterline Easement (WL/E) that contains an 6-inch public water line. The owner requests construction of a canopy to a commercial building that will cover the water line and the supporting columns to the canopy which will encroach into the easement.

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 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 or his agents.
2. The property owner will be responsible for the cost the City incurs to remove any fence, curb, landscaping, building, paving, and any other structure if needed to facilitate maintenance or repair of the City's utilities.
3. The property owner will be responsible for the cost to repair or replace any fence, curb, landscaping, building, paving, or any other structure after such repairs.
4. The property owner will waive and release any claims against the City for any damages to the building and related improvements caused by a failure, repair and/or maintenance of the City's utilities.

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

City of Norman, OK

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

Master

File Number: SC-1112-6

File ID:	SC-1112-6	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$3,130.15	**File Created:**	11/07/2011
File Name:	Special Claim First Baptist Church			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1112-6: A CLAIM IN THE AMOUNT OF $3,130.15 SUBMITTED BY FIRST BAPTIST CHURCH FOR COSTS INCURRED DUE TO AN OFFSET SEWER MAIN CAUSING A SEWER BACKUP AT 211 WEST COMANCHE STREET.

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1112-6; and, if approved, direct payment in the amount of $3,130.15 contingent upon obtaining a Release and Covenant Not to Sue from First Baptist Church.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 16

Attachments: Memo First Baptist Church, Claim First Baptist Church

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File SC-1112-6

body

BACKGROUND: A claim has been filed by First Baptist Church in the amount of $3,130.15 for reimbursement of plumbing expenses and employee wages during July, 2011 due to sewer backups at First Baptist Church located at 211 W. Comanche Street. Roy Joe Ham, FBC Minister of Administration, claims the City sewer main had a slipped tap which caused these backups.

DISCUSSION: This incident was investigated by Ken Mowdy, Utilities Inspector. Mr. Mowdy advises that during the Sewer Maintenance Project 2003, this main line was broken and the main slipped inside the manhole about 3 or 4 inches causing an offset between the saddle tap and the main. While the main was properly repaired during the Sewer Maintenance Project 2003, the type of material used during the original repair at that time and external conditions could have created a situation that caused the line to slip or move a second time which would cause a backup situation such as that one experienced by First Baptist Church.

While there is no way of knowing exactly when the line shifted for the second time, Mr. Mowdy advises that this has been an occasional problem since the Sewer Maintenance Project 2003. Therefore, upon investigation of this incident, it appears there is possible negligence on the part of the City in this matter, and consequently, potential liability on the City.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of First Baptist Church in the amount of $3,130.15, as set forth above, be approved.

office memorandum

DATE: August 4, 2011

TO: Ken Komiske, Director of Utilities
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk BH

SUBJECT: Claim from First Baptist Church, Norman

I am in receipt of a claim from First Baptist Church, Norman, (FBC) located at 211 W. Comanche Street, in the amount of $3,130.15 for plumbing expenses and employee wages due to their claim the City of Norman's sewer main had a slipped tap. On July 14, 2011, FBC claims they had a sewer backup and FBC Staff worked and thought they got the line cleared. On July 15, 2011, FBC said the sewer backup occurred again, but the FBC Staff could not clear the obstructed sewer main and contacted Bob Usry Plumbing to clear the sewer line. Bob Usry Plumbing was able to only partially clear the line at that time and planned to return July 16, 2011 with more equipment to fully clear the line.

Another sewer backup occurred on July 17, 2011, and Bob Usry Plumbing was contacted again but was unable to fully clear the sewer line. On July 18, 2011, Bob Usry Plumbing discovered a major blockage in the sewer line when they used a line camera.

FBC claims on July 20, 2011, the City of Norman Line Maintenance Division, TV'd the sewer line and discovered FBC had a slipped tap just west of the manhole in the alley sidewalk along Webster Avenue. Mr. Roy Joe Ham, FBC Minister of Administration, spoke with Mr. Johnny McCarrell at Line Maintenance who said the City would make plans to repair the sewer line and the City of Norman hired a private contractor who made the repairs on July 22, 2011.

Ken, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:kjc
attachments

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: First Baptist Church, Norman DATE: 8/4/2011

ADDRESS: 211 W. Comanche CITY Norman

STATE: OK ZIP: 73069 PHONE: (H) _____ (W) 405-321-1753

DATE OF INCIDENT: 7/14 - 7/22, 2011

LOCATION OF INCIDENT: 211 W. Comanche

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

See Attached

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment: See Attached

USRY Plumbing	$ 2540.95		$
First Baptist Church	$ 589.20		$
	$		$

TOTAL AMOUNT CLAIMED: $ 3130.15

NAME AND ADDRESS OF INSURANCE COMPANY: No Claim Made

_____ AGENT: _____

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

CLAIMANT'S SIGNATURE

FIRST BAPTIST
Loving People, Teaching the Word, Living the Journey

Roy Joe Ham
Minister of Administration
211 W. Comanche
Norman, OK 73069
405-321-1753
royjoeh@fbcnorman.org

August 4, 2011

City of Norman Tort Claim
Statement of Circumstances

Thursday July 14, 2011

We began experiencing sewer back up in our west basement area. Our maintenance/custodial staff thought they got the line cleared and cleaned the area.

Friday July 15

During our evening Vacation Bible School the backup occurred again, on a much grander scale. Our staff could not clear the obstruction, so Usry Plumbing was called. They worked Friday night and got the line partially cleared to get the water flowing, with plans to bring more equipment in on Saturday to fully clear the line.

Sunday July 17

Just at the end of our Bible Study time, and beginning of worship major backup and overflow began. Got the situation stopped with no activities later in the day, and scheduled Usry back on Monday.

Monday July 18

Usry came again and got it cleared to a point that liquids would flow but could not get the line fully cleared.

Tuesday July 19

Usry came with their line camera and discovered a major blockage in the line about 20 ft from the sewer line tap.

Wednesday July 20

City of Norman Line maintenance came and TV'd the Line. Discovered FBC has 5 taps along the alley north of our main building and the western most tap, (Just west of the manhole in the alley sidewalk along Webster) had what appeared to be a slipped tap. Usry began making plans to dig the tap up and verify the conditions.

Late on Wednesday Roy Joe Ham, Minister of Admin. at First Baptist Church called the line maintenance department and talked with Johnny McCarrell to see if the City too might believe to be a slipped tap and this be more of a city issue, and their need to have it excavated and repaired. He agreed and plans began to make the repairs. FBC called and cancelled future work by Usry at that time.

Thursday July 21

Roy Joe Ham met with City utility staff on site and plans were made for them to make the repairs on Friday July 22.

Friday July 22

The city had a private contractor make the repairs and completed the issues facing First Baptist Church.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/3/11

City of Norman Tort Claim continued.

Expenses incurred:

Usry Plumbing $2540.95 Invoice attached

First Baptist Maintenance and Janitorial staff expenses.

(Equipment and cleaning chemicals are not included in claim) I have included the hours and a combined hourly rate for the employees involved. This work includes attempts at cleaning the line, and then cleaning, sanitizing, and drying carpet. Due to this diligent work we have been able to dry out walls and carpet, and clean the area sufficiently to keep the area clean and safe without any facility demolition or carpet replacement.

July 14	4 employees 3 hours each	3 hours @ 37.05	111.15
July 15	3 employees 5 hours each	5 hours @ 25.20	127.50
July 16	2 employees 1 ½ hours	1.5 hours @ 15.23	22.85
July 17	2 employees 7 hours ea	7 hours @ 17.47	122.29
July 19	2 employees 2 hrs each	2 hours @ 17.01	34.02
July 20	1 employee 3 hrs	3 hours @ 7.73	23.19
July 21	4 employees 4 hours ea	4 hrs@ 37.05	148.20
		Total	**$589.20**

BOB USRY & SONS PLUMBING/APPLIANCES
124 W. MAIN
PURCELL, OK 73080
Phone 1-405-364-1001

Invoice

Order Number	Order Date	Entry	Promised Date & Time	Mechanic	Helper	Invoice No.
92866	07/18/11	MDH	07/15/11	ML	AUG	097830

Job Location:

To: FIRST BAPTIST CHURCH OF NORMAN
211 W. COMANCHE
CHURCH OFFICE
NORMAN, OK 73069

Phone Number	Cell Phone	Method of Payment	Special Instructions
321-1753EXT237	570-4495	ACCT	

DESCRIPTION OF JOB

********ON CALL********** FLOOR DRAINS BACKING UP
CALLED IN BY PASTOR JOHAMM. NEED TO CONTACT MIKE CLARK WHEN GOING
474-7161

Description of Work & Materials	Quantity	Price	Amount
07-15-11 RAN SEWER FROM SEVERAL DIFFERENT LOCATIONS. FINALLY OPENED LINE ON SATURDAY. LINE STOPPED BACKED UP ON SUNDAY. NEED TO CAMERA THE LINE. . 07-18-11 LOOKED AT DRAINAGE PROBLEM. DECIDED TO RUN LINE THROUGH STACK CLEANOUT DOWNSTREAM OF BACKFLOW PREVENTOR. RAN SMALL HEAD APPROXIMATELY 120'. HIT BLOCKAGE. PULLED OUT AND PUT ON 3" CUTTER. GOT APPROXIMATLY 120' AND CUTTER WOULD NOT GO ANY FURTHER. THE PROBLEM SEEMS TO BE NEAR THE TAP .			

Labor Details			Invoice Totals
Mechanic	hrs @	=	Total Material
Helper	hrs @	=	Total Labor

Completed Date	Please pay this amount	Next Page

NET DUE 10 DAYS. ASK US ABOUT REBATH

BOB USRY & SONS PLUMBING/APPLIANCES
124 W. MAIN
PURCELL, OK 73080
Phone 1-405-364-1001

Invoice

Order Number	Order Date	Entry	Promised Date & Time	Mechanic	Helper	Invoice No.
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DESCRIPTION OF JOB

********ON CALL********** FLOOR DRAINS BACKING UP
CALLED IN BY PASTOR JOHAMM. NEED TO CONTACT MIKE CLARK WHEN GOING
474-7161

Description of Work & Materials		Quantity	Price	Amount
K-1500 MACHINE & LABOR		1.00	45.00	45.00
3 1/2 BRASS PLUG	STL4465.1	1.00	12.06	12.06
4IN BRASS PLUG	STL4466	1.00	15.03	15.03
RIDGID A-12 COUPLING KEY 7/8IN	TLS6083	1.00	8.63	8.63
3IN BRASS PLUG	STL4465	1.00	8.98	8.98
.				
7/19/11				
TRIED TO RUN CAMERA AND LOCATE				
SEWER LINE ON WEST SIDE OF				
PROPERTY. CAMERA BECOME SUBMERGED				
ABOUT 65' AND WOULDN'T GO FORWARD				
DUE TO A VERTICAL OFFSET IN LINE.				
AUGERED APPROX 150' FROM CLEANOUT				
ON SIDEWALK (WEBSTER & COMMANCHE)				
TO OPEN LINE UP ENOUGH TO SEE IN IT.				
AFTER THIS WENT INSIDE TO CAMERA FROM				
STACK IN BASEMENT MECH ROOM. FOUND				
STOPPAGE APPROX 20' FROM ALLEY WHERE				
MAIN IS LOCATED. LINE HAD BEGAN TO				
REFILL ALREADY DUE TO CONDENSATE				
FROM A/C UNITS TIED TO THAT LINE.				

Labor Details			Invoice Totals
Mechanic	hrs @	=	Total Material
Helper	hrs @	=	Total Labor

Completed Date	Please pay this amount	Next Page

NET DUE 10 DAYS. ASK US ABOUT REBATH

BOB USRY & SONS PLUMBING/APPLIANCES
124 W. MAIN
PURCELL, OK 73080
Phone 1-405-364-1001

Invoice

Order Number	Order Date	Entry	Promised Date & Time	Mechanic	Helper	Invoice No.
92866	07/18/11	MDH	07/15/11	ML	AUG	097830

Job Location:

To: FIRST BAPTIST CHURCH OF NORMAN
211 W. COMANCHE
CHURCH OFFICE
NORMAN, OK 73069

Phone Number	Cell Phone	Method of Payment	Special Instructions
321-1753EXT237	570-4495	ACCT	

DESCRIPTION OF JOB

********ON CALL********** FLOOR DRAINS BACKING UP
CALLED IN BY PASTOR JOHAMM. NEED TO CONTACT MIKE CLARK WHEN GOING
474-7161

Description of Work & Materials	Quantity	Price	Amount
CALLED BOB TO PLAN B. CLEANED UP SIDEWALK BEFORE LEAVING.			
.			
GEN-EYE SEWER CAMERA - 2HR MIN	1.00	350.00	350.00
K-1500 MACHINE & LABOR O.T.	1.00	45.00	45.00
.			
LABOR FOR BU AND BCU 4HRS @ 112.50	4.00	112.50	450.00
DISOUNT LABOR FOR BU AND BCU PER BOB	4.00	-112.50	-450.00
.			
*****SEE NOTE BELOW*****			
.			
.			
BU MET WITH THE CITY OF NORMAN AND THE MAIN SEWER LINE WAS CAMERED. THERE ARE 5 TAPS ON THE MAIN LINE THAT SERVE THE CHURCH. THE TAP AT THE WEST END OF THE CHURCH WAS CONSIDERED TO BE A SLIPPED TAP. THERE WAS A NEW LINER INSTALLED IN THIS MAIN LINE A FEW YEARS BACK. THE CITY OF NORMAN CONSIDERED			

Labor Details			Invoice Totals
Mechanic	hrs @	=	Total Material
Helper	hrs @	=	Total Labor

Completed Date	Please pay this amount	Next Page

NET DUE 10 DAYS. ASK US ABOUT REBATH

BOB USRY & SONS PLUMBING/APPLIANCES
124 W. MAIN
PURCELL, OK 73080
Phone 1-405-364-1001

Invoice

Order Number	Order Date	Entry	Promised Date & Time	Mechanic	Helper	Invoice No.
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To: FIRST BAPTIST CHURCH OF NORMAN
211 W. COMANCHE
CHURCH OFFICE
NORMAN, OK 73069

Phone Number	Cell Phone	Method of Payment	Special Instructions
321-1753EXT237	570-4495	ACCT	

DESCRIPTION OF JOB

********ON CALL********** FLOOR DRAINS BACKING UP
CALLED IN BY PASTOR JOHAMM. NEED TO CONTACT MIKE CLARK WHEN GOING
474-7161

Description of Work & Materials	Quantity	Price	Amount
THIS TO BE THEIR PROBLEM AND THEY HAD A PRIVATE CONTRACTOR TAKE CARE OF IT.			
**********			
TOTAL DUE $2,540.95			

Labor Details			Invoice Totals	
Mechanic	hrs @	=	Total Material	484.70
Helper	hrs @	=	Total Labor	2,056.25

Completed Date	07/19/11	Please pay this amount	2,540.95

NET DUE 10 DAYS. ASK US ABOUT REBATH

City of Norman, OK

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

Master

File Number: LL-1112-7

File ID:	LL-1112-7	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Limited License Norman Christmas Day Dinner			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1112-7: A LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-7 to place five (5) double-sided signs within the public rights-of-way pursuant to a request from the Director of the Norman Christmas Day Community Dinner; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 17

Attachments: Request Christmas Day Dinner, Christmas Day Dinner

Project Manager: Wayne Stenis, Planner II

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 LL-1112-7

Body

BACKGROUND: Section 18-308 states:

Festival or Public Event Banners.

Signs announcing specific events or promotions that are of a legitimate public benefit to the community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and duration of use. Because of their unique location within the public right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.

DISCUSSION: The Director of the Norman Christmas Day Community Dinner has requested permission to display five double-sided signs throughout the community to announce the free Christmas dinner that this organization offers each year. The signs would be erected on December 10th and removed December 27th. The locations that have been selected are acceptable and are the same as were utilized last year. They should not obstruct any sight triangles.

STAFF RECOMMENDATION: The locations are acceptable, and should not impact any designated sight triangles. Staff supports this request, which is for a short period of time, and benefits a worthwhile event. Staff has prepared the license in accordance with their request, and presents it to the Council for their consideration. Other than the stipulated time frame, staff has not suggested that additional conditions be attached. Staff supports granting this Limited License, for the specified time period.

Robert A. Magarian, Director
Norman Christmas Day Community Dinner
311 N. Mercedes Dr., Norman, OK 73069
405-364-3273

01 November 2011

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

Dear Ms. Hall:

As the Director of the Norman Christmas Day Community Dinner, I am applying for a Limited License to place five (5) double-sided signs within the public right-of-way at the sites listed below during December 10th through December 27th.

The double-sided signs have the following wording on them: (1) The name of the dinner: "Norman Christmas Day Community Dinner"; (2) The time and location:11 A.M. –2:00 P.M., Norman High School Commons Cafeteria; and (3) out motto: "No one should eat alone on Christmas Day."

The signs will be placed at:

(1). Northeast corner of West Robinson and 36th Street.
(2). By the curb in front of the Main Street entrance to the Norman High School Commons Cafeteria.
(3). Northwest corner of South Berry and Lindsey Street (on Lindsey side).
(4). West Side of Norman Regional Hospital on North Porter across from the medical building.
(5). Northeast corner of Alameda and 12th street.

I thank you for considering this request.

Sincerely,

Bob

Bob Magarian

LIMITED LICENSE NO. 1112-7

LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

An Application has been filed by the Director of the Norman Christmas Day Community Dinner for a Limited License to place five (5) double-sided signs within the public right-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 an 18-day period from December 10 through 27, 2011.

Any special conditions which may be imposed by the City Council.

Further, any breach of the conditions as above set forth shall be grounds for immediate revocation of this license and further that the City Council may revoke this limited license at will and for any cause whatsoever upon the giving of thirty (30) days notice authorized by the City Council to the application.

Approved by City Council on the 22nd day of November, 2011.

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-1112-88

File ID:	K-1112-88	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Police Department	**Cost:**	$30,000.00	**File Created:**	11/02/2011
File Name:	2012 Oklahoma Highway Safety Office Grant			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $30,000 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TO HOST A STATEWIDE TRAINING CLASS FOR NORMAN POLICE OFFICERS TO BECOME DRUG RECOGNITION EXPERTS (DRE), APPROVAL OF CONTRACT NO. K-1112-88, AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject a grant in the amount of $30,000 from the Oklahoma Highway Safety Office; and, if accepted, approve Contract No. K-1112-88; authorize the execution thereof; increase DRE Training (022-0000-331.13-30) by $30,000; and appropriate $22,000 to Professional Services/Workshops and Seminars (022-6037-421.46-04) and $8,000 to General Supplies/Employee Training (022-6037-421.30-13).

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 18

Attachments: 2012 Oklahoma Highway Safety Office Grant.pdf

Project Manager: Major 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-1112-88

Body

BACKGROUND: The Oklahoma Highway Safety Office has informed the Norman Police Department that it has been awarded a grant in the amount of $30,000 to host a statewide

training class 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 training class 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 Norman Police Department officers 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, funding has been provided for our DRE officers to attend the National DRE Training Conference which is for alcohol, drugs and impaired driving and is sponsored by the International Association of Chiefs of Police. Attendance at this conference aids those officers in meeting their two-year re-certification requirements. The estimated cost for attendance is approximately $1,200 per officer, but the costs are included in the grant. Information obtained at the conference is utilized during local in-service training to help all DRE officers statewide.

RECOMMENDATION: It is recommended that City Council accept the grant, approve the contract, and funds in the amount of $30,000 be deposited into DRE Training account (022-0000-331.13-30) and appropriated to Workshops and Seminars account 022-6037-421.46-04 ($22,000); and Employee Training account 022-6037-421.30-13 ($8,000).

PROJECT NO. AL-12-02-03-12

OKLAHOMA HIGHWAY SAFETY OFFICE GRANT AGREEMENT – PART I

TITLE OF PROJECT

Norman Police Department – DRE

GRANT EFFECTIVE DATE	PROJECT NUMBER	HIGHWAY SAFETY FUNDS OBLIGATED
_____	AL-12-02-03-12	$ 30,000.00
GRANT PERIOD FROM October 1, 2011 TO September 30, 2012	_____	$ _____
PROJECT PERIOD FROM October 1, 2000 TO September 30, 2012	_____	$ _____
		$ 30,000.00

AFFIDAVIT

State of Oklahoma, County of Cleveland. I, Cindy S. Rosenthal, (Mayor), of lawful age, being duly sworn, on oath say, that I am the duly authorized agent of the City of Norman of Norman, Oklahoma, for executing this grant with the Oklahoma Highway Safety Office (OHSO). I further state and agree to comply, to the best of my knowledge, information and belief, with all municipal, state and federal laws, regulations and directives governing grants including, but not limited to, those listed in this agreement. Referenced documents are on file at the OHSO. I further state that any and all claims for reimbursement under this agreement will be true and correct, that the work, services, or materials as shown by any claim will have been completed or supplied in accordance with the plans, specifications, orders, requests and all other terms of the grant prior to the filing of claims. I further state that I am the duly authorized agent of the grantee for the purpose of certifying the facts pertaining to the giving of things of value to governmental personnel in order to procure the grant or obtain payment, I am fully aware of the facts and circumstances surrounding the making of the grant and have been personally and directly involved in the proceedings leading to the procurement of the grant; and neither the grantee nor anyone subject to the grantee's direction or control has been paid, given or donated or agreed to pay, give or donate (to any officer or employee of the State of Oklahoma) any money or other things of value, either directly or indirectly, in procuring the grant or obtaining payment.

In reviewing this grant agreement and the circumstances involved with its implementation, an opinion was derived by the undersigned that any negative environmental impact will be substantially outweighed by the projected benefits of this project.

Date _____, 20_____ Signature _____

Title _____

Subscribed and Sworn to, before me, this _____ day of _____, 20_____

My Commission expires _____ Commission Number _____ _____

Notary Public

AFFIDAVIT

State of Oklahoma, County of Oklahoma.

I, J. Kevin Behrens, of lawful age, being first duly sworn on oath say, that I am the duly authorized representative of the Governor of the State of Oklahoma and am duly authorized to carry out the statutory provisions of 47 O.S. 1971, Section 40-107, and all other laws, regulations and directives, pertinent to highway safety in the State of Oklahoma to the best of my knowledge, information, and belief.

Date _____, 20_____ Signature _____

Interim Director, Highway Safety Office

Subscribed and Sworn to, before me, this _____ day of _____, 20_____

My Commission expires _____ Commission Number _____ _____

Notary Public

OHSO-P-2 (06/10)

PROJECT NO. AL-12-02-03-12

OKLAHOMA HIGHWAY SAFETY OFFICE GRANT AGREEMENT – PART I

TITLE OF PROJECT

Norman Police Department – DRE

GRANT EFFECTIVE DATE	PROJECT NUMBER	HIGHWAY SAFETY FUNDS OBLIGATED
_____	AL-12-02-03-12	$ 30,000.00
GRANT PERIOD FROM October 1, 2011 TO September 30, 2012	_____	$ _____
PROJECT PERIOD FROM October 1, 2000 TO September 30, 2012	_____	$ _____
		$ 30,000.00

AFFIDAVIT

State of Oklahoma, County of Cleveland. I, Cindy S. Rosenthal, (Mayor), of lawful age, being duly sworn, on oath say, that I am the duly authorized agent of the City of Norman of Norman, Oklahoma, for executing this grant with the Oklahoma Highway Safety Office (OHSO). I further state and agree to comply, to the best of my knowledge, information and belief, with all municipal, state and federal laws, regulations and directives governing grants including, but not limited to, those listed in this agreement. Referenced documents are on file at the OHSO. I further state that any and all claims for reimbursement under this agreement will be true and correct, that the work, services, or materials as shown by any claim will have been completed or supplied in accordance with the plans, specifications, orders, requests and all other terms of the grant prior to the filing of claims. I further state that I am the duly authorized agent of the grantee for the purpose of certifying the facts pertaining to the giving of things of value to governmental personnel in order to procure the grant or obtain payment, I am fully aware of the facts and circumstances surrounding the making of the grant and have been personally and directly involved in the proceedings leading to the procurement of the grant; and neither the grantee nor anyone subject to the grantee's direction or control has been paid, given or donated or agreed to pay, give or donate (to any officer or employee of the State of Oklahoma) any money or other things of value, either directly or indirectly, in procuring the grant or obtaining payment.

In reviewing this grant agreement and the circumstances involved with its implementation, an opinion was derived by the undersigned that any negative environmental impact will be substantially outweighed by the projected benefits of this project.

Date _____, 20_____ Signature _____

Title _____

Subscribed and Sworn to, before me, this _____ day of _____, 20_____

My Commission expires _____ Commission Number _____ _____

Notary Public

AFFIDAVIT

State of Oklahoma, County of Oklahoma.

I, J. Kevin Behrens, of lawful age, being first duly sworn on oath say, that I am the duly authorized representative of the Governor of the State of Oklahoma and am duly authorized to carry out the statutory provisions of 47 O.S. 1971, Section 40-107, and all other laws, regulations and directives, pertinent to highway safety in the State of Oklahoma to the best of my knowledge, information, and belief.

Date _____, 20_____ Signature _____

Interim Director, Highway Safety Office

Subscribed and Sworn to, before me, this _____ day of _____, 20_____

My Commission expires _____ Commission Number _____ _____

Notary Public

Table of Contents

OKLAHOMA HIGHWAY SAFETY OFFICE GRANT AGREEMENT - PART I

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ATTACHMENT

PROJECT DIRECTOR'S REPORT

Title of Project:
Norman Police Department - DRE

Project Number: AL-12-02-03-12

Responsible Agency: Norman Police Department
Project Director: Major Jim Maisano
Phone Number: 405-321-1600
Address: 201-B West Gray Street
Norman, OK 73069
Fax: 405-217-1067
Email: Jim.maisano@normanok.gov

Reimbursement Information (where check is to be mailed):
Payee: City of Norman
Address: 201-B West Gray Street
Norman, OK 73069

OHSO Funds Obligated: $ 30,000.00 Other Funds Obligated: $
Source of Other Funds:
Total of OHSO and Other Funds: $ 30,000.00

PROJECT SUMMARY NARRATIVE SECTION

The following pages of this PROJECT SUMMARY NARRATIVE SECTION will contain:
The Problem Identification, Project Goal, Project Description, Equipment and Equipment Justification, and Evaluation. The project objectives must be time-framed and measurable. The narrative also needs to include personnel utilization.

PROJECT GOAL:
To reduce the number of fatalities involving impaired drivers by 2% annually, from 235 in 2009 to 221 in 2012, by providing DRE and DRE Instructor training classes, in order to expand the ability of law enforcement agencies in Oklahoma to detect drugged drivers and increase enforcement of DUID laws.

PROBLEM IDENTIFICATION:
Impaired drivers continue to be a major problem nationwide and in the State of Oklahoma. Thousands of citizens are killed or injured by impaired drivers each year. The DRE program is designed to assist in the identification and prosecution of alcohol and drug impaired driving offenses to generate a general deterrence for this offense. In 2010, DRE-trained officers performed 249 enforcement evaluations. Of those evaluations, 70 (or 14.4%) were on drivers under the age of 21. In 9.7% of the DUI cases the subject refused to submit to a chemical test. Without DRE-trained officers to document and support the untrained officer, many of those cases may be dismissed due to lack of documentation of specific signs and symptoms. The DRE program is a beneficial program to prosecution in the state. DRE opinions for 2010 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 33.8% of the DRE evaluations 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. Five of the evaluations conducted found impairment caused by medical issues, and not due to drug influence.

PROJECT DESCRIPTION:
The Norman Police Department will host and conduct training classes and certification sessions to train officers from various areas in the state to become Drug Recognition Experts and to increase enforcement of DUI laws. A training class will also be conducted to train additional DRE instructors to assist with facilitation of classroom instruction and the certification training process. 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.

The project will implement activities in support of national highway safety goals to reduce motor vehicle fatalities. 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 Project Director shall provide for approval a list of proposed attendees to the OHSO Program Manager and the Director of the Oklahoma Board of Chemical Tests prior to the conduct of each class.

EQUIPMENT JUSTIFICATION:
NA

EVALUATION:
At the conclusion of the project year, and no later than November 1, 2012, the Project Director will submit a Summary Report outlining the accomplishments and deficits of the project and will compare results to initial baseline data (2009) to determine whether or not the project's goals were met.

BUDGET SUMMARY

PROJECT TITLE:	Federal Fiscal Year: 2012	PROGRAM AREA
Norman Police Department - DRE	Project Number: AL-12-02-03-12	Alcohol

COST CATEGORY ITEMS		1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Annual Total
		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
I. PERSONNEL														
A. Salaries	P													0
	A													0.00
B. Benefits	P													0
	A													0.00
II. TRAVEL														
A. In-State Travel	P													0
	A													0.00
B. Out-of-State Travel	P											2,000		2,000
	A													0.00
III. OPERATING COSTS	P						15,000							15,000
	A													0.00
IV. CONTRACTUAL COSTS	P							13,000						13,000
	A													0.00
V. EQUIPMENT	P													0
	A													0.00
MONTHLY TOTAL	P	0	0	0	0	0	15,000	13,000	0	0	0	2,000	0	30,000
	A	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

P = Projected Expenditures
A = Actual Expenditures (To be completed by Project Director each month.)

OHSO-P-2c (06/10)

BUDGET DETAILS

PROJECT TITLE:	Federal Fiscal Year: 2012	PROGRAM AREA
Norman Police Department - DRE	Project Number: AL-12-02-03-12	Alcohol

COST CATEGORY ITEMS		DESCRIPTION OF EXPENDITURE ITEMS		MONTH						TOTALS
				OCT	NOV	DEC	JAN	FEB	MAR	SEMI-ANNUAL
				APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
II.B.	1	Out-of-State Travel for Project Director to attend the Annual IACP DRE Conference and State Coordinators Meeting in Seattle, Washington, August 15 - 18, 2012. Reimbursement is subject to terms of the State Travel Act.	P							0
			A							0.00
			P					2,000		2,000
			A							0.00
III.	1	Operating Costs to include classroom supplies, student supplies, and materials. (No funds will be used to purchase Alcohol or Drugs.)	P						15,000	15,000
			A							0.00
			P							15,000
			A							0.00
IV.	1	Contractual Services include lodging and per diem for students and/or instructors who must remain overnight during periods of continued training and instruction. Reimbursement is subject to terms of the State Travel Act.	P							0
			A							0.00
			P	13,000						13,000
			A							0.00
			P							0
			A							0.00
			P							0
			A							0.00
			P							0
			A							0.00
			P							0
			A							0.00

P = Planned Budget
A = Actual Expenditures (To be completed by Project Director each month.)

ACTIVITY / MILESTONES

PROJECT TITLE:	Federal Fiscal Year: 2012	PROGRAM AREA
Norman Police Department - DRE	Project Number: AL-12-02-03-12	Alcohol

No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
1	Notify Agencies/Departments of upcoming school and evaluate prospective students.	P				on-	going								0
		A													0
2	Order necessary equipment, materials, and supplies.	P			X	X		X	X						0
		A													0
3	Provide OHSO and Oklahoma Board of Chemical Tests a class roster. Roster must be approved for approximately 25 students, prior to the beginning of training.	P							X						0
		A													0
4	Arrange lodging for students attending & instructors teaching during 2-day pre-school and 7-day classroom training, as well as certification nights.	P				X									0
		A													0
5	Conduct classroom instruction for both the 2-day pre-school and 7-day DRE Training, and provide opportunities for "follow-up" certification nights.	P									X		X	X	0
		A													0

P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

OHSO-P-2e (06/10)

ACTIVITY / MILESTONES

PROJECT TITLE:	Federal Fiscal Year: 2012	PROGRAM AREA
Norman Police Department - DRE	Project Number: AL-12-02-03-12	Alcohol

No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
6	Provide OHSO with class roster and list of all students who have completed all requirements.	P										X	X		0
		A													0
7	Submit project evaluation summary to OHSO by November 2, 2012.	P		X (2012)											0
		A													0
		P													0
		A													0
		P													0
		A													0
		P													0
		A													0

P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

City of Norman, OK

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

Master

File Number: K-1011-146 Final

File ID:	K-1011-146 Final	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	11/03/2011
File Name:	K-1011-146 Final Eastwood Park Playground			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1011-146 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GAMETIME C/O CUNNINGHAM ASSOCIATES, INC., FOR THE EASTWOOD PARK PLAYGROUND REPLACEMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $2,233.27 to GameTime c/o Cunningham Associates, Inc.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 19

Attachments:

Project Manager: Mitch Miles, Park Planner

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1011-146 Final

Body

BACKGROUND: On 12 April 2011, City Council approved Contract No. K-1011-146 for the Eastwood Park Playground Project for the Parks and Recreation Department. This project included the replacement of the existing equipment with new swings, climbing unit, slides, see-saw, buck-a-bout, safety surfacing and boarders.

The low bid approved by City Council was submitted by Cunningham Associates, Inc. in the

amount of $44, 665.27.

DISCUSSION: On 25 October 2011, the Eastwood Park Playground installation was inspected by Parks and Recreation staff and found to be complete per specifications. A partial payment was issued at that time.

RECOMMENDATION: It is recommended that City Council accept this project as complete and authorize final payment in the amount of $2,233.27 to Cunningham Associates, Inc. Funding is available in Project No. PR0121, Eastwood Park Playground Replacement (050-9973-451.61-01).

City of Norman, OK

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

Master

File Number: K-1112-89

File ID:	K-1112-89	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$1,527,080.00	**File Created:**	11/08/2011
File Name:	ODOT Project I-35/Robinson NE Quadrant			**Final Action:**	

Title: CONTRACT NO. K-1112-89: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. ACSTP-114A(184)AG, STATE JOB NO. 24029(04), AND FEDERAL-AID PROJECT NO. STP-114A(292)AG, STATE JOB NO. 24029(05), FOR THE CONSTRUCTION OF THE I-35/ROBINSON STREET NORTHEAST QUADRANT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-81.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-89 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-1112-81, authorize the execution of the contract and resolution, and direct payment to the Oklahoma State Department of Transportation in the amount of $1,527,080 for the City's 20% share of the project.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 20

Attachments: Exhibit A - Location map, Exhibit -B (Project Expenditures, K-1112-89 and R-1112-81, Requisition

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-89

Body

BACKGROUND: The I-35/Robinson Street Interchange Northeast Quadrant Project involves reconfiguring the northbound on and off ramps, a new traffic signal, drainage improvements, and extending Interstate Drive from Robinson Street to Mount Williams Drive.

On August 22, 2006, City Council approved Contract No. K-0607-45 by and between the City of Norman and the University Town Center L.L.C., regarding Development Agreement No. 1 for the initial project activities associated with the traffic improvements needed to mitigate the additional traffic generated by the University North Park development. One of the projects listed in Exhibit "A" of the above-mentioned contract is the reconstruction of the I-35/Robinson Street Interchange NE Quadrant.

On August 24, 2010, City Council approved Contract No. K-1011-56 with SMC Consulting Engineers, P.C. for the final design of the I-35/Robinson Street Interchange Northeast Quadrant Project. In addition, at the same meeting, Council approved Resolution No. R-1011-27 requesting Federal Surface Transportation Urbanized Area Funds (STP/UZA) for the Interstate Drive portion of this project. On May 24, 2011, City Council approved Contracts K-1011-171 and K-1011-172, Right-of-Way and Utility Relocation Agreements with the Oklahoma Department of Transportation (ODOT), making the City responsible for obtaining right-of-way and relocating utilities in conflict with this project. On June 14, 2011, Council approved utility relocation contracts with OG&E and ONG.

DISCUSSION: Prior to letting the project for bid, ODOT requires the City of Norman to enter into a project agreement and to adopt it by resolution. ODOT has requested the City approve the attached agreement that addresses the responsibilities of the City of Norman and ODOT. Staff has reviewed and approved the project agreement and resolution.

In summary, the City's responsibilities are:

- ☐ Agree the construction shall be in conformance with the plans prepared by the City
- ☐ Maintain the traffic signal equipment after construction
- ☐ Certify the project will comply with the Americans with Disabilities Act (ADA)

In summary, ODOT's responsibilities are:

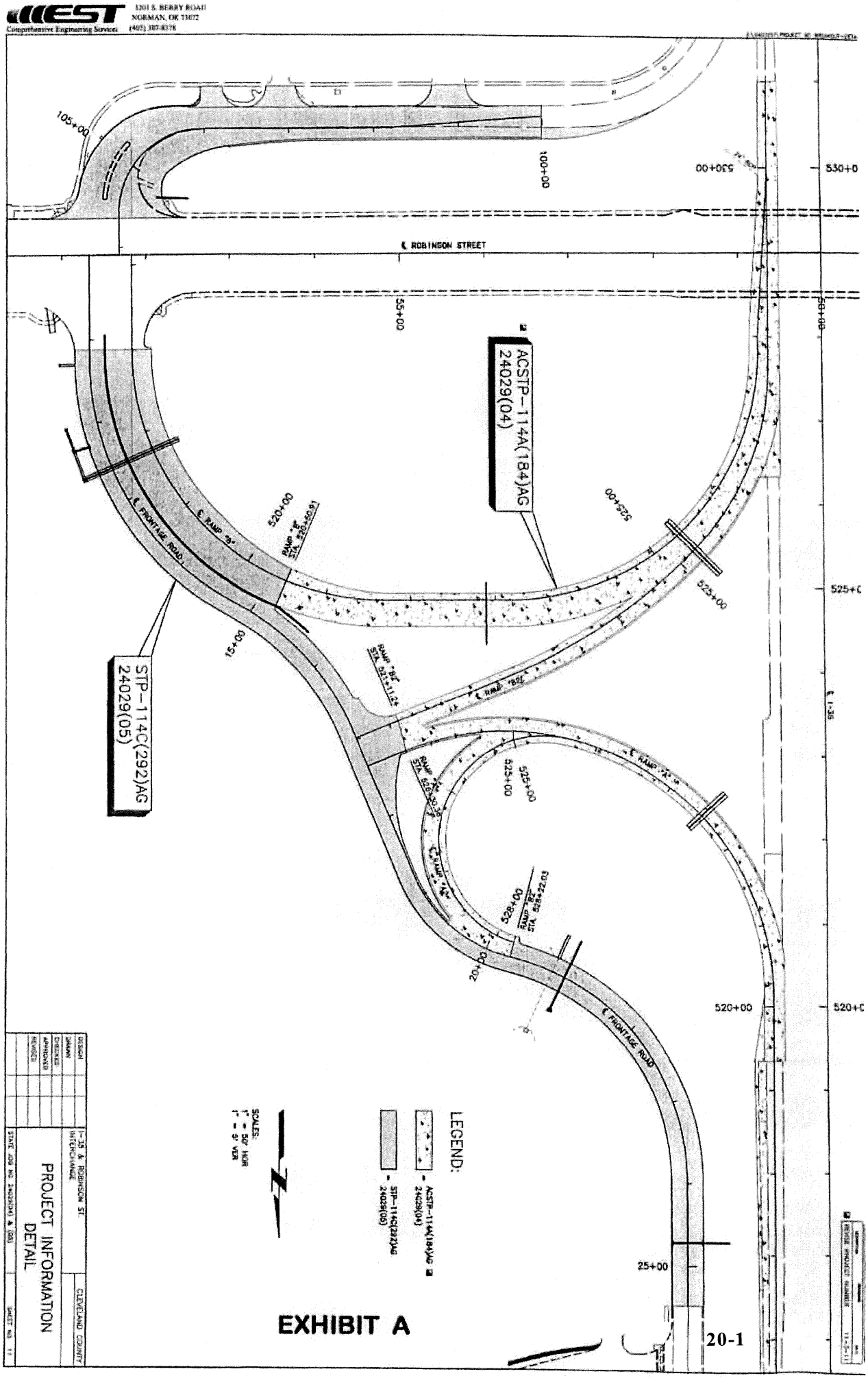
- ☐ File jointly with the contractor the Notice of Intent (NOI) for a general construction storm water permit with the EPA which authorizes storm water discharges associated with construction activities
- ☐ Advertise and let the construction contract for this project
- ☐ Construct the project in accordance with the plans
- ☐ Provide competent supervision of the construction

This project has two project numbers for the ramps and the frontage road (See Exhibit "A") since they have different funding sources. The first Project No. ACSTP-114A(184)AG is for

the on and off ramp portion of the project. Since the ramps are a part of I-35, they are not eligible to receive funding from the Association of Central Oklahoma Governments (ACOG) and the University North Park Tax Increment Financing (UNP TIF) District is paying for this portion of the estimated project cost at $1,190,000. The second Project No. STP-114C(292)AG is for the frontage road portion of the project. The frontage road portion of this project is not a part of I-35 and is eligible to receive 80% ACOG funding. The estimated cost of this portion of the project is $1,685,400.00. ODOT's share of the estimated cost is $1,348,320.00 and the UNP TIF portion is $337,080.00. The City's portion of the total estimated construction cost is $1,527,080.00. See Exhibit "B" which is a table summarizing the expenditures for this project. Funds are available in the I-35/Robinson Street Interchange Northeast Quadrant Project, Construction (Account No. 057-9541-431.61-01) Project No. UT0007.

The total project cost is estimated to be $3,104,600 with the estimated City share of $1,756,280 (57%). The City's share is being paid from the UNP TIF Fund. ODOT has scheduled a bid letting for this project on January 19, 2012. The estimated start of construction is the end of March 2012. Completion of the project is anticipated in summer 2012.

RECOMMENDATION NO. 1: Staff recommends approval of Contract No. K-1112-89 with ODOT, adoption of Resolution No. R-1112-81, and payment to ODOT in the amount of $1,527,080 for the City's 20% share of the project.



EST
Comprehensive Engineering Services
3201 S. BERRY ROAD
NORMAN, OK 73072
(405) 307-8378
ROBINSON STREET
ACSTP-114A(184)AG
24029(04)
STP-114C(292)AG
24029(05)
FRONTAGE ROAD
RAMP "B"
RAMP "B2"
RAMP "A"
RAMP "A2"
105+00
100+00
55+00
520+00
525+00
15+00
20+00
25+00
530+00
LEGEND:
ACSTP-114A(184)AG 24029(04)
STP-114C(292)AG 24029(05)
SCALES:
1" = 50' HOR
1" = 5' VER
DESIGN
DRAWN
CHECKED
APPROVED
REVISED
I-35 & ROBINSON ST. INTERCHANGE
CLEVELAND COUNTY
PROJECT INFORMATION DETAIL
STATE JOB NO. 24029(04) & (05)
SHEET NO. 11

EXHIBIT A

EXHIBIT B

ODOT PROJECT AGREEMENT

I-35/Robinson Street NE Quadrant Project Expenditures

	Budget		Actual	
	City	ODOT	City	ODOT
Right-of-Way	$530,000		$ 0	
Design	$ 97,200		$ 102,200	
Utilities	$450,000		$ 127,000	
Construction Estimate	$1,922,000	$991,000	$1,527,080	$1,348,320
Subtotal	$2,999,200	$991,000	$1,756,280	$1,348,320
Total	**$3,990,200**		**$3,104,600**	

ACSTP-114A(184)AG 24029(04)
STP-114C(292)AG 24029(05)

PROJECT AGREEMENT

This Agreement made the day and year last written below, by and between the Oklahoma Department of Transportation, hereinafter referred to as the DEPARTMENT, and the City of Norman, hereinafter referred to as the CITY, which may be referred to collectively as the PARTIES for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

Whereas, the DEPARTMENT is charged under the law of the State of Oklahoma with construction and maintenance of State Highways; and,

Whereas, the DEPARTMENT is by terms of agreements with the Federal Highway Administration responsible for the management and construction of certain federally funded projects within the corporate limits of cities within the State of Oklahoma; and,

Whereas, the CITY has been identified as the beneficiary of such a federally funded project; and,

Whereas, receipt of the benefits of these projects will require that the CITY assume certain financial responsibilities; and,

Whereas, the CITY is a municipal corporation and a charter city created and existing under the constitution and laws of Oklahoma; and,

Whereas, the laws and constitution of the State of Oklahoma impose fiscal restrictions on the City and its ability to insure financial obligations; and,

Whereas, the PARTIES hereto recognized those financial limitations and agree that the financial obligations assumed by the City by the terms of this Agreement are enforceable only to the extent as may be allowed by law or as may be determined by a Court of competent jurisdiction.

Whereas, it is understood that, by virtue of the Oklahoma Constitution Article 10 section 26, the payment of CITY funds in the future will be limited to appropriations and available revenues in the then current CITY fiscal year.

Now therefore, subject to the limitations herein before described, the DEPARTMENT and the CITY do agree as follows:

1. The CITY requested that certain street improvements be approved by the Oklahoma Transportation Commission as were previously programmed by the CITY and designated as Project ACSTP-114A(184)AG, State Job Number 24029(04) and Federal-aid Project STP-114C(292)AG, State Job Number 24029(05) which consist of actual improvements as follows:

Grade, Drain and Surface

I-35 at Robinson Street, Reconstruct Northbound on/off Ramps and Interstate Drive between Robinson Street and Mount Williams Drive

2. The CITY has prepared or caused to be prepared plans for construction of this federal-aid project and agrees that all construction shall be in conformance with the furnished plans which are incorporated with and made a part of this Agreement.
3. The CITY agrees that the furnished plans are, as a minimum, in conformance with the Oklahoma Department of Transportation 2009 Standard Specification for Highway Construction.
4. The CITY agrees that the PARTIES have entered into a separate "Right-of-Way, Public Utility and Encroachment Agreement" which provides inter alia that the CITY is responsible for furnishing all right-of-way for this federal-aid project, free and clear of all obstructions and encroachments; that the CITY shall at its sole expense maintain the project after construction; and that nothing contained herein shall be construed as modifying, altering, rescind, or abridging any portion of that agreement.
5. The CITY agrees to the location of the subject project and acknowledge receipt of and adopts the plans for said project as the official plans of the CITY for the streets, boulevards, arterial highways and/or other improvements contained therein; and

further the CITY affirmatively states that it has fully and completely examined these plans and does hereby warrant to the DEPARTMENT the CITY's complete satisfaction with these plans, and the fitness of the plans to construct the aforesaid project.

6. The CITY certifies that the project design plans comply , and the project when completed will comply, with the applicable provisions of the Department of Justice implementation plan of Title III of the Americans with Disabilities Act, (42 U.S.C. 12101-12213) as outlined in 28 CFR Part 35.

7. The parties hereto agree to comply with all applicable laws and regulations meeting Environmental Protection Agency (EPA) requirements for pollution prevention including discharges from storm water runoff on these projects. It is agreed that the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work and the storm water pollution prevention plan sheet contained in the plans and the appropriate USGS topographic map constitute the storm water management plan for the project described previously in this document. The DEPARTMENT agrees to file jointly with the Contractor the Notice of Intent (NOI) for a general construction National Pollutant Discharge Elimination System (NPDES) permit with EPA which authorizes the storm water discharges associated with the industrial activity from the construction site identified in this document. Further, the CITY agrees as stipulated in Federal Register Vol. 57 No. 175 pg 41191, to co-permit with the DEPARTMENT when or if required to have daily operational control of those activities at the site necessary to ensure compliance with plan requirements and permit conditions.

8. The CITY agrees to prohibit parking on that portion of the project within the corporate limits of the CITY, except as may be indicated in the plans or hereafter approved by Agreement with the DEPARTMENT. The CITY further agrees not to install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and Manual on Uniform Traffic Control Devices (MUTCD).

9. The CITY further agrees and warrants to the DEPARTMENT that subsequent to the construction of said project, the CITY will:

A. Erect, maintain and operate traffic control devices, including signals, signs and pavement markings only in accordance with 47 0.S. 1991 Section 15-104, 15-105 and 15-106, and subject to the Agreement of the DEPARTMENT:

(1) In the event that any traffic signal installed hereunder is no longer needed for the purposes designated herein, then the traffic signal installed hereunder shall not be removed by the CITY to any point other than that which is approved by the DEPARTMENT prior to such removal.

(2) In the event there is no mutually agreed location for the reinstallation, the CITY will assume complete ownership of the equipment following removal, if the installation is ten (10) years old or older. If the installation is less than ten (10) years old, and:

(a) In the event the CITY desires total ownership of the equipment, the CITY shall reimburse the DEPARTMENT for the original Federal funding percentage share for the original equipment cost only, amortized for a ten (10) year service life, interest ignored, and assuming straight line depreciation.

(b) In the event the CITY does not desire total ownership of the equipment, the CITY shall sell the equipment at public auction to the highest bidder. The CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the proceeds of such sale.

B. Subject to Agreement with the DEPARTMENT, regulate and control traffic on said project, including but not limited to, the speed of vehicles, parking, stopping and turns and to make no changes in the provisions thereof without the approval of the DEPARTMENT. It shall be the responsibility of the CITY

to notify the DEPARTMENT of any changes necessary to insure safety to the traveling public.

C. Maintain all drainage systems and facilities constructed, installed, modified or repaired in conjunction with these projects or as may be otherwise necessary to insure proper drainage for road surfaces constructed under the terms of this Agreement.

D. Maintain all curbs and driveways abutting road surfaces constructed under the terms of this Agreement and all sidewalks adjacent thereto.

E. Maintain all right-of-way areas adjacent to road surfaces, including erosion control and periodic mowing of vegetation in a manner consistent with applicable codes, ordinances and regulations.

F. Make ample provision annually for proper maintenance of items heretofore delineated as the responsibility of the CITY, including the provision of competent personnel and adequate equipment, and specifically, to provide all required special maintenance of the project during the critical period immediately following construction.

G. Keep all permanent right-of-way shown on said plans free from any encroachment and take immediate action to effect the removal of any encroachments upon notification by the DEPARTMENT.

10. The CITY further agrees and warrants to the DEPARTMENT concerning sign and highway facility lighting:

A. The CITY will upon notice from the DEPARTMENT Engineer provide at its own expense all required electrical energy necessary for all preliminary and operational tests of the highway lighting facilities.

B. Upon completion of the construction of said project, and by the DEPARTMENT, the CITY will be responsible for the maintenance and cost of operation of these highway lighting facilities, including all appurtenances thereto and including the sign lighting facilities.

C. It is specifically understood and agreed that the highway lighting and sign lighting facilities specified herein shall be continuously operated during the hours of darkness between sunset and sunrise and shall not be altered, removed or be allowed to cease operation without the mutual written consent of the DEPARTMENT and the CITY.

D. The CITY agrees to provide, on a periodic schedule, an inspection, cleaning and a re-lamping maintenance program to assure the maximum efficiency of the highway lighting facilities.

E. In the event that highway lighting facilities installed hereunder are no longer needed for the purposes designated herein, then the highway lighting facilities installed hereunder shall not be removed by the CITY to any point other than which is approved by the DEPARTMENT prior to such removal.

F. In the event there is no mutually agreed location for reinstallation, the CITY will assume complete ownership of the equipment following removal, if the installation is twenty (20) years old or older. If the installation is less than twenty (20) years old, and:

(1) In the event the CITY desires total ownership of the equipment, the CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the original equipment costs only, amortized for a twenty (20) year service life, interest ignored, and assuming straight line depreciation.

(2) In the event the CITY does not desire total ownership of the equipment, the CITY shall sell the equipment at public auction to the highest bidder. The CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the proceeds of such sale.

11. The CITY agrees, affirms and warrants to the DEPARTMENT that the CITY will be responsible, during the period of construction, for any repairs or maintenance to the approved detour route or any other street which may be required as a result of

additional traffic.

12. The CITY agrees to comply with Title VI of the Civil Rights Act of 1964, 78 O.S. ' 252.42, U.S.C. '2000d-et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, of Secretary of Transportation, Part 21 - "Nondiscrimination in federally assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act 1964."

13. The CITY agrees that it will, by resolution, duly authorize the execution of this Agreement by the proper officials, and attach copies of such resolution to this Agreement.

14. The DEPARTMENT and the CITY mutually recognize that each party is a governmental entity subject to the provisions of the Governmental Tort Claims Act (51 O.S. 1991 ' 151 et seq.). The DEPARTMENT and the CITY hereby mutually agree that each is and may be held severally liable for any and all claims, demands, and suits in law or equity, of any nature whatsoever, paying for damages or otherwise, arising from any negligent act or omission of any of their respective employees, agents or contractors which may occur during the prosecution or performance of this Agreement to the extent provided in the Governmental Tort Claims Act. Each party agrees to severally bear all costs of investigation and defense of claims arising under to Governmental Tort Claims Act and any judgements which may be rendered in such cause to the limits provided by law. Nothing in this section shall be interpreted or construed to waive any legal defense which may be available to a party or any exemption, limitation or exception which may be provided by the Governmental Tort Claims Act.

15. Based on an estimated total construction cost of $1,190,000.00 for Project SAP-114A(184), jp 24029(04), the CITY agrees that local funds shall be used to provide 100% of the project costs (estimated at $1,190,000). Based on an estimated total construction cost of $1,685,400.00 for Federal Aid Project STP-114C(292)AG, jp 24029(05), the DEPARTMENT agrees that Federal-aid Surface Transportation Program funds shall be requested to provide 80% of the participating project costs (estimated at $1,348,320.00). The CITY agrees that local funds shall be used to

provide 20% of the participating project costs (estimated at $337,080.00) and 100% of the non-participating project costs (estimated currently at $0.00). The CITY's estimated total obligation for both projects is $1,527,080.00 (one million five hundred twenty-seven thousand eighty dollars and no cents) which shall be deposited with the DEPARTMENT prior to advertising for bids.

16. It is understood by the CITY and the DEPARTMENT that the funding participation stipulated herein may be altered due to bid prices, construction supervision costs, and non-participating costs incurred during construction. Upon final acceptance of these projects, the amount of Federal funds and the amount previously deposited by the CITY will be deducted from the total cost and a refund will be made by the DEPARTMENT to the CITY or additional funding will be requested from the CITY.

17. It is understood by the CITY that no State funds are to be utilized in any phase or aspect of these projects. Only CITY and Federal funds are to be utilized.

18. Upon approval of this Agreement and the plans, specifications, and estimates by the DEPARTMENT and Federal Highway Administration, if applicable, the DEPARTMENT shall agree to advertise and let the contract for these projects in the usual and customary legal manner. It is agreed that the project herein described is proposed to be financed as previously set forth, and that this Agreement, all plans, specifications, estimates of costs, acceptance of work, payments and procedures in general hereunder are subject in all things at all times to all Federal laws, regulations, orders and approvals as may be applicable hereto.

19. The DEPARTMENT agrees to construct said project in strict accordance with the plans furnished and approved by the CITY, provided that upon consultation with and Agreement by the CITY, the DEPARTMENT shall have the right to make such changes in the plans and specifications as are necessary for the proper construction of the project. The DEPARTMENT shall provide competent supervision at all times that the work is in progress. The CITY shall have inspectors on the project site as the CITY determines necessary to insure construction of the project to the satisfaction of the CITY and shall have representatives available for consultation with the DEPARTMENT representatives to cooperate fully to the end of obtaining

work strictly in accordance with the CITY's approved plans and specifications.

20. The CITY agrees that the CITY will intervene as a party defendant in all actions where a contractor may allege delay due to failure of the CITY to accomplish timely utility relocations, site conditions which are not as represented on the plans, or plan errors which impact on project constructability, whether in the District Court or in an alternative dispute resolution forum, will defend all such actions and will pay all damages relating to delay as may be assessed by such court or alternative dispute resolution forum against the CITY for its adjudged failure.

21. Failure by the CITY to fulfill its responsibilities under this Agreement will disqualify the CITY from future participation in any Federal-aid project. Federal funds are to be withheld until such time as the deficiencies in regulations have been corrected or the improvements to be constructed under this Agreement are brought to a satisfactory condition of maintenance.

22 It is further specifically agreed and understood between the CITY and the DEPARTMENT that the project will be built in accordance with the plans and specifications, and upon final acceptance by the CITY and the DEPARTMENT of these projects, the CITY does hereby accept full, complete and total responsibility for the maintenance of STP-114C(292)AG as provided in this Agreement.. The CITY does not waive any rights against any contractor(s) with respect to defects, hidden or otherwise, in materials or workmanship. The CITY does not, pursuant to this provision or any other provision in this Agreement, waive its sovereign immunity or any exemption from, exception to or limitation of liability as provided in the Governmental Tort Claims Act.

23. The Secretary of the DEPARTMENT may terminate the contract in whole, or from time to time in part, whenever:

    A. The requisite federal funding becomes unavailable through failure of appropriation or otherwise.

    B. The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war

or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.

C. The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.

D. The Secretary determines that such termination is in the best interest of the State.

IN WITNESS WHEREOF, the Director of the Department of Transportation, pursuant to authority vested in him by the State Transportation Commission, has hereunto subscribed his name as Director of the Department of Transportation and the CITY has executed same pursuant to authority prescribed by law for the Department.

The CITY on this _____ day of _____, _____, and the DEPARTMENT on the _____ day of _____, _____.

APPROVED AS TO FORM
AND LEGALITY

_____
City Attorney

CITY OF NORMAN

_____
Mayor

ATTEST:

_____
City Clerk (Seal)

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

Recommended for Approval

_____
Local Government
Division Manager

_____
Director of Capital Programs

APPROVED AS TO FORM
AND LEGALITY

_____
General Counsel

APPROVED:

_____
Deputy Director

RESOLUTION NO. _____

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

THAT, WHEREAS it is in the best interest of the City of Norman, Oklahoma, to execute that certain Project Agreement for Federal-aid Project Number ACSTP-114A(184)AG, State Job Number 24029(04) and STP-114C(292)AG State Job Number 24029(05), by and between the City of Norman and the Oklahoma Department of Transportation;

NOW, THEREFORE, it is hereby resolved that the Mayor is hereby authorized and directed to execute the above described agreement on behalf of the City of Norman, and duly signed by the Mayor on this _____ day of _____, _____.

CITY OF NORMAN

_____

Mayor

ATTEST:

_____

City Clerk

Approved as to form and legality this 15th day of November 2011

_____

City Attorney

20-14

K-1112-89

PURCHASE REQUISITION NBR: 0000193813

STATUS: DIVISION APPROVAL

REQUISITION BY: JCLINK

REASON: CONSTRUCT I-35/ROBINSON NE QUADRANT

DATE: 11/07/11

SHIP TO LOCATION: PUB WKS- ENGINEERING

SUGGESTED VENDOR: 1514 OKLAHOMA DEPT OF TRANSPORTATIO

DELIVER BY DATE: 11/07/11

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CONSTRUCT I-35/ROBINSON NE QUADRANT COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION, STREET (MAJ	1527080.00	EA	1.0000	1527080.00	

REQUISITION TOTAL: 1527080.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05795414316101	Capital Projects Construction	UT0007 Robinson/I35 NE Ramp Proj	100.00	1527080.00
					1527080.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTINGENT ON COUNCIL APPROVAL ON 12/13/11

City of Norman, OK

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

Master

File Number: K-1112-90

File ID:	K-1112-90	**Type:**	Contract	**Status:**	Consent Item
Version:	4	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	11/07/2011
File Name:	K-1112-90 Subordination 4101 Heritage Place Drive			**Final Action:**	

Title: CONTRACT NO. K-1112-90: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STATE FARM BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR PROPERTY LOCATED AT 4101 HERITAGE PLACE DRIVE.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-90 with State Farm Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 21

Attachments: K-1112-90

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-90

Body

BACKGROUND: In May 2009 the City of Norman Community Development Block Grant Program provided a loan to Cathe Fox for accessibility modifications to her home at 4101 Heritage Place Drive. As a condition of funding, a lien was placed on the property and was filed as a subordinate mortgage to the primary mortgage on the property. Any modification of

the primary mortgage requires resubordination of the lien. The program does not require repayment of the loan as long as the applicant maintains their home as their primary residence for four years; and at the end of four years the subordinate mortgage is released.

DISCUSSION: Approval of the request for subordination of the lien on 4101 Heritage Place Drive would allow the owner to secure a loan to refinance the primary mortgage that will provide a significantly lower interest rate to reduce the house payment by $152.88 per month. Documentation from State Farm Bank including a Certification of Mortgage Loan Refinancing, Good Faith Estimate, and a Truth in Lending Disclosure Statement were provided. The Subordination Agreement that will be filed with the new primary loan is attached. In accord with the adopted City of Norman Housing Handbook, these documents prove that all funds will be used for the refinancing of the home, with no funds going toward payment of debt.

Subordination of the lien would assist in making more money available for the upkeep of the property. The City would maintain a second position on the property. Additionally, the request meets the requirements of our policy to subordinate only for the purposes of lowering payments or improving the home, and the terms and conditions of program participation as described in the subordinate mortgage executed in May 2009 will not be modified.

RECOMMENDATION: Approval of Contract No. K-1112-90 for subordination of the lien on 4101 Heritage Place Drive is recommended. Subordination of liens in the Community Development Block Grant Program is allowed by the Department of Housing & Urban Development and is consistent with program goals.

SUBORDINATION AGREEMENT

Know All Men By These Presents:

That, for and in consideration of the sum of one dollar ($1.00) and other good and valuable considerations, in hand paid, receipt of which are hereby acknowledged, THE CITY OF NORMAN, an Oklahoma Municipal Corporation, the undersigned, has agreed, and by these present, does agree with State Farm Bank, that the lien of a certain mortgage from Cathe Fox, to said State Farm Bank, Dated the _____ day of _____, _____, and recorded in Book _____ at Pages _____ of the records of Cleveland County, Oklahoma, upon the following described real property, to-wit:

4103 Heritage Place Dr., Norman, OK 73072, legally described as:
Lots Five (5) and Six (6), in Block Nine (9) of HERITAGE PLACE II, SECTION 2, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof;

Shall be prior and superior lien upon said property to the lien of that certain Mortgage on said real property, from said Cathe Fox to THE CITY OF NORMAN, dated May 18, 2009, and recorded in Book 4633 at Pages 5-8 of the records of Cleveland County, Oklahoma, and such priority shall be accorded said first above described mortgage, notwithstanding that said mortgage was dated and recorded subsequent to the date and recordation of the said second above described mortgage. If superior mortgage is renewed, extended or assigned, it is still the intent that this Subordination Agreement be enforced.

SIGNED AND AGREED TO THIS 7th DAY OF November, 2011.

By: Cathe W. Fox

State of Oklahoma
County of Cleveland

This instrument was acknowledged before me on the 7th day of November, 2011.
My commission expires: July 22, 2015

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
JAN E. JANSING
Commission #99012122
Expires July 22, 2015

Jan E. Jansing
Notary Public

SIGNED AND AGREED TO THIS _____ DAY OF _____, _____.

THE CITY OF NORMAN, OKLAHOMA

BY: _____

Cindy S. Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

Approved as to form and legality this
5TH day of November, 2011.

_____

City Attorney

State of Oklahoma
County of Cleveland

On this _____ day of _____, _____, before me, the undersigned, a Notary Public, personally appeared Cindy S. Rosenthal, Mayor for THE CITY OF NORMAN, OKLAHOMA, who executed the foregoing document as his voluntary act and deed of such corporation for the uses and purposes therein set forth.

My commission expires: _____

_____

Notary Public

City of Norman, OK

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

Master

File Number: R-1112-57

File ID:	R-1112-57	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Resolution R-1112-57 ACOG West Rock Creek Road			**Final Action:**	

Title: RESOLUTION NO. R 1112-57: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING THAT THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) INTERMODAL TRANSPORTATION POLICY COMMITTEE AMEND THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN WITH THE INCLUSION OF ROCK CREEK ROAD BETWEEN GRANDVIEW AVENUE AND 36TH AVENUE N.W., AS A FOUR-LANE URBAN ARTERIAL ROADWAY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-57.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 22

Attachments: Plan Amendment Application form (RockCreekRoad), Plan Amendment Resolution (RockCreek Road), OCARTSPlanAmendmentMap-WestRockCreek

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-57

Body

BACKGROUND: At the local level, the Norman 2025 Land Use and Transportation Plan

was developed as the long-range plan for the future physical development of the City. The plan represents a desired land use pattern in response to anticipated growth rates, public utility constraints, and environmental conditions. It embodies a conscious decision by the City to anticipate and make choices about Norman's future and provides a vision of the future and a foundation for managing the City's growth.

Norman 2025 is the culmination of a process built on a dual foundation of strong citizen involvement and a solid understanding of the factual realities of growth trends, patterns and constraints.

One of the most critical elements of this Plan is the designation of a system of vehicular travel that supports the Land Use Plan. This element establishes the functional classification of roadways and their typical section (e.g., number of lanes and required right-of-way). For example, classification of roadways in the urban area of the City includes principal or minor arterials, urban collectors, and urban local streets.

At the regional level, the Oklahoma City Area Regional Transportation Study (OCARTS) Management Area maintains a continuing, cooperative, and comprehensive transportation planning process, under guidelines issued by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) of the U.S. Department of Transportation. This process includes the development of a long-range transportation plan every five years, short-range programs to guide the expenditure of transportation revenues, a congestion management plan, and compliance with federal air quality standards.

The Encompass 2035 OCARTS Plan was developed in conformance with federal surface transportation law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Federal law requires that the long-range plan forecast travel demand for at least a 20-year horizon and identify methods to ensure future mobility and accessibility using multiple modes of travel. Metropolitan areas must also demonstrate that their long-range plan is affordable, is prepared with input from transportation providers, users, interested citizens and others, and that its benefits and burdens are equitably distributed among all income and racial groups within the planning area.

The Encompass 2035 OCARTS Plan calls for improvement of 660 miles of the 3,900 miles of streets and highways in the regional network. Recommended projects aim to accommodate the increased demand for additional miles of travel that is expected to increase 53 percent from 2005 to 2035. The Plan emphasizes maintenance and preservation of the existing street and highway system and calls for the improvement of several interstates, US and state highways and other major roads.

DISCUSSION: In order to make the regional plan consistent with Norman 2025 and to

access federal funds for future construction, the City needs to apply for an Amendment to the Encompass 2035 OCARTS Plan. Part of the process requires that City Council adopt a resolution requesting the specific change.

Resolution No. R-1112-57 requests that the Encompass 2035 OCARTS plan be amended with the addition of Rock Creek Road between Grandview Avenue and 36th Avenue NW as a four lane urban roadway. Adoption of this resolution sets in motion the amendment process, which involves a public notice of plan change by ACOG, 30 days for public comment, and approval of the change by ACOG's Intermodal Transportation Policy Committee.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1112-57 requesting that ACOG's Intermodal Policy Committee approve a change to the Encompass 2035 OCARTS regional transportation plan that adds Rock Creek Road between Grandview Avenue and 36th Avenue NW as a four lane urban arterial.

Application for Amendment of Encompass 2035 - the 2035 Oklahoma City Area Regional Transportation Study (OCARTS) Plan

Date: ***November 1, 2011***

Requesting Entity:
City of Norman

Contact Person: ***Angelo A. Lombardo, P.E.***

Telephone Number: ***(405) 366-5327***

Location of Requested Amendment (please attach a map):
Rock Creek Road, from Grandview Avenue to 440 feet west of 36th Avenue NW

Distance (if applicable): ***0.420*** (in miles) ***0.670*** (in kilometers)

Is the requested location on the Federal Functional Classification Plan? ☑ Yes No
(The Federal Functional Classification System is used as one criteria for determining project eligibility for federal funds.)

If yes, type of federal functional classification: ***Major Collector***

Is a change in functional classification anticipated as a result of this request? Yes ☑ No

If yes, type of proposed federal functional classification expected: _____

Is the proposed location on the Encompass 2035 Network? Yes ☑ No
If yes, describe current Plan recommendation: _____

Is an Environmental Impact Statement required for this project / improvement?
☑ Yes Expected completion date: ***2015***
No

Description of Existing Facility:
Two and three lane asphalt pavement roadway with no curb and gutter

Description of Proposed Improvement:
Four lane urban roadway with curb and gutter and sidewalks

Is proposed improvement included in the State Construction Program? Yes ☑ No
If yes, please specify year: _____ Federal No.: _____ State Job No.: _____

Estimated Year of Implementation/Completion of Proposed Improvement? ***2015***
If improvement is to be implemented in phases, please describe each phase and estimated year of completion below:

Phase 1: _____ Year: _____

Phase 2: _____ Year: _____

Phase 3: _____ Year: _____

Application for Amendment of the 2035 OCARTS Plan (Cont.)

Phase *1* of *1*

Note: If proposed improvement is to be implemented in phases, please copy this page and **complete for each phase.**

Estimated Cost of Proposed Improvement:

	Proposed Funding Source	% Fed.	Estimated Federal Funds	Estimated Local (or State) Funds	Estimated Total Cost
Engineering	***Local***	***100%***		***$ 210,000***	***$ 210,000***
Right-of-way Acqu.	***Local***	***100%***		***$ 20,000***	***$ 20,000***
Utility Relocation	***Local***	***100%***		***$ 300,000***	***$ 300,000***
Construction	***Federal STP-UZA / Local***	***80%***	***$1,680,000***	***$ 420,000***	***$2,100,000***
		* Totals	***$1,680,000***	***$ 950,000***	***$2,630,000***

Will Additional Revenue be Required to Keep the 2035 Plan Financially Feasible? Yes ☑ No

If Yes, Amount: $_____ Proposed Revenue Source(s): _____

Generally describe the current land use and traffic patterns/volumes surrounding the location of the requested Plan amendment (please attach a map if possible):

Land use in the area is a combination of commercial, office and residential. A copy of the City's Land Use and Transportation Plan is attached.

The City of Norman is currently experiencing rapid residential and commercial development in the area. For this reason, the Norman 2025 Land Use and Transportation Plan, adopted by the Norman City Council on December 16, 2004, designated this segment of roadway as an urban major arterial roadway.

What changes in land use, traffic patterns/volumes, or any other factors have occurred, or are anticipated to occur, which prompted you to request this Plan amendment? :

Recent approval of subdivision plats in the area along with completion of the Rock Creek Road bridge over Interstate 35 have resulted in a higher traffic demand. The widening of this segment of Rock Creek Road will remove the only remaining paving gap on Rock Creek Road west of Interstate 35.

- Maintenance Costs will be added by ACOG staff. (See page 3)

This Page For ACOG Use Only

Phase _____ of _____ (Complete a separate sheet for each phase)

Travel Mode of Proposed Amendment (check all that apply):
Streets & Highways Transit, Urban & Rural Bicycle, Pedestrian, Other

Estimated Costs

	Streets & Highways	Transit, Urban & Rural	Bicycle, Ped., Other
Current Total Plan Costs for Applicable Travel Mode(s):			
PLUS Total Cost of Proposed Amendment (P.E., ROW, Utilities & Construction):			
MINUS Maintenance Costs Currently in Plan for Amendment Location (if applicable):			
PLUS Maintenance Costs Resulting from Proposed Plan Amendment (20___ - 2030)			
Total Costs			

Projected Revenues

	Streets & Highways	Transit, Urban & Rural	Bicycle, Ped., Other
Current Total Plan Revenues for Applicable Travel Mode(s):			
MINUS Total Costs for Plan Amendment (reflected above):			
(Positive or Negative) Balance:			
IF NEGATIVE, Source(s) and Amounts of Additional Revenue Proposed by Sponsor:			
New Positive Balance:			

Date of Public Notice: _____ Newspaper: _____
Other Public Involvement: _____
_____

Date of Plan Amendment Resolution: _____ Resolution No.: _____
ITTC Recommendation: _____ Date: _____
CAC Recommendation: _____ Date: _____
ITPC Action: _____ Date: _____
Plan Amendment No. _____

Plan Amendment Form - Page 3

Please attach any additional information desired, and return to:
Douglas W. Rex, ACOG, 21 E. Main St., Suite 100, Oklahoma City, OK 73104
Phone: (405) 234-2264 Fax: (405) 234-2200

RESOLUTION NO. R-1112-57

A RESOLUTION OF THE CITY OF NORMAN

REQUESTING THAT THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN BE AMENDED BY THE INTERMODAL TRANSPORTATION POLICY COMMITTEE

WHEREAS, the units of local government located in the Oklahoma City Area Regional Transportation Study (OCARTS) area, the Association of Central Oklahoma Governments, the Oklahoma Department of Transportation, and the OCARTS area transit providers are committed to the provision of a comprehensive, continuing, and cooperative transportation planning process in Central Oklahoma, as called for by the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and

WHEREAS, said entities have developed, through the Association of Central Oklahoma Governments (ACOG), the Metropolitan Planning Organization, a long range transportation plan, known as the Encompass 2035 OCARTS Plan, which was adopted and endorsed by the Intermodal Transportation Policy Committee and ACOG Board of Directors on April 28, 2011, to serve as a unified statement of intermodal transportation improvements for the OCARTS area, and

WHEREAS, the City Council of the Norman, Oklahoma has determined, based on the attached application that the transportation needs of the area could be better served by amending the Encompass 2035 OCARTS Plan as follows:

Add Rock Creek Road, between 12th Grandview Avenue and 36th Avenue NW, as a four lane urban roadway, consistent with the City's Norman 2025 Land Use and Transportation Plan

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Norman, Oklahoma, that the Intermodal Transportation Policy Committee is hereby requested to consider and concur in the amendment of the Encompass 2035 OCARTS Plan as described above, and to submit same to the ACOG Board of Directors for its endorsement.

Presented and adopted on the _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

Proposed Amendment to the Encompass 2035 OCARTS Plan

Rock Creek Road, from Grandview Avenue to 36th Avenue NW

1 inch equals 1,000 feet

0 280 560 1,120 Feet

Proposed Roadway Segment

N W E S

City of Norman, OK

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

Master

File Number: R-1112-58

File ID:	R-1112-58	**Type:**	Resolution	**Status:**	Agenda Ready
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/07/2011
File Name:	Resolution R-1112-58 ACOG Cedar Lane			**Final Action:**	

Title: RESOLUTION NO. R-1112-58: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING THAT THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS INTERMODAL TRANSPORTATION POLICY COMMITTEE AMEND THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN WITH THE INCLUSION OF CEDAR LANE ROAD BETWEEN 12TH AVENUE S.E. AND 1/2 MILE EAST OF 24TH AVENUE S.E., AS A FOUR-LANE URBAN ARTERIAL ROADWAY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-58.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 23

Attachments: AmendmentForm, Plan Amendment Resolution (CedarLane), OCARTSPlanAmendmentMap-CedarLane1

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-58

Body

BACKGROUND: At the local level, the Norman 2025 Land Use and Transportation Plan was developed as the long-range plan for the future physical development of the City. The

plan represents a desired land use pattern in response to anticipated growth rates, public utility constraints, and environmental conditions. It embodies a conscious decision by the City to anticipate and make choices about Norman's future and provides a vision of the future and a foundation for managing the City's growth.

Norman 2025 is the culmination of a process built on a dual foundation of strong citizen involvement and a solid understanding of the factual realities of growth trends, patterns, and constraints.

One of the most critical elements of this Plan is the designation of a system of vehicular travel that supports the Land Use Plan. This element establishes the functional classification of roadways and their typical section (e.g., number of lanes and required right-of-way). For example, classification of roadways in the urban area of the City includes principal or minor arterials, urban collectors, and urban local streets.

At the regional level, the Oklahoma City Area Regional Transportation Study (OCARTS) Management Area maintains a continuing, cooperative, and comprehensive transportation planning process, under guidelines issued by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) of the U.S. Department of Transportation. This process includes the development of a long-range transportation plan every five years, short-range programs to guide the expenditure of transportation revenues, a congestion management plan, and compliance with federal air quality standards.

The Encompass 2035 OCARTS Plan was developed in conformance with federal surface transportation law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Federal law requires that the long-range plan forecast travel demand for at least a 20-year horizon and identify methods to ensure future mobility and accessibility using multiple modes of travel. Metropolitan areas must also demonstrate that their long-range plan is affordable, is prepared with input from transportation providers, users, interested citizens and others, and that its benefits and burdens are equitably distributed among all income and racial groups within the planning area.

The Encompass 2035 OCARTS Plan calls for improvement of 660 miles of the 3,900 miles of streets and highways in the regional network. Recommended projects aim to accommodate the increased demand for additional miles of travel that is expected to increase 53 percent from 2005 to 2035. The Plan emphasizes maintenance and preservation of the existing street and highway system and calls for the improvement of several interstates, US and state highways and other major roads.

DISCUSSION: In order to make the regional plan consistent with Norman 2025 and to access federal funds for future construction, the City needs to apply for an Amendment to the

Encompass 2035 OCARTS Plan. Part of the process requires that City Council adopt a resolution requesting the specific change.

Resolution No. R-1112-58 requests that the Encompass 2035 OCARTS plan be amended with the addition of Cedar Lane Road between 12th Avenue SE and ½ mile east of 24th Avenue SE as a four lane urban roadway. Adoption of this resolution sets in motion the amendment process, which involves a public notice of plan change by ACOG, 30 days for public comment, and approval of the change by ACOG's Intermodal Transportation Policy Committee.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1112-58 requesting that ACOG's Intermodal Policy Committee approve a change to the Encompass 2035 OCARTS regional transportation plan that adds Cedar Lane Road, between 12th Avenue SE and ½ mile east of 24th Avenue SE as a four lane urban arterial.

Application for Amendment of Encompass 2035 - the 2035 Oklahoma City Area Regional Transportation Study (OCARTS) Plan

Date: ***November 1, 2011***

Requesting Entity:
City of Norman

Contact Person: ***Angelo A. Lombardo, P.E.***

Telephone Number: ***(405) 366-5327***

Location of Requested Amendment (please attach a map):
Cedar Lane Road, from 12th Avenue SE to ½mile east of 24th Avenue SE

Distance (if applicable): ***1.500*** (in miles) ***2.414*** (in kilometers)

Is the requested location on the Federal Functional Classification Plan? ☑ Yes No
(The Federal Functional Classification System is used as one criteria for determining project eligibility for federal funds.)

If yes, type of federal functional classification: ***Major Collector***

Is a change in functional classification anticipated as a result of this request? Yes ☑ No

If yes, type of proposed federal functional classification expected: _____

Is the proposed location on the Encompass 2035 Network? Yes ☑ No
If yes, describe current Plan recommendation: _____

Is an Environmental Impact Statement required for this project / improvement?
☑ Yes Expected completion date: ***2012***
No

Description of Existing Facility:
Two lane asphalt pavement roadway with no curb and gutter

Description of Proposed Improvement:
Four lane urban roadway with curb and gutter, bike lanes and sidewalks

Is proposed improvement included in the State Construction Program? Yes ☑ No
If yes, please specify year: _____ Federal No.: _____ State Job No.: _____

Estimated Year of Implementation/Completion of Proposed Improvement? ***2015***
If improvement is to be implemented in phases, please describe each phase and estimated year of completion below:

Phase 1: _____ Year: _____

Phase 2: _____ Year: _____

Phase 3: _____ Year: _____

Application for Amendment of the 2035 OCARTS Plan (Cont.)

Phase *1* of *1*

Note: If proposed improvement is to be implemented in phases, please copy this page and **complete for each phase**.

Estimated Cost of Proposed Improvement:

	Proposed Funding Source	% Fed.	Estimated Federal Funds	Estimated Local (or State) Funds	Estimated Total Cost
Engineering	***Local***	***100%***		***$ 350,630***	***$ 350,630***
Right-of-way Acqu.	***Local***	***100%***		***$ 825,000***	***$ 825,000***
Utility Relocation	***Local***	***100%***		***$ 555,000***	***$ 555,000***
Construction	***Federal STP-UZA / Local***	***80%***	***$5,680,000***	***$1,420,000***	***$7,100,000***
		* Totals	***$5,680,000***	***$3,150,630***	***$8,830,630***

Will Additional Revenue be Required to Keep the 2035 Plan Financially Feasible? Yes ☑ No

If Yes, Amount: $_____ Proposed Revenue Source(s): _____

Generally describe the current land use and traffic patterns/volumes surrounding the location of the requested Plan amendment (please attach a map if possible):

Land use in the area is a combination of commercial, office and residential. A copy of the City's Land Use and Transportation Plan is attached.

The City of Norman is currently experiencing rapid residential and commercial development in the area. For this reason, the Norman 2025 Land Use and Transportation Plan, adopted by the Norman City Council on December 16, 2004, designated this segment of roadway as an urban major arterial roadway.

What changes in land use, traffic patterns/volumes, or any other factors have occurred, or are anticipated to occur, which prompted you to request this Plan amendment? :

Recent approval of subdivision plats in the area south of State Highway 9, which include more than 825 single family residential dwelling unit lots, 1,168 Apartment Units, and 10,200 square feet of gross floor commercial area and 21,600 square feet of office space, has already and will continue to affect traffic demand in the area. Projected traffic volumes in the short term (< 5 years) are expected to be substantially higher than the 5,384 vehicles per day collected in August of 2011.

- Maintenance Costs will be added by ACOG staff. (See page 3)

This Page For ACOG Use Only

Phase _____ of _____ (Complete a separate sheet for each phase)

Travel Mode of Proposed Amendment (check all that apply):

Streets & Highways Transit, Urban & Rural Bicycle, Pedestrian, Other

Estimated Costs

	Streets & Highways	Transit, Urban & Rural	Bicycle, Ped., Other
Current Total Plan Costs for Applicable Travel Mode(s):			
PLUS Total Cost of Proposed Amendment (P.E., ROW, Utilities & Construction):			
MINUS Maintenance Costs Currently in Plan for Amendment Location (if applicable):			
PLUS Maintenance Costs Resulting from Proposed Plan Amendment (20___ - 2030)			
Total Costs			

Projected Revenues

	Streets & Highways	Transit, Urban & Rural	Bicycle, Ped., Other
Current Total Plan Revenues for Applicable Travel Mode(s):			
MINUS Total Costs for Plan Amendment (reflected above):			
(Positive or Negative) Balance:			
IF NEGATIVE, Source(s) and Amounts of Additional Revenue Proposed by Sponsor:			
New Positive Balance:			

Date of Public Notice: _____ Newspaper: _____

Other Public Involvement: _____

_____

Date of Plan Amendment Resolution: _____ Resolution No.: _____

ITTC Recommendation: _____ Date: _____

CAC Recommendation: _____ Date: _____

ITPC Action: _____ Date: _____

Plan Amendment No. _____

Please attach any additional information desired, and return to:

Douglas W. Rex, ACOG, 21 E. Main St., Suite 100, Oklahoma City, OK 73104
Phone: (405) 234-2264 Fax: (405) 234-2200

RESOLUTION NO. R-1112-58

A RESOLUTION OF THE CITY OF NORMAN

REQUESTING THAT THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN BE AMENDED BY THE INTERMODAL TRANSPORTATION POLICY COMMITTEE

WHEREAS, the units of local government located in the Oklahoma City Area Regional Transportation Study (OCARTS) area, the Association of Central Oklahoma Governments, the Oklahoma Department of Transportation, and the OCARTS area transit providers are committed to the provision of a comprehensive, continuing, and cooperative transportation planning process in Central Oklahoma, as called for by the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and

WHEREAS, said entities have developed, through the Association of Central Oklahoma Governments (ACOG), the Metropolitan Planning Organization, a long range transportation plan, known as the Encompass 2035 OCARTS Plan, which was adopted and endorsed by the Intermodal Transportation Policy Committee and ACOG Board of Directors on April 28, 2011, to serve as a unified statement of intermodal transportation improvements for the OCARTS area, and

WHEREAS, the City Council of the Norman, Oklahoma has determined, based on the attached application that the transportation needs of the area could be better served by amending the Encompass 2035 OCARTS Plan as follows:

Add Cedar Lane Road, between 12th Avenue SE and ½ mile east of 24th Avenue SE, as a four lane urban roadway, consistent with the City's Norman 2025 Land Use and Transportation Plan

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Norman, Oklahoma, that the Intermodal Transportation Policy Committee is hereby requested to consider and concur in the amendment of the Encompass 2035 OCARTS Plan as described above, and to submit same to the ACOG Board of Directors for its endorsement.

Presented and adopted on the _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. R-1112-58

A RESOLUTION OF THE CITY OF NORMAN

REQUESTING THAT THE ENCOMPASS 2035 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION STUDY (OCARTS) PLAN BE AMENDED BY THE INTERMODAL TRANSPORTATION POLICY COMMITTEE

WHEREAS, the units of local government located in the Oklahoma City Area Regional Transportation Study (OCARTS) area, the Association of Central Oklahoma Governments, the Oklahoma Department of Transportation, and the OCARTS area transit providers are committed to the provision of a comprehensive, continuing, and cooperative transportation planning process in Central Oklahoma, as called for by the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and

WHEREAS, said entities have developed, through the Association of Central Oklahoma Governments (ACOG), the Metropolitan Planning Organization, a long range transportation plan, known as the Encompass 2035 OCARTS Plan, which was adopted and endorsed by the Intermodal Transportation Policy Committee and ACOG Board of Directors on April 28, 2011, to serve as a unified statement of intermodal transportation improvements for the OCARTS area, and

WHEREAS, the City Council of the Norman, Oklahoma has determined, based on the attached application that the transportation needs of the area could be better served by amending the Encompass 2035 OCARTS Plan as follows:

Add Cedar Lane Road, between 12th Avenue SE and ½ mile east of 24th Avenue SE, as a four lane urban roadway, consistent with the City's Norman 2025 Land Use and Transportation Plan

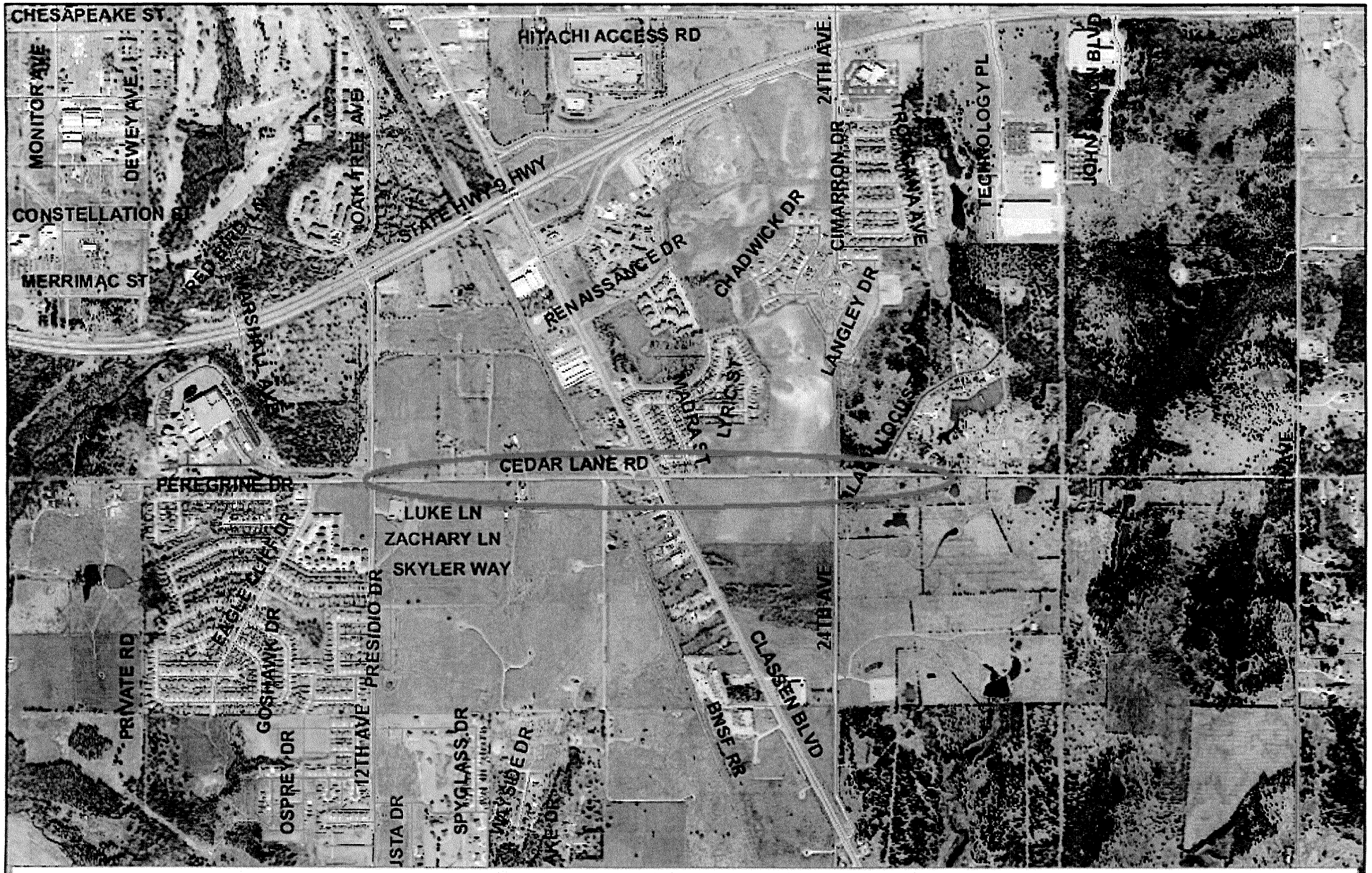
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Norman, Oklahoma, that the Intermodal Transportation Policy Committee is hereby requested to consider and concur in the amendment of the Encompass 2035 OCARTS Plan as described above, and to submit same to the ACOG Board of Directors for its endorsement.

Presented and adopted on the _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk



Proposed Amendment to the Encompass 2035 OCARTS Plan

Cedar Lane Road, from 12th Avenue SE to 1/2 East of 24th Avenue SE

1 inch equals 1,500 feet

0 410 820 1,640 Feet

Proposed Roadway Segment

N W E S

City of Norman, OK

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

Master

File Number: R-1112-59

File ID:	R-1112-59	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/08/2011
File Name:	R-1112-59 ODOT Rock Creek Grandview to 36th			**Final Action:**	

Title: RESOLUTION NO. R 1112-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF ROCK CREEK ROAD FROM GRANDVIEW AVENUE TO WEST OF 36TH AVENUE N.W.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-59.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 24

Attachments: Summary Table 2013-2016 TIP, R-1112-59

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-59

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-59

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF ROCK CREEK ROAD, FROM GRANDVIEW AVENUE TO WEST OF 36TH AVENUE NW

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of Rock Creek Road, from Grandview Avenue to west of 36th Avenue NW**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $2,100,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $1,680,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-60

File ID:	R-1112-60	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-60 ODOT Cedar Lane Road			**Final Action:**	

Title: RESOLUTION NO. R 1112-60: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF CEDAR LANE ROAD FROM 12TH AVENUE S.E., TO 1/2 MILE EAST OF 24TH AVENUE S.E.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-60.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 25

Attachments: List of Projects, R-1112-60

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-60

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-60

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF CEDAR LANE ROAD, FROM 12TH AVENUE SE TO ½ MILE EAST OF 24TH AVENUE SE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of Cedar Lane Road, from 12th Avenue SE to ½ mile east of 24th Avenue SE**
2. **New traffic signal at the intersection of Cedar Lane Road and 12th Avenue SE**
3. **Modification of the existing traffic signal at the intersection of Cedar Lane Road and Classen Boulevard**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $7,100,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $5,680,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-61

File ID:	R-1112-61	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-61 ODOT 12th SE			**Final Action:**	

Title: RESOLUTION NO. R 1112-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 12TH AVENUE S.E., FROM NORTH OF CEDAR LANE ROAD TO STATE HIGHWAY 9.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-61.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 26

Attachments: List of Projects, R-1112-61

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-61

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-61

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 12TH AVENUE SE, FROM NORTH OF CEDAR LANE ROAD TO STATE HIGHWAY 9

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of 12th Avenue SE, from north of Cedar Lane Road to State Highway 9**
2. **New traffic signal at the intersection of 12th Avenue SE and Campus Crest Drive**
3. **Modification of the existing traffic signal at the intersection of State Highway 9 and 12th Avenue SE**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $2,600,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $2,080,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-62

File ID:	R-1112-62	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-62 ODOT 24th			**Final Action:**	

Title: RESOLUTION NO. R 1112-62: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 24TH AVENUE EAST FROM NORTH OF LINDSEY STREET TO ROBINSON STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-62.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 27

Attachments: List of Projects, R-1112-62

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-62

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
ywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-62

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 24TH AVENUE EAST, FROM NORTH OF LINDSEY STREET TO ROBINSON STREET

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of 24th Avenue East, from north of Lindsey Street to Robinson Street**
2. **New traffic signal at the intersection of 24th Avenue East and Meadowood Boulevard**
3. **Modification of the existing traffic signal at the intersection of 24th Avenue East and Robinson Street**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $8,778,500 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $7,022,800 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-63

File ID:	R-1112-63	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-63 ODOT Lindsey Street			**Final Action:**	

Title: RESOLUTION NO. R 1112-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF LINDSEY STREET FROM 24TH AVENUE S.W. TO BERRY ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-63.

ACTION TAKEN: _____

Notes: November 22, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 28

Attachments: List of Projects, R-1112-63

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-63

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal

funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

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This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond

Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

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This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

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Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

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This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

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This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
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Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
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Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
ywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-63

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF LINDSEY STREET, FROM 24TH AVENUE SW TO BERRY ROAD

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of Lindsey Street, from 24th Avenue SW to Berry Road**
2. **Modification of the existing traffic signal at the intersection of Lindsey Street and McGee Drive**
3. **Modification of the existing traffic signal at the intersection of Lindsey Street and Berry Road**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $17,000,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $8,500,000 or 50% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-64

File ID:	R-1112-64	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-64 ODOT 36th Avenue NW			**Final Action:**	

Title: RESOLUTION NO. R 1112-64: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 36TH AVENUE N.W. FROM NORTH OF TECUMSEH ROAD TO INDIAN HILLS ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-64.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 29

Attachments: List of Projects, R-1112-64

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-64

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
City[illegible]le	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-64

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE WIDENING AND RECONSTRUCTION OF 36TH AVENUE NW, FROM NORTH OF TECUMSEH ROAD TO INDIAN HILLS ROAD

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Widening and reconstruction of 36th Avenue NW, from north of Tecumseh Road to Indian Hills Road**
2. **New traffic signal at the intersection of 36th Avenue NW and Franklin Road**
3. **New traffic signal at the intersection of 36th Avenue NW and Indian Hills Road**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $10,525,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $8,420,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-65

File ID:	R-1112-65	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-65 ODOT Signal Project at Tecumseh/48th NW			**Final Action:**	

Title: RESOLUTION NO. R 1112-65: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF TECUMSEH ROAD AND 48TH AVENUE N.W.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-65.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 30

Attachments: List of Projects, R-1112-65

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-65

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of

$493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-65

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF TECUMSEH ROAD AND 48TH AVENUE NW

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $200,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-66

File ID:	R-1112-66	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-66 ODOT Pavement Markings			**Final Action:**	

Title: RESOLUTION NO. R 1112-66: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VAROUS LOCATIONS CITYWIDE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-66.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 31

Attachments: List of Projects, R-1112-66

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-66

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal

funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond

Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson Street, and an interconnect system on Jenkins Avenue, between Constitution Street and

Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-66

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VARIOUS LOCATIONS CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. Installation of Pavement Markings at various locations citywide

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $300,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $300,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-67

File ID:	R-1112-67	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-67 ODOT Signal on 24th SE at Reagan School			**Final Action:**	

Title: RESOLUTION NO. R 1112-67: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL ON 24TH AVENUE S.E. AT REAGAN ELEMENTARY SCHOOL.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-67.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 32

Attachments: List of Projects, R-1112-67

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-67

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)

This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)

This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)

This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)

This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of

$493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-67

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL ON 24TH AVENUE SE AT REAGAN ELEMENTARY SCHOOL

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal on 24th Avenue SE at Reagan Elementary School**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $200,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-68

File ID:	R-1112-68	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-68 ODOT Sidewalk on Boyd			**Final Action:**	

Title: RESOLUTION NO. R 1112-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE INSTALLATION OF A SIDEWALK ALONG BOYD STREET BETWEEN CLASSEN BOULEVARD AND BARKLEY AVENUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-68.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 33

Attachments: List of Projects, R-1112-68

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-68

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-68

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE CONSTRUCTION OF SIDEWALK ALONG BOYD STREET, BETWEEN CLASSEN BOULEVARD AND BARKLEY AVENUE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Construction of sidewalk along Boyd Street, between Classen Boulevard and Barkley Avenue**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $200,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-69

File ID:	R-1112-69	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-69 ODOT Signal at Jenkins/Stinson			**Final Action:**	

Title: RESOLUTION NO. R 1112-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND STINSON STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-69.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 34

Attachments: List of Projects, R-1112-69

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-69

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This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

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This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

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Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

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This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

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This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

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This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

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This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

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This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
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12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-69

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND STINSON STREET

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Jenkins Avenue and Stinson Street**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $200,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-70

File ID:	R-1112-70	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-70 ODOT Signal Upgrade Hwy 9			**Final Action:**	

Title: RESOLUTION NO. R 1112-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR A TRAFFIC SIGNAL INTERCONNECTION UPGRADE ON STATE HIGHWAY 9 FROM JENKINS AVENUE TO JOHN SAXON BOULEVARD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-70.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 35

Attachments: List of Projects, R-1112-70

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-70

Body

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This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street, Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds(80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
ywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-70

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL INTERCONENCTION UPGRADE ON STATE HIGHWAY 9, FROM JENKINS AVENUE TO JOHN SAXON BOULEVARD

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Traffic Signal Interconnection Upgrade on State Highway 9, between Jenkins Avenue and John Saxon Boulevard**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $250,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $250,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-71

File ID:	R-1112-71	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-71 ODOT Signal Alameda/Findlay			**Final Action:**	

Title: RESOLUTION NO. R 1112-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ALAMEDA STREET AND FINDLAY AVENUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-71.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 36

Attachments: List of Projects, R-1112-71

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-71

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
39-1 /wide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-71

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ALAMEDA STREET AND FINDLAY AVENUE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Alameda Street and Findlay Avenue**
2. **Interconnection of traffic signals on Alameda Street, between Porter Avenue and 12th Avenue East**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $400,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $400,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-72

File ID:	R-1112-72	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-72 ODOT School Zone Upgrades			**Final Action:**	

Title: RESOLUTION NO. R 1112-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR SCHOOL ZONE UPGRADES CITYWIDE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-72.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 37

Attachments: List of Projects, R-1112-72

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-72

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal

funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond

Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson Street, and an interconnect system on Jenkins Avenue, between Constitution Street and

Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
37-1 ywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-72

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR SCHOOL ZONE UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of new controllers**
2. **Light-emitting-diode (LED) flashing light upgrades**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $410,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $410,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-73

File ID:	R-1112-73	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-73 ODOT Signal at Jenkins/Brooks			**Final Action:**	

Title: RESOLUTION NO. R 1112-73: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND BROOKS STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-73.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 38

Attachments: List of Projects, R-1112-73

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-73

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-73

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF JENKINS AVENUE AND BROOKS STREET

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Jenkins Avenue and Brooks Street**
2. **Interconnection of traffic signals along Jenkins Avenue, between Lindsey Street and Boyd Street**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $400,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $400,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-74

File ID:	R-1112-74	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-74 ODOT Signal Upgrade Video Detection			**Final Action:**	

Title: RESOLUTION NO. R 1112-74: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW TRAFFIC SIGNAL VIDEO DETECTION SYSTEMS)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-74.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 39

Attachments: List of Projects, R-1112-74

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-74

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal

funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond

Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson Street, and an interconnect system on Jenkins Avenue, between Constitution Street and

Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
tywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-74

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of new traffic signal video detection systems at several signalized intersections citywide**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $505,900 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $505,900 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-75

File ID:	R-1112-75	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-75 ODOT Emer Veh Pre-emption			**Final Action:**	

Title: RESOLUTION NO. R 1112-75: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW EMERGENCY VEHICLE TRAFFIC SIGNAL PRE-EMPTION SYSTEMS)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-75.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 40

Attachments: List of Projects, R-1112-75

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-75

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-75

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of new emergency vehicle traffic signal pre-emption systems at various intersections citywide**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $493,500 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $493,500 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-76

File ID:	R-1112-76	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 41	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-76 ODOT Signal Upgrade MUTCD			**Final Action:**	

Title: RESOLUTION NO. R 1112-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE. (NEW SIGNAL DISPLAYS FOR COMPLIANCE WITH THE 2009 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-76.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 41

Attachments: List of Projects, R-1112-76

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-76

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street), Constitution Street (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 7,100,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,600,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ -
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ -
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segements (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Bouelvard to Barkley Avenue	New Sidewalks	R-1112-68	$ -
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Bouelvard	Traffic Signal Interconnect Upgrade	R-1112-70	
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 1,200,000
Total Funds Requested			**$ 24,369,000**

Resolution

R-1112-76

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of new signal displays at various intersections citywide for compliance with the 2009 Manual on Uniform Traffic Control Devices**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $179,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA-Safety funds is hereby requested in the amount of $179,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1112-77

File ID:	R-1112-77	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2011
File Name:	R-1112-77 ODOT Pavement Overlays Alameda			**Final Action:**	

Title: RESOLUTION NO. R 1112-77: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR PAVEMENT OVERLAYS ALONG ALAMEDA STREET, CONSTITUTION STREET, IMHOFF ROAD, AND LINDSEY STREET.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-77.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 42

Attachments: List of Projects, R-1112-77

Project Manager: Angelo Lombardo, Traffic Engineer

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1112-77

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a

regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost for the higher priority projects.

DISCUSSION: On December 15, 2011, staff will submit 23 projects for consideration in the formulation of ACOG's 4-Year Transportation Improvement Program, including five of the seven projects being discussed for a potential bond issue. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for four of the projects, including two of the potential bond projects under consideration. The nineteen projects requiring programming resolutions are:

Rock Creek Road Widening (From Grandview to 36th Avenue NW)
This project widens Rock Creek Road and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system and sidewalks. The estimated construction cost of $2,100,000 will be funded with federal funds (80%) and City funds (20%).

Cedar Lane Road Widening (From 12th Avenue SE to ½ mile east of 24th Avenue SE) (Potential Bond Project)
This project widens Cedar Lane Road and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the Cedar Lane Road and 12th Avenue SE intersection, modified traffic signals at the Cedar Lane Road and Classen Boulevard intersection, and sidewalks. The estimated construction cost of $7.1 million will be funded with federal funds (80%) and City funds (20%).

12th Avenue SE Widening (From Cedar Lane Road to State Highway 9) (Potential Bond Project)
This project widens 12th Avenue SE and provides a four-lane urban arterial roadway with curb and gutter, bike lanes, storm drainage collection system, new traffic signal at the 12th Avenue SE and Campus Crest Drive intersection, modified traffic signals at the 12th Avenue SE and State Highway 9 intersection, and sidewalks. The estimated construction cost of $2,600,000 million will be funded with federal funds (80%) and City funds (20%).

24th Avenue East Widening (From Lindsey Street to Robinson Street) (Potential Bond Project)
This project widens 24th Avenue East and provides a four-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 24th Avenue SE and Meadowood Boulevard intersection, modified traffic signals at the 24th Avenue NE and Robinson Street intersection and sidewalks. The estimated construction cost of $8,777,500 million will be funded with federal funds (80%) and City funds (20%).

Lindsey Street Widening (From 24th Avenue SW to Berry Road) (Potential Bond Project)

This project widens Lindsey Street and provides a five-lane urban arterial roadway with curb and gutter, storm drainage collection system, modified traffic signal at the Lindsey Street and McGee Drive intersection, modified traffic signal at the Lindsey Street and Berry Road intersection and sidewalks. The estimated construction cost of $18,000,000 million (including storm water drainage improvements) will be funded with federal funds (50%) and City funds (50%).

36th Avenue NW Widening (From Tecumseh Road to Indian Hills Road) (Potential Bond Project)

This project widens 36th Avenue NW and provides a four/five-lane urban arterial roadway with curb and gutter, storm drainage collection system, new traffic signal at the 36th Avenue NW and Franklin Road intersection, new traffic signal at the 36th Avenue NW and Indian Hills Road intersection, sidewalks and multimodal path. The estimated construction cost of $10,525,000 million will be funded with federal funds (80%) and City funds (20%).

Tecumseh Road and 48th Avenue NW Traffic Signal

This project provides a new traffic signal at the intersection of Tecumseh Road and 48th Avenue NW. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project

Citywide Pavement Markings

This project provides new thermoplastic pavement markings along several miles of functionally classified roadways in the City. This will be the second project in Norman that uses federal funds for this type of maintenance activity. This new funding strategy will continue to help offset the demands placed on the City's operating budget as they relate to the ever expanding system of roadways that require the application of pavement markings. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

24th Avenue SE at Reagan Elementary School Traffic Signal

This project provides a new traffic signal to serve future students attending Reagan Elementary School. The estimated construction cost of $200,000 will be funded with 100% federal funds as a safety improvement project.

Boyd Street Sidewalks (From Classen Boulevard to Barkley Avenue)

This project provides new sidewalks and wheel chair ramps for better access to Lincoln Elementary School. The estimated construction cost of $200,000 will be funded with federal funds (80%) and City funds (20%).

Jenkins Avenue and Stinson Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Stinson

Street, and an interconnect system on Jenkins Avenue, between Constitution Street and Lindsey Street. The estimated construction cost of $300,000 will be funded with 100% federal funds as a safety improvement project.

State Highway 9 Traffic Signal Interconnect Upgrade

This project replaces the existing copper wire interconnect system, between Jenkins Avenue and John Saxon Boulevard, with fiber optics. The estimated construction cost of $250,000 will be funded with 100% federal funds as a safety improvement project.

Alameda Street and Findlay Avenue Traffic Signal

This project provides a new traffic signal at the intersection of Alameda Street and Findlay Avenue, and an interconnect system on Alameda Street between Porter Avenue and 12th Avenue East. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

School Zone Upgrades Citywide

This project replaces the existing incandescent bulb school zone flasher lights with new light emitting diode (LED) displays and the controller assemblies. The new controllers will allow remote programming of the time clocks using wireless technology. The estimated construction cost of $410,600 will be funded with 100% federal funds as a safety improvement project

Jenkins Avenue and Brooks Street Traffic Signal

This project provides a new traffic signal at the intersection of Jenkins Avenue and Brooks Street and an interconnect system on Jenkins Avenue between Lindsey Street and Boyd Street. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace the existing in-pavement loop detectors with new video detection system at 13 different signalized intersections. The estimated construction cost of $505,900 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will replace signal displays at 41 signalized intersections to make the City compliant with the 2009 Manual on Uniform Traffic Control Devices. The estimated construction cost of $179,000 will be funded with 100% federal funds as a safety improvement project.

Citywide Traffic Signal Upgrade

This project will add emergency vehicle pre-emption systems at 40 signalized intersections and upgrade existing systems at three other locations. The estimated construction cost of $493,500 will be funded with 100% federal funds as a safety improvement project.

Citywide Pavement Overlays

This project will overlay Classen Boulevard (Lindsey Street to Alameda Street, Constitution Street) (Jenkins Avenue to Classen Boulevard), Lindsey Street (Berry Road to Jenkins Avenue), Imhoff Road (Classen Boulevard to 24th Avenue SE) and Alameda Street (1/2 mile east of 24th Avenue East to 60th Avenue East). The estimated construction cost of $1,200,000 will be funded with federal funds (80%) and City funds (20%).

In each of the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the local share of the construction cost, which is typically 20% for the widening projects and 0% for the safety projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolutions Nos. R-1112-59 thru 77 requesting Federal Surface Transportation Safety (STP/UZA) funds for the Capital Improvement Projects listed in the attached table.

PROGRAMMING RESOLUTIONS REQUESTING FEDERAL FUNDS - 2013 to 2016 ACOG TIP
CITY OF NORMAN

Project Location	Description	Resolution No.	Federal Funds
Rock Creek Road, from Grandview Avenue to 36th Avenue NW	Widening	R-1112-59	$ 1,680,000
Cedar Lane Road, from 12th Avenue SE to 1/2 east of 24th Avenue SE	Widening	R-1112-60	$ 5,680,000
12th Avenue SE, from Cedar Lane Road to State Highway 9	Widening	R-1112-61	$ 2,080,000
24th Avenue East, from Lindsey Street to Robinson Street	Widening	R-1112-62	$ 7,022,800
Lindsey Street, from 24th Avenue SW to Berry Road	Widening	R-1112-63	$ 8,500,000
36th Avenue NW, from Tecumseh Road to Indian Hills Road	Widening	R-1112-64	$ 8,420,000
Tecumseh Road and 48th Avenue NW	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-65	$ 200,000
Citywide	Delineation - Phase 2 - Various roadway segments (Construction funded with 100% federal funds)	R-1112-66	$ 300,000
24th Avenue SE @ Reagan Elementary School	New Traffic signal (Construction funded with 100% federal funds)	R-1112-67	$ 200,000
Boyd Street, from Classen Boulevard to Barkley Avenue	New Sidewalks	R-1112-68	$ 200,000
Jenkins Avenue and Stinson Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-69	$ 200,000
State Highway 9, from Jenkins Avenue to John Saxon Boulevard	Traffic Signal Interconnect Upgrade	R-1112-70	$ 250,000
Alameda Street and Findlay Avenue	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-71	$ 400,000
Citywide	School Zone Upgrades (LED Displays and Controllers) (Construction funded with 100% federal funds)	R-1112-72	$ 410,600
Jenkins Avenue and Brooks Street	New Traffic Signal (Construction funded with 100% federal funds)	R-1112-73	$ 400,000
Citywide	Traffic Signal Video Detection Upgrades (Construction funded with 100% federal funds)	R-1112-74	$ 505,900
Citywide	Emergency Vehicle Pre-Emption Upgrades (Construction funded with 100% federal funds)	R-1112-75	$ 493,500
Citywide	MUTCD Compliance Upgrades (Construction funded with 100% federal funds)	R-1112-76	$ 179,000
Citywide	Pavement Overlay	R-1112-77	$ 960,000
Total Funds Requested			**$ 38,081,800**

Resolution

R-1112-77

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR PAVEMENT OVERLAYS ALONG ALAMEDA STREET, CONSTITUTION STREET, IMHOFF ROAD AND LINDSEY STREET

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

Pavement overlays along the following segments of roadway:

1. **Alameda Street, from ½ mile east of 24th Avenue East to 60th Avenue East**
2. **Constitution Street, from Jenkins Avenue to Classen Boulevard**
3. **Imhoff Road, from Classen Boulevard to 24th Avenue SE**
4. **Lindsey Street, from Berry Road to Jenkins Avenue**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $ 1,200,000 and Federal participation under the terms of the 2005 – Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), relating to STP/UZA funds is hereby requested in the amount of $ 960,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

§ 9. WHEREAS, the City of Norman further agrees to deposit with the Oklahoma Department of Transportation the matching funds required (20% of the construction cost) 30 days after approval by the Federal Highway Administration.

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

§ 10. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: PP-1112-3

File ID:	PP-1112-3	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 43	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	10/12/2011
File Name:	Brookhaven 41 Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR BROOKHAVEN NO. 41 ADDITION. (GENERALLY LOCATED SOUTH AND WEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject the revised preliminary plat for Brookhaven No. 41 Addition.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 43

Attachments: Attachment A - Brookhaven 41 Addition, Brookhaven Location Map, Brookhaven Rev Prelim Plat, Brookhaven Staff Report, Brookhaven Transportation Impacts, Brookhaven Site Plan, Brookhaven Predevelopment Summary, Brookhaven Greenbelt Comments, Brookhaven GES, 11-10-11 PC Minutes - Brookhaven 41 Prelim

Project Manager: Ken Danner, Development 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	11/10/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	11/10/2011					

Text of Legislative File PP-1112-3

body

BACKGROUND: This item is a Revised Preliminary Plat for Brookhaven No. 41 Addition and is generally located south and west of the intersection of 36th Avenue NW and West Rock Creek Road.

City Council, at its meeting of April 13, 1984, adopted Ordinance No. O-8384-90 placing this property in R-1, Single Family Dwelling District, RM-6, Medium Density Apartment District and C-1, Local Commercial District zoning classifications. The proposal is 42 for single-family lots, 2 multi-family lots and 4 commercial lots.

Planning Commission, at its meeting of November 10, 2011, recommended approval of the revised preliminary plat for Brookhaven No. 41 Addition on a vote of 8-0.

DISCUSSION: The proposed 60,400-square foot gross floor area retail space, 24.57 Acre RM-6 multi-family area and the 42 residential lots in this addition are expected to generate approximately 6,172 trips per day. Traffic capacities on 36th Avenue NW and Rock Creek Road exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

(see Attachment A)

When this development last went through the platting process in 2008, a traffic analysis was prepared and it was determined that a traffic impact fee of $11,707.50 would be appropriate for the design and construction of a new traffic signal at the intersection of 36th Avenue NW and Rock Creek Road. That traffic signal installation was completed in February 2011. With the current submittal, additional traffic analyses were conducted to determine if signalization of the future intersection of Rock Creek Road with Brookhaven Boulevard would be required. The analyses showed that it would not be with this plat. As such, no other traffic analyses were required and no other traffic impact fees are applicable.

The proposed access points along Rock Creek Road for the RM-6 multi-family area and the commercial area are spaced in accordance with the City of Norman's Engineering Design Criteria. No variance is required. Access to the future RM-6 multi-family area to be located at the southeast corner of the intersection of Rock Creek Road with Brookhaven Boulevard must be along Brookhaven Boulevard. Limits of No Access should exist along the Rock Creek Road frontage of the future RM-6 multi-family area and along Brookhaven Boulevard from its intersection with Rock Creek Road to a point 175-feet south of the intersection.

Public improvements for this property consist of the following:

Fire Hydrants. Fire hydrants will be installed at each intersection and spaced 300-feet

between intersections. There is a proposed looped water line with fire hydrants for the apartment project.

Sanitary Sewers. Eight inch (8") sanitary sewer mains (or larger) are proposed for this development.

Sidewalks. Sidewalks will be constructed on each lot prior to occupancy. Sidewalks will be constructed adjacent to West Rock Creek Road.

Drainage. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A privately maintained detention facility will be utilized for the single family and a portion of the multi-family development. The apartment project will convey storm water to an existing underground storm sewer system that was designed for this area and will utilize the Brookhaven Creek detention facility located east of 36th Avenue N.W.

Streets. Streets will be constructed in accordance with approved plans and City paving standards. West Rock Creek Road will be constructed in accordance with approved plans and City paving standards. There is a portion of Rock Creek Road located west of this development that will present a problem regarding gap paving. Gap paving refers to the scenario in which street widening occurs in "gaps" of development, leaving unimproved gaps along the street where development has not occurred. Two (2) parcels of land located west of this development with approximately 600 feet of total frontage will not contribute to the improvement costs for Rock Creek Road due to their zoning and platting status. Staff is recommending deferral of paving improvements with this development for Rock Creek Road. Depending on timing of development on the north side of Rock Creek Road, the City may utilize the recoupment process in order to generate adequate financing for the street improvements on Rock Creek Road.

Water Mains. Interior 6-inch and 8-inch water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

Public Dedications: All rights-of-ways and easements will be dedicated to the City with final platting.

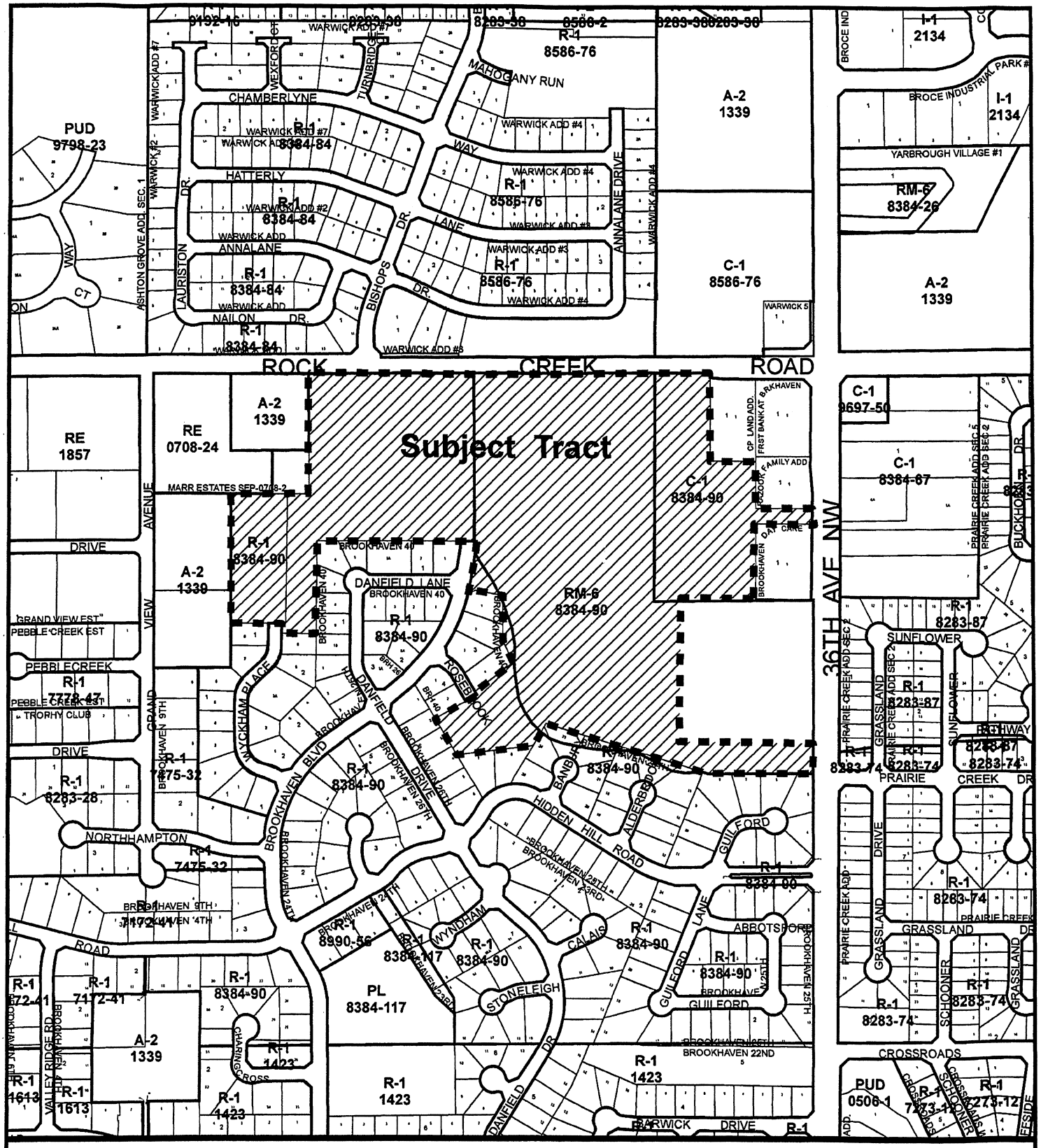
STAFF RECOMMENDATIONS: The purpose of the revision is a detailed submittal of a portion of the RM-6 area and the increase in size of the single family residential lots. The street layout and public improvements are relatively the same.

Based on the above information, Staff recommends approval of the revised preliminary plat for Brookhaven No. 41 Addition.

ATTACHMENT A

Traffic Table for
Revised Preliminary Plat for Brookhaven No. 41 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)
36th Avenue NW	5	12,391	3,703	16,094	36,000	34.42	44.71
Rock Creek Road	4	3,366	2,469	5,835	34,200	9.84	17.06



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

October 18, 2011

0 250 500 Ft.

Subject Tract

Zoning

BROOKHAVEN NO. 41 ADDITION

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

REVISED PRELIMINARY PLAT

The relocation of the Oil Well and all related appurtenances to be the responsibility of the Developer: Cies Properties, Inc. (Contact Person - Evan Nixon)

Sidewalks to be constructed in accordance with the Standards of The City of Norman on each lot including Rock Creek Road. Sidewalks are not shown on this drawing for clarity.

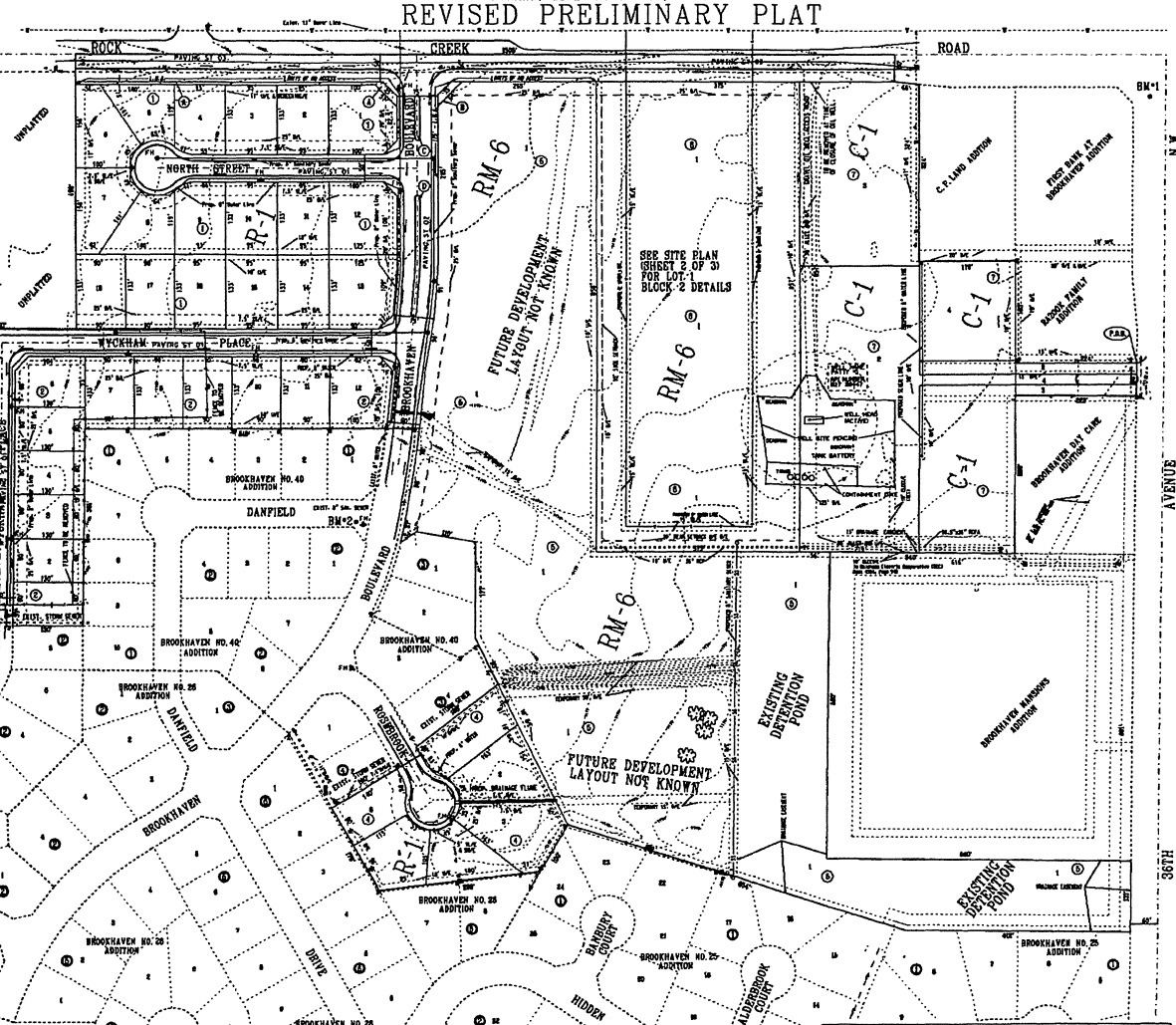
LEGEND OF SYMBOLS

- Fire Hydrant
- Bench Mark
- Existing Sanitary Sewer Manhole
- Water Valve
- Utility Pole
- Guy Anchor
- Telephone Riser
- Storm Sewer Manhole
- Storm Sewer Inlet
- Fence
- Fiber Optic Line
- Underground Utility
- Existing Sanitary Sewer
- Storage Tank or other Oil Equipment
- L.N.A. Denotes Limits of No Access

Scale: 1" = 100'
CONTOUR INTERVAL - 1'

BM-1 - Cut X in top of Curb Southwest South curb return of Rock Creek Road and 36th Avenue NW Elev. 1174.00

BM-2 - Brass cap at West end of Southwest Curb return at intersection of Danfield and Brookhaven Blvd. Elev. 1160.00



THE FEMA FLOOD RATE MAP OR PANEL 400372C0030G DATED SEPTEMBER 26, 2008 SHOWS THAT THE ABOVE PROPERTY IS LOCATED IN ZONE X, WHICH IS DESCRIBED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

THE SMALL GROUP OF TREES SHOWN WEST OF THE DETENTION POND ARE LOCATED BY AERIAL PHOTOGRAPHY. THEIR SIZE IS NOT KNOWN, THEY ARE NOT IN THE AREA BEING CONSIDERED FOR DEVELOPMENT AT THIS TIME.

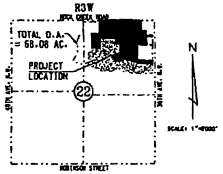
ZONING
EXISTING ZONING R-1, RM-6 AND C-1
PROPOSED ZONING - SAME

42 SINGLE FAMILY LOTS
4 COMMERCIAL LOTS
2 MULTI-FAMILY LOTS

THE EXISTING OIL WELL (PATTY #3) SHOWN HEREON IS AN ACTIVE WELL. IT MAY REMAIN IN PRODUCTION FOR SOME TIME TO COME.

THERE WILL BE NO DEVELOPMENT ON THE COMMERCIAL LOT 2, BLOCK 7 UNTIL THE OIL WELL IS REMOVED AND PLUGGED.

THE RM-6 PROPERTY HAS NOT BEEN SUBDIVIDED INTO LOTS ON THIS PRELIMINARY PLAT. CITY REQUIREMENTS WITH A NEW PRELIMINARY PLAT WILL BE MET BEFORE DEVELOPMENT IN BLOCK 5 CAN BE FINAL PLATTED.



VICINITY MAP

LEGAL DESCRIPTION:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-Two (22), Township Nine (9) North, Range Three (3) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows:

COMMENCING at the Northeast Corner of said NE/4;
Thence S00°39'04"W on the East Line of said NE/4 for a distance of 562.62 feet;
Thence N89°20'56"W for a distance of 50.00 feet to the POINT OF BEGINNING, said point being on the West Right-of-Way Line of 36th Avenue N.W.;
Thence S00°39'04"W on said Right-of-Way Line for a distance of 60.00 feet;
Thence N89°57'05"W for a distance of 223.99 feet;
Thence S00°02'55"W for a distance of 289.41 feet;
Thence N89°13'55"W for a distance of 339.51 feet;
Thence S00°39'04"W for a distance of 560.00 feet;
Thence S89°11'55"E for a distance of 562.00 feet to a point on said West Right-of-Way Line;
Thence S00°39'04"W on said Right-of-Way Line for a distance of 131.07 feet;
Thence N89°13'55"W for a distance of 412.42 feet;
Thence N72°25'56"W for a distance of 654.00 feet;
Thence S32°17'55"W for a distance of 100.02 feet;
Thence S83°36'44"W for a distance of 296.14 feet;
Thence N50°00'00"W for a distance of 175.05 feet;
Thence N60°00'00"E for a distance of 190.02 feet;
Thence N30°00'00"W for a distance of 16.05 feet;
Thence N52°48'36"E for a distance of 188.02 feet;
Thence N26°18'09"W for a distance of 53.51 feet;
Thence N00°04'45"E for a distance of 176.99 feet;
Thence N80°11'01"W for a distance of 110.08 feet;
Thence S56°28'44"W for a distance of 34.31 feet;
Thence Northwesterly, on a curve to the left, having a radius of 630.00 feet, a chord bearing of N11°24'45"E, for a curve distance of 36.59 feet;
Thence N09°48'53"E for a distance of 95.71 feet;
Thence Northeasterly, on a curve to the left, having a radius of 997.96 feet, a chord bearing of N07°34'05"E, for a curve distance of 79.26 feet;
Thence N89°57'05"W for a distance of 615.31 feet;
Thence S00°26'48"W for a distance of 360.83 feet;
Thence N89°35'12"W for a distance of 130.00 feet;
Thence N00°24'48"E for a distance of 37.08 feet;
Thence N89°35'12"W for a distance of 190.00 feet;
Thence N00°24'48"E for a distance of 505.91 feet;
Thence S89°35'12"E for a distance of 302.91 feet;
Thence N00°04'51"E for a distance of 457.73 feet to a point on the North Line of said NE/4;
Thence S89°57'05"E on said North Line for a distance of 1504.96 feet;
Thence S00°08'44"W for a distance of 50.00 feet to a point on the South Right-of-Way Line of West Rock Creek Road;
Thence S84°14'06"E on said Right-of-Way Line for a distance of 44.76 feet;
Thence S00°02'55"W for a distance of 534.46 feet;
Thence S89°57'05"E for a distance of 176.48 feet;
Thence S00°02'55"W for a distance of 183.16 feet;
Thence S89°57'05"E for a distance of 223.72 feet to the POINT OF BEGINNING, containing 46.50 acres, more or less.

STORM DRAINAGE DETENTION FACILITY EASEMENT

Drainage detention facility easements are hereby established as shown to provide for detention of storm surface water and constructed as approved by the City Engineer. All maintenance within the drainage detention facility easement shall be the right, duty and responsibility of the Property Owner(s) in the plat of Brookhaven No. 40 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.

DEVELOPER:
Cies Properties Inc.
1203 Brookhaven Boulevard
Norman, Oklahoma 73072
405-329-0256

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

ENGINEERS SURVEYORS PLANNERS **CPES** Clour Planning & Engineering Services
C.A. No. 9975 Exp. Date 06-30-2012 • 408 Bannister Ct., Norman, Ok. • 405-433-2522

BROOKHAVEN NO. 41 ADDITION
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
REVISED PRELIMINARY PLAT

Drawn By: MIKE/ANDREW Checked By: ____
Dwg. File: 2011 PRELIMINARY.DWG
Date: 12-12-2011 Rev.: ____

Sheet 1 of 3

JOB NO. P-015

PRELIMINARY PLAT ITEM NO. 5

STAFF REPORT

ITEM: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR BROOKHAVEN NO. 41 ADDITION

LOCATION: Generally located southwest of the intersection of West Rock Creek Road and 36th Avenue NW.

INFORMATION:

1. Owner. Cies Properties, Inc.

2. Developer. Cies Properties, Inc.

3. Engineer. Clour Planning & Engineering Services

HISTORY:

1. September 18, 1962. Planning Commission, on a vote of 8-1, recommended to City Council that a portion of this property be placed in R-1, and removed from A-2, zoning classification.

2. October 23, 1962. City Council adopted Ordinance No. 1423, placing a portion of this property in R-1, and removing it from A-2 zoning classification.

3. March 6, 1980. The Norman Board of Parks Commissioners, on a vote of 7-0, recommended park land for the revised preliminary plat for Brookhaven Addition.

4. March 13, 1980. Planning Commission, on a vote of 7-0, approved the revised preliminary plat for Brookhaven Addition.

5. February 2, 1984. The Norman Board of Parks Commissioners, on a vote of 6-0, recommended park land dedication for Brookhaven Addition.

6. March 8, 1984. Planning Commission, on a vote 8-0, recommended to City Council that a portion of this property be placed in R-1, RM-6, and C-1 and removed from A-2, zoning classification.

HISTORY (Con't.)

7. March 8, 1984. Planning Commission approved the preliminary plat for Brookhaven 22nd Addition.

8. April 3, 1984. City Council adopted Ordinance No. O-8384-90 placing a portion of this property in C-1, R-1, and RM-6 and removing it from A-2 zoning classification.

9. May 10, 1984. Planning Commission, on a vote 8-0, recommended to City Council that a portion of this property be placed in R-1, and removed from A-2, zoning classification.

10. May 10, 1984. Planning Commission, on a vote of 8-0, approved the revised preliminary plat for Brookhaven 22nd Addition.

11. June 5, 1984. City Council adopted Ordinance No. O-8384-117 placing a portion of this property in R-1, and removing it from A-2 zoning classification.

12. July 14, 1988. Planning Commission, on a vote of 7-0, approved the revised preliminary plat for Brookhaven 22nd Addition.

13. May 13, 1993. Planning Commission, on a vote of 9-0, approved the revised preliminary plat for Brookhaven No. 26 Addition.

14. June 13, 2002. Planning Commission, on a vote of 7-0, recommended to City Council the preliminary plat for Brookhaven No. 38 Addition be approved with an alley waiver for the commercial property.

15. August 13, 2002. City Council approved the preliminary plat for Brookhaven No. 38 Addition with waiver in alley requirements for the commercial property.

16. August 13, 2007. The preliminary plat approval for Brookhaven No. 38 Addition became null and void.

17. January 10, 2008. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Brookhaven No. 41 Addition (previously known as Brookhaven No. 38) be approved.

18. February 26, 2008. City Council approved the preliminary plat for Brookhaven No. 41 Addition (previously known as Brookhaven No. 38).

IMPROVEMENT PROGRAM:

1. Alley. An alley will be constructed for the proposed commercial lots.

IMPROVEMENT PROGRAM (Con't.):

2. Fencing and Screening. Fencing and screening will be required for residential lots backing up to West Rock Creek Road.

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

4. Permanent Markers. Permanent markers will be installed prior to City acceptance of street improvements.

5. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Oklahoma Department of Environmental Quality standards.

6. Sidewalks. Sidewalks will be located and constructed on each lot prior to occupancy. Also, sidewalks will be constructed adjacent to West Rock Creek Road.

7. Storm Sewers. Storm sewer and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Stormwater will be conveyed to a proposed privately-maintained detention pond within the multi-family tracts. Stormwater will then be conveyed to the Brookhaven Creek located on the east side of 36th Avenue N.W.

8. Streets. Streets will be constructed in accordance with approved plans and City paving standards. West Rock Creek Road will be constructed in accordance with approved plans and paving standards. There is a portion of Rock Creek Road located west of this development that will present a problem regarding gap paving. Gap paving refers to the scenario in which street widening occurs in "gaps" of development, leaving unimproved gaps along the street where development has not occurred. Two (2) parcels of land located west of this development with approximately 600 feet of total frontage will not contribute to the improvement costs for Rock Creek Road due to their zoning and platting status. Staff is recommending deferral of paving improvements with this development for Rock Creek Road. Depending on the timing of development on the north side of Rock Creek Road, the City may utilize the recoupment process in order to generate adequate financing for the street improvements on Rock Creek Road.

9. Water Mains. Water mains will be installed in accordance with approved plans and City and Oklahoma Department of Environmental Quality standards. There is an existing twelve-inch (12") water main adjacent to Rock Creek Road.

PUBLIC DEDICATIONS:

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

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

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

STAFF RECOMMENDATION: At this time, the owner/developer has not provided a site plan for a portion of the RM-6 multi-family area because there are no proposals for development. A revised preliminary plat with appropriate site plan will be required for the multi-family area at such time as it develops. This revised preliminary plat consists of single family lots, apartment complex and commercial lots. City traffic engineers have performed an assessment of this property for any traffic impacts. With the recent completion of the traffic signal at 36th Avenue N.W. and Rock Creek Road, additional improvements are not required at this time. Staff recommends approval of the revised preliminary plat for Brookhaven No. 41 Addition.

ACTION NEEDED: Recommend approval or disapproval of the revised preliminary plat for Brookhaven No. 41 Addition to City Council.

ACTION TAKEN:_____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: October 17, 2011 **STAFF REVIEW BY:** David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Brookhaven No. 41 Addition **PROJECT TYPE:** Commercial/Residential

Owner: Cies Properties, Inc.
Developer's Engineer: Clour Planning and Engineering Services
Developer's Traffic Engineer: None

SURROUNDING ENVIRONMENT (Streets, Developments)
Low-density residential developments surround the project location with the exception of some commercial located at the Rock Creek Road intersection with 36th Avenue NW.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Rock Creek Road: 4 lanes (existing) / 4 lanes (future). Speed Limit - 40 mph. No sight distance problems. No medians.
36th Avenue NW: 5 lanes (existing) / 5 lanes (future). Speed Limit - 45 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	6,172	3,086	3,086
A.M. Peak Hour	239	98	141
P.M. Peak Hour	613	324	289

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■
When this development last went through the platting process in 2008, a traffic analysis was prepared and it was determined that a traffic impact fee of $11,707.50 would be appropriate for the design and construction of a new traffic signal at the intersection of 36th Avenue NW and Rock Creek Road. That traffic signal installation was completed in February 2011. With the current submittal, additional traffic analyses were conducted to determine if signalization of the future intersection of Rock Creek Road with Brookhaven Boulevard would be required. The analyses showed that it would not be with this plat. As such, no other traffic analyses were required and no other traffic impact fees are applicable.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

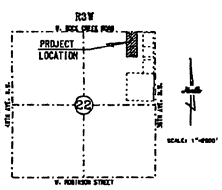
The proposed 60,400-square foot gross floor area retail space, 162 Unit RM-6 area and the 46 residential lots in this addition are expected to generate approximately 6,172 trips per day. Traffic capacities on 36th Avenue NW and Rock Creek Road exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

The proposed access points along Rock Creek Road for the RM-6 multi-family area and the commercial area are spaced in accordance with the City of Norman's Engineering Design Criteria. No variance is required. Access to the future RM-6 multi-family area to be located at the southeast corner of the intersection of Rock Creek Road with Brookhaven Boulevard must be along Brookhaven Boulevard. Limits of No Access should exist along the Rock Creek Road frontage of the future RM-6 multi-family area and along Brookhaven Boulevard from its intersection with Rock Creek Road to a point 175-feet south of the intersection.

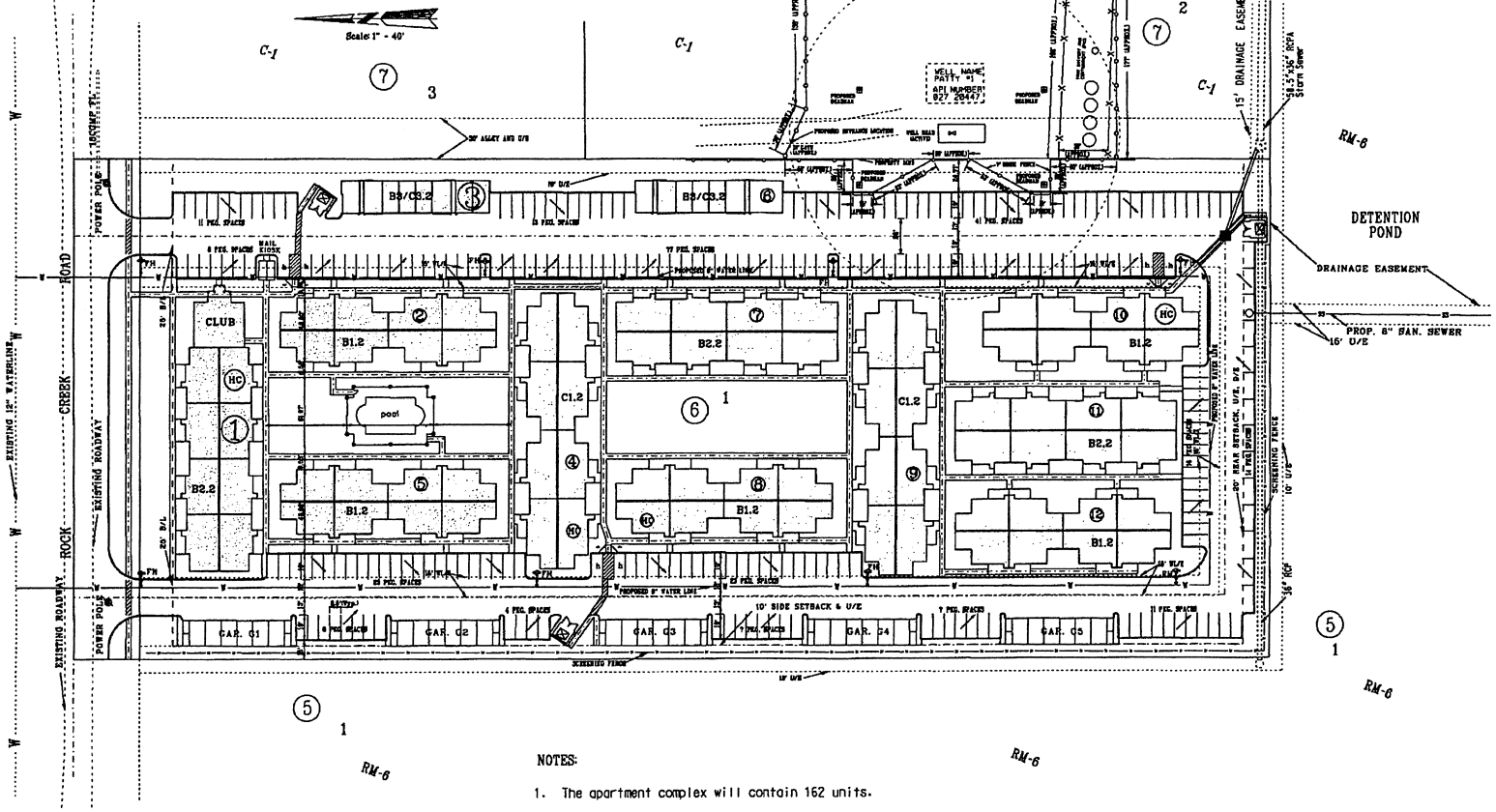
BROOKHAVEN NO. 41 ADDITION
REVISED PRELIMINARY PLAT
SITE PLAN
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

OIL WELL RELOCATION NOTES:

1. The Oil Well and all related appurtenances (to include but not limited to: containment dike/firewall, fencing, gate, access drive, etc.) will be relocated in accordance with the City of Norman Oil and Gas Regulations and the well owner/operator.
2. ALL DIMENSIONS LABELED APPROXIMATE ARE SUBJECT TO CHANGE.



VICINITY MAP



NOTES:

1. The apartment complex will contain 162 units.
2. Maintenance of Oil Well, and all related appurtenances to be the responsibility of the well Owner/Operator: Magnum Energy (Contact Person - Bob Campbell).

ENGINEERS SURVEYORS PLANNERS **CPES** Clour Planning & Engineering Services

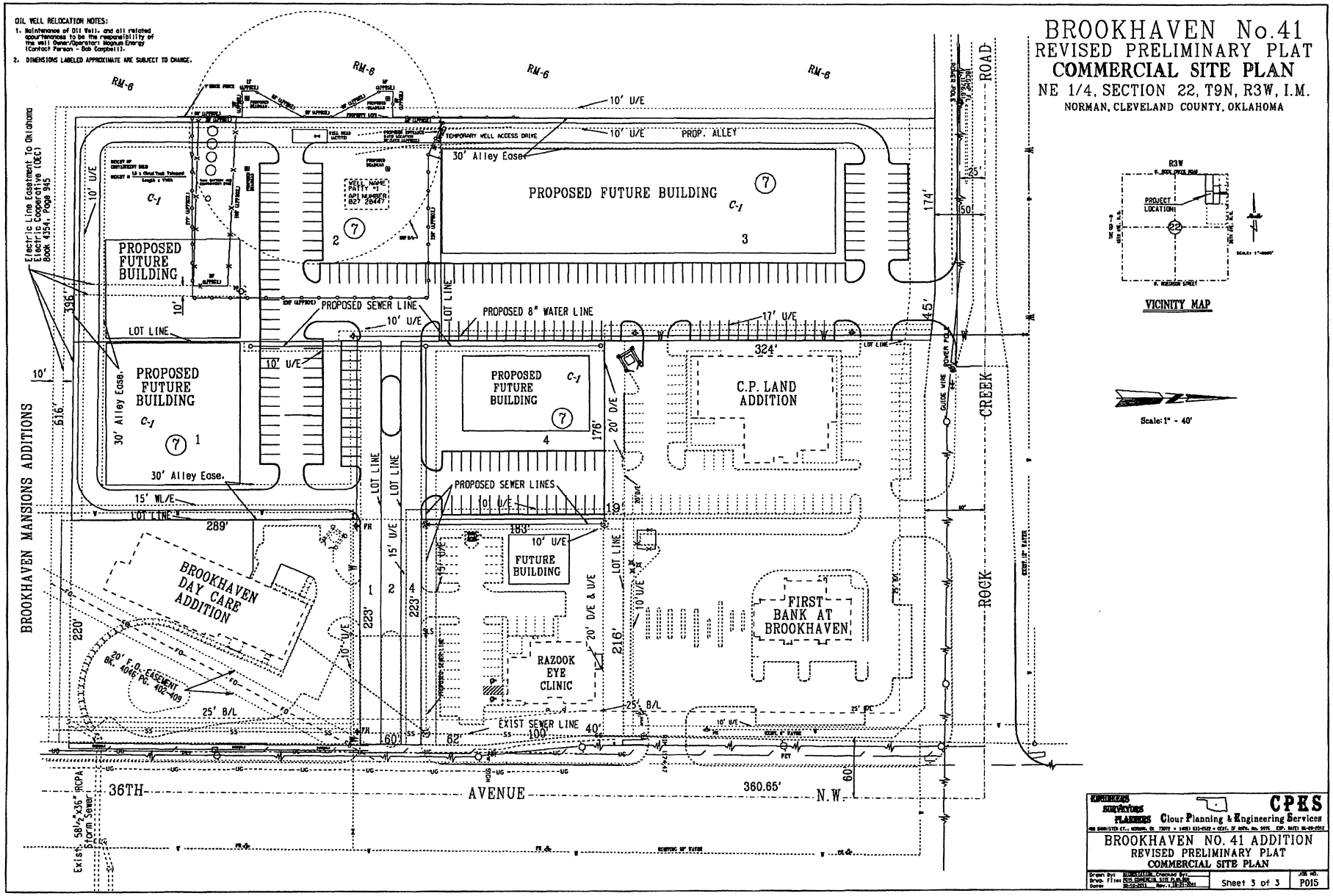
BROOKHAVEN NO. 41 ADDITION
REVISED PRELIMINARY PLAT
SITE PLAN

Sheet 2 of 3 | JOB NO. P015

OIL WELL RELOCATION NOTES:

1. Maintenance of Oil Well, and all related appurtenances to be the responsibility of the well Owner/Operator: Magnus Energy (Contact Person - Bob Carpenil).
2. DIMENSIONS LABELED APPROXIMATE ARE SUBJECT TO CHANGE.

BROOKHAVEN No.41
REVISED PRELIMINARY PLAT
COMMERCIAL SITE PLAN
NE 1/4, SECTION 22, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



CPES
Clour Planning & Engineering Services

BROOKHAVEN NO. 41 ADDITION
REVISED PRELIMINARY PLAT
COMMERCIAL SITE PLAN

Sheet 3 of 3 | JOB NO. P015

City of Norman Predevelopment **October 27, 2011**

Applicant	Cies Properties, Inc.
Location	Generally located at the SW corner of Rock Creek Road and 36th Avenue NW
Case Number	PD 11-27
Time	5:30-6:00 PM

Attendee	Stakeholder	Address	Phone
Hal Ezzell	Applicant Spokesman	100 48th Avenue NW	928-2066
David Hargis	Applicant Engineer	408 Bannister Ct.	922-8687
Evan Nixon	Owner Representative	1203 Brookhaven Blvd.	329-0256
Jane Hudson	City Staff		366-5344
Ken Danner	City Staff		366-5458
Blaine Nice	City Staff		217-5427
Ken & Diane Dragg	Neighbor	2001 Wyckham Pl.	360-4445
Katherine McRae	Neighbor	2512 Lauriston Dr.	701-1508
Charles Killins	Neighbor	4121 Hatterly Ln.	366-6096
Pat & Nolen Morgan	Neighbor	3733 Hidden Hill Rd.	321-0067
Mary Ozment	Neighbor	4012 Nailon Dr.	366-1949
Dennis Brigham	Neighbor	3801 Annalane Dr.	823-0397
Elizabeth Brigham	Neighbor	3801 Annalane Dr.	637-6948
Kim Gaddie	Neighbor	3801 Chamberlyne Way	474-7742
Don Cervi	Neighbor	1901 Windermere	364-3225
Anthony Mirzaie	Neighbor	4704 Windrush Circle	366-0000
Elizabeth Fitzgerald	Neighbor	3812 Wyndham Pl.	321-0719
Jonathan Nichols	Neighbor	3901 Annalane Dr.	366-1515

Mark Floyd	Neighbor	4008 Nailon	447-0647
Melanie Rigbie	Neighbor	4101 Wyckham Pl.	701-8209
Rhonda Trower	Neighbor	4101 Nailon Dr.	664-7881
Matthew Tinsely	Neighbor	3905 Annalane Dr.	659-4386
Jill McGraw	Neighbor	3913 Annalane Dr.	740-1776
Huaqing Wu	Neighbor	2500 Lauriston Dr.	366-6445
Larry Myers	Neighbor	2016 Brookhaven Blvd.	826-4461
Kristin Meier	Neighbor	4101 Annalane Dr.	329-1235
Kelly Miller	Neighbor	3912 Annalane Dr.	801-4433
Jerry McRae	Neighbor	2512 Lauriston Dr.	701-1508
Rod & Christine Cleveland	Neighbor	1904 Banbury Ct.	517-5994
Thomas Felder	Neighbor	3808 Wyndham Pl.	Not Listed
Don & Martha Roberts	Neighbor	2012 Wyckham Pl.	Not Listed

Application Summary. The applicant, Cies Properties, owns the remaining 46.5 acres that comprise the last parcel that is part of the original Brookhaven preliminary plat. They are proposing to divide the tract into three separate developments for the submitted revised preliminary plat. The developments will consist of a single family development, a multi-family development and a commercial/office development.

Applicant's Opportunity. The applicant is proposing developing the last 46.5 acres of Brookhaven, which is titled as Brookhaven 41 Addition. The area consists of multiple zonings, including C-1, RM-6, and R-1. Areas to the east will probably be more office/medical use going in line with what is already in place. A 7.3 acre area will develop into a proposed apartment complex. As part of the development agreement there will be several upgrades incorporated in the apartment complex, both exterior and interior. Upgrades proposed are a 7' brick wall around the complex, the percentage of brick has been increased, leaded glass doors, light fixtures, waterfall features, as well as the clubhouse and pool with additional water feature/resort style amenities. A good sized courtyard has been incorporated within the development for residents to access. The proposal is not a low income housing complex; leases will range from $800 - $1,400 per month. The development will cater to young working professional or empty nesters; this development is not geared toward students.

Neighbors' Questions/Comments. How many units?

Applicant Spokesman Response. 164 Units.

Neighbors' Questions/Comments. What is the setback required?

City Staff Response. There is a 25' front yard setback required.

Neighbors' Questions/Comments. How do you propose to get a water feature, as you have proposed, within that setback?

Applicant Spokesman Response. The water feature is not in the setback area. The water feature proposed is on the development's property.

Neighbors' Questions/Comments. With the addition of this development traffic will increase. With the opening of Rock Creek Road we have already seen an increase in traffic. Will Rock Creek Road be widened in conjunction with this development?

Applicant Spokesman Response. The construction of Rock Creek Road would likely be deferred at the request of the city, and not built in conjunction with this development.

Neighbors' Questions/Comments. Once Rock Creek Road has been widened will your setback for the development be reduced?

Applicant Spokesman Response. The setbacks will not be reduced. The current setbacks are established with the widening of Rock Creek Road considered.

Neighbors' Questions/Comments. Has a traffic impact study been completed? And, if so, can we have a copy of the study?

Applicant Spokesman Response. We, as applicant, have not submitted a traffic study. The City of Norman staff has evaluated the traffic impact. If you want a copy of any information regarding that information you may contact the Traffic Engineer with Public Works Department.

Neighbors' Questions/Comments. When will Rock Creek Road be widened?

City Staff Response. Staff has taken the position to recommend deferral of the street improvements rather than have piecemeal paving on each final plat that is brought forward at differing times. The developer is required to post a cash surety for their portion of the street improvements. At this time the City does not have the funding for the widening project. When the City has funding a widening project will move forward; the project will be from Grandview to 36th Ave. NW.

Neighbors' Questions/Comments. What is the density permitted? After reading the City website it looks like you are over the density permitted.

Applicant Spokesman Response. We are not over the permitted density for the apartment complex. RM-6 zoning does not designate a density level. The density is more based on the open space required and permitted coverage of the lot. The development is well under the requirements of open space and impervious coverage.

Neighbors' Questions/Comments. Have you done a market analysis on the need for more apartments in Norman? With all the apartments here it would seem the market is saturated.

Applicant Spokesman Response. We have in fact done a market feasibility study and there is a strong demand for a project of this nature.

Neighbors' Questions/Comments. Where will children play if any families move into the apartment complex?

Applicant Spokesman Response. Any children living in the complex will have access to Brookhaven Park located to the south.

Neighbors' Questions/Comments. Concerned with the maintenance of the detention pond noted around the proposed Brookhaven Mansions project; concerned with the mosquitoes and possible diseases and the maintenance of the pond.

Applicant Engineer Response. The detention pond should not be confused with a retention pond which would retain water thus creating the possibility of mosquitoes. A detention pond won't hold water creating those issues. This pond discussed is temporary and will be developed as the area around it develops. The apartment complex is not required to have a separate detention pond area. The run-off for the apartments will go to 36th via an existing storm water drainage system.

Neighbors' Questions/Comments. Question directed at staff; please explain exactly what "expiration of the plat" means. Does the proposal meet the existing zoning?

City Staff Response. Once a final plat has been filed of record, a preliminary plat is good for five years. The preliminary plat is being brought forward because of the apartment complex proposed. The RM-6 zoning is in place and will stay with the property. The zoning does not expire for this property. The proposed project meets the requirements of the RM-6 zoning.

Neighbors' Questions/Comments. Will there be any access/drives from the apartments onto Brookhaven Blvd?

City Staff Response. There will be no access/drives from the apartments onto Brookhaven Blvd.

Neighbors' Questions/Comments. Has lot size changed for the proposed single family lots?

City Staff Response. It is zoned R-1, these lots will meet the minimum requirements for R-1 zoning.

Neighbors' Questions/Comments. Will you have a restriction in the leases which prohibits 3 or more individuals going in and splitting the rent?

Applicant Spokesman Response. Yes, there will be restrictions to not allow multiple people splitting the rent for units.

Neighbors' Questions/Comments. Can City Council impose any additional requirements for the proposed landscaping on the apartment complex to ensure protection for the adjacent property owners?

City Staff Response. As long as they meet the adopted landscaping requirements, City Council cannot impose something beyond what the adopted standards are currently for that zoning.

Applicant Spokesman Response. I see there are a lot of concerns with this type of development, let me try to ease some of your concerns. This will not be the typical apartment development, let me outline the following; when the land was contracted to our group for development there were several contractual restrictions placed on our project. Contractual restrictions consisted of the seven foot brick wall surrounding the development, the buildings could be no higher than two stories, additional exterior upgrades for brick façade, leaded glass doors and lighting. Interior upgrades were also imposed, such as window treatments, lighting and fixture upgrades. All these requirements are per the contractual agreement for this development.

Greenbelt Commission Meeting – October 17, 2011

GBC Application 11-21 (Planning Commission Item # 5)

Applicant: Cies Properties
Location: West side of 36th Avenue NW abutting the south side of Rock Creek Road
Proposal: Revised Preliminary Plat

Greenbelt Commission Final Comments - GBC 11-21

- The Commission would like for the owner/developer to consider the opportunity to explore developing the detention area with a park like atmosphere.

- In addition to the open space shown in the apartments the Commission would like for the owner/developer to consider an additional open space.

The Commission finds that the applicant's development meets the following Greenbelt Ordinance criteria.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

(f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.
(h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.
(j) Permeable ground surfaces have been preserved to the extent possible.
(k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.
(t) The commercial developments have provided for pedestrian access.
(u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

Pre-Development Case No. PD 11-27 Greenbelt Case No. GBC 11-21

Date: 10-10-11

NORMAN GREENBELT ENHANCEMENT STATEMENT

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement was developed to aid the Commission in assessing new developments to insure that green space and trail opportunities are included, whenever possible.

As part of your application and submittal for a Pre-Development Meeting, the City of Norman ordinances require that you complete this Greenbelt Enhancement Statement to address the Greenbelt Commission's review and leave it with City of Norman staff at the same time you submit the required information for a Pre-Development Meeting.

Attached are copies of the three (3) applicable sections of the adopted Greenbelt Ordinance, Sections 4-2023A, 4-2026 and 4-2028, these guidelines will be your reference while completing this Enhancement Statement, please see pages 4-8.

At the time you submit your application for a Pre-Development Meeting, you will be provided with the date of the Pre-Development Meeting and the date of the next Greenbelt Commission Meeting. You are urged to attend the Greenbelt Commission Meeting where you will be given an opportunity to present information, discuss your proposed development, and to answer questions the Greenbelt Commission might have regarding your submittal. Based upon the review and discussion at the Greenbelt Commission Meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will be recorded and provided to you after the meeting minutes have been prepared. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application to them for consideration of your proposed development. Should you have any questions about this process or any of the below questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5322.

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Cies Properties, Inc. Date : Oct. 10, 2011

Contact Person(s): Evan Nixon Telephone/Fax/Email: (405) 329-0256
Phil Clour P.E. L.S. Telephone/Fax/Email: (405) 833-2522

Name of Development: Brookhaven No. 41 Addition Revised Preliminary Plat Area (Acres) 46.5

General Location: NW/4 of Section 22, T9N-R3W, I.M., Norman, Cleveland County, OK
(Southwest of the intersection of 36th Avenue N.W. & Rock Creek Road)

Type of Development (please check) Residential X Commercial X Industrial ____ Other ____

1. Briefly explain the kind of development, types of buildings/uses, or character of your proposal.

   - Single-Family Dwellings (residential homes)
   - Multi-Family Dwellings (apartments, senior citizen indepentdent living center, etc.)
   - Commercial Business (medical clinics, general office, etc.)

2. Does your proposed development or project incorporate open space(s)?

   Yes __X__ No ____ (*Only around a proposed stormwater detention pond for maintenance. The open space will be provided by an easement-separate instrument.*)

   Please check what type(s) of open space is proposed within your development:

Park:	____ Yes	__X__ No	____Public	____Private
Open Space:	__X__ Yes	____ No	____Public	__X__Private
Detention Pond:	__X__ Yes	____ No	____Public	__X__Private
Parking Lot Landscape:	__X__ Yes	____ No	____Public	__X__Private
Floodplain/Creek:	____ Yes	__X__ No	____Public	____Private

   Other _____

   If the above noted areas are accessible via some other arrangement please explain.

   - The open space/detention pond will be accessible from 36th Ave. N.W., the proposed parking lots for the commerical and multi-family facilities, and from the back of proposed residential lots.

3. Does the open space for this development include some kind of trail or path that meets the definitions contained in 4-2023A of the attached guidelines? (Indicate all that are applicable.)

Public Sidewalks (4-5' wide)	__X__ Yes	____ No
Natural Trails (compacted earth 8-10' wide)	____ Yes	__X__ No
Parkway Trails (durable surface 6-8' wide)	____ Yes	__X__ No
Neighborhood Trails (durable or paved, 6-10' wide)	____ Yes	__X__ No
Community Wide Trails (paved, 10-12' wide)	____ Yes	__X__ No
Specialized Trails (equestrian, water, etc)	____ Yes	__X__ No

   Other_____

4. Identify schools, recreational areas (parks, playgrounds), commercial sites, or other public open spaces within ½ mile of your proposed development. (If there are no such areas within the ½ mile radius please state such and skip question 5.)

   - The nearest schools (public & private) are 1 mile to the north on W. Tecumseh Road. These schools are only accessible from the site along 36th Avenue N.W. and 48th Avenue N.W. Sidewalks are not contiguous along these roadways.

   - The nearest public park (Brookhaven Park) to the site is located less than ½ mile to the south on Brookhaven Blvd.

5. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking. (If there is no such connectivity please state such.)

   - Brookhaven Boulevard is the collector street for the additions from Robinson Street to the site. The width of this collector street (34') can accommodate vehicular traffic bicycles, and pedestrians.

   - Brookhaven Park is accessible by way of public sidewalks along the front (streetside) of lots in the Brookhaven Additions on both sides of the roadway.

6. Please check, from the following (or make a list), the geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails, per the attached guidelines.

   Storm water channels_____
   Detention ponds __X__
   Floodplains_____
   Stream bank/Riparian corridors_____
   Utility Easements__X__
   Abandoned/Active RR corridors_____
   Other_____

   How will your development incorporate those elements noted into greenbelts and trails?

   - N / A

7. If, after reviewing the above questions, you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly below. (Any comments you feel will help the Commission understand your intent to develop the area.)

   - There are no existing greenbelt or greenway corridors from previous developments (by others, and/or the City) in this area, so it <u>will not</u> directly detract from the greenbelt system.

   - The City of Norman Department of Parks and Recreation has indicated they are not actively pursing any additional park land in this area.

Signature(s) of Applicant or Contact Person:

_____

_____
(Agent for the Developer)

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION: _____

Sec. 4-2023A. Definitions for Evaluating Greenbelt Enhancement Statements.

The plain and ordinary meaning shall be applied to the terms contained herein; however, as used in this chapter, unless the context otherwise requires, the following words or phrases have the meanings listed:

(a) **Bikeway**: a thoroughfare designated for bicycle travel by the Norman Bikeway Plan, as may be amended from time to time.

(b) **Cluster Development**: as defined by the City of Norman Code in Section 19-210, as may be amended from time to time.

(c) **Conservation Easement**: a non-possessory interest of a holder in real property imposing limitations or affirmative obligations the purpose of which include, but are not limited to, retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

(d) **Floodplain**: as defined by the City of Norman Code in Section 22:429.1.2 as may be amended from time to time.

(e) **Flowage Easement**: an easement purchased by the U.S. Department of Interior, Bureau of Reclamation, Norman Project, which grants to the United States and its assigns the perpetual right, privilege and easement to intermittently and completely seep, flood, flow and inundate, and the right to enter upon at any time for the purpose of making surveys, and investigations or for any other purpose incidental to the construction, operation, and maintenance of the Norman Reservoir Project and any feature thereof, any and all of the tracts or parcels of land lying below elevation 1064.5 sea level datum.

(f) **Greenbelt Enhancement Statement** (GES): a statement on a form provided to the applicant by the City Planning and Community Development Department that is to be included with all applications for a Land Use Plan amendment, a Norman Rural Certificate of Survey or preliminary platting of land and submitted for consideration by the Commission that articulates how the principles, purposes, and goals of The Greenbelt System are met by the proposed development.

(g) The Greenbelt System: includes the following spaces, regardless of whether they are open to the public:

1. A system of trails (both on and off road) intended to connect parks, green spaces, schools, retail, employment, and residential areas.
2. Areas of land within the City Limits required to be open space by zoning; areas currently designated for open space, park, floodplain, and institutional use by the Norman 2025 Plan and subsequently adopted land use plans; Lake Thunderbird, the Bureau of Reclamation (BOR) "take-line" and BOR flowage easements; any other areas of land which are designated by easement, by deed restriction, or otherwise required to remain free of structures; and areas designated as green space.

(h) Green Space: any land area designated as open space by Norman's Comprehensive Land Use Plan; land determined to be open space or green space on an approved site development plan; or any land area in which the preservation in its present use would conserve and enhance natural or scenic resource, protect streams or water supply, promote conservation of soils, wetlands or marshlands, enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations, sanctuaries or other open space or green space, enhance recreation opportunities, including parks, plazas and narrow corridors or pathways for walking or bicycling even though surrounded by developed areas, preserve visual quality along highway, road, and street corridors or scenic vistas, or retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.

(i) Greenway:

1. A green open space, such as a linear open space established along or on either side of a natural or cultural corridor, such as a riverfront, a stream valley, a ridgeline, a railroad right of way, a channel, a scenic road or other route; and/or
2. A trail; and/or
3. An open-space connector available to pedestrians intended to link parks, nature reserves, cultural features, historic sites, schools, residential or commercial areas with each other.

(j) Impervious Surface: one that does not permit penetration or passage of water, such as a roof or paved street or parking area.

(k) Riparian Buffers: the area between developed land and streams, rivers and shorelines that is managed to maintain the integrity of the waterway, to reduce pollution and to provide food, habitat, and thermal protection for fish and wildlife.

(l) Structure: as defined by the City of Norman Code in Section 22:450 of the Zoning Ordinance, as may be amended from time to time.

(m) Take Line: exterior boundary of the property acquired by the Bureau of Reclamation for construction of Lake Thunderbird.

(n) Trail: any natural or landscaped course open to pedestrian or bicycle passage, including but not limited to sidewalks, but excluding roadways, streets, alleys and other passages primarily provided for general public motorized vehicular use.

Types of trails include:

1. **Community Wide (Regional or Arterial) Trails**: trails between **10' and 12'** in width that provide access from one part of the city to another.
2. **Neighborhood Trails**: trails between **6' and 10'** in width that mimic the system of local neighborhood streets and ultimately connect to larger arterial trails.
   Natural Trails: trails at least **8'-10'** in width composed of compacted earth.
   Parkway Trails: trails between **6' and 8'** in width that are constructed with durable materials, and usually include amenities such as decorative light fixtures, landscaping, and ground cover and varying surface treatments at intersections and crosswalks.
   Sidewalk Trails: sidewalks located alongside streets that are constructed in accordance with City design criteria and designated as trails.
   Specialized Trails: water trails, equestrian trails, bikeways, or other trails dedicated to some specific use not otherwise listed herein.

Sec. 4-2026. Specific Principles, Purposes and Goals of the Greenbelt System.

A Greenbelt System, as defined herein, serves the following principles, purposes and goals of the City of Norman.

(a) Proposed additions to the Greenbelt System should be guided by the following principles:

1. The ultimate goal is to create an interconnected system of trails that allow multiple connections across all of Norman.
2. The Greenbelt System should preserve valuable green space, natural habitat and key areas with existing vegetation.
3. Trail segments should be designed so that they convey the physical and historical character of the City of Norman and relate to the neighborhoods through which the trail corridors pass.
4. Greenway corridors should provide unique opportunities to learn about the history, culture, and accomplishments of Norman.
5. Trails should promote smooth walkable corridors that are open and visible.
6. The Greenbelt System should contribute to enhancing the physical appearance of the City, whether through new pedestrian features, landscaping added to trail corridors, or simply by revealing natural areas not previously visible to the general public.
7. The Greenbelt System should encourage the creation of public and private partnerships that help build the entire system more quickly.
8. Greenbelts should protect environmentally sensitive lands that are generally the least suitable for development, especially flood prone areas and riparian corridors, and provide connectivity between the elements of the Greenbelt System.

(b) The use of lot clustering should be encouraged as a means to develop the greenbelt system.

(c) The greenbelt system should be used to link together existing recreation areas.

(d) Multi-purpose greenways should be created that:

1. Create a unique greenway character for Norman;
2. Protect environmentally sensitive areas of the City and serve as a wildlife habitat;
3. Serve as a storm water management resource for urban run-off and regional detention needs;
4. Provide recreation opportunities for bicycling, walking, and jogging, as well as an alternate route to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking;
5. Preserve agriculturally significant lands thru conservation easements or other means;
6. Provide suitable locations for sanitary sewer easements and facilities.

(e) Greenbelts should be used to provide green space areas adjacent to highways and major streets for sound buffer zones and protection from incompatible land uses.

(f) The Greenbelt System should continue to improve a natural landscape planting and maintenance program for City-owned properties and rights-of-way of major streets and highways.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below.

Please check the areas that will apply to your development.

(*Not all considerations will be applicable or feasible for each application.*)

___ (a) Portions of the Greenbelt System are accessible to the general public.

___ (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.

_X_ (c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee.

___ (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.

___ (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.

_X_(f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

___ (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.

_X_ (h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.

___ (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.

_X_ (j) Permeable ground surfaces have been preserved to the extent possible.

_X_ (k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

___ (l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.

_X_ (m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.

___ (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

___ (o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

___ (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.

___ (q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.

___ (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.

___ (s) Riparian buffers are incorporated into the Greenbelt System.

_X_ (t) The commercial developments have provided for pedestrian access.

_X_ (u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

___ (v) Cluster development has been utilized as a means to develop the Greenbelt System.

___ (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

NOVEMBER 10, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 10th day of November 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst

* * *

Chairman Gasaway welcomed the Leadership Norman class from the Chamber of Commerce, who were observing the meeting.

* * *

Item No. 5, being:
PP-1112-3 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY CIES PROPERTIES, INC. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN NO. 41 ADDITION, GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF ROCK CREEK ROAD AND 36TH AVENUE N.W.

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

PRESENTATION BY STAFF:
1. Mr. Danner reported that this property is located south of West Rock Creek Road and west of 36th Avenue N.W. It is currently zoned; there are no changes in the zoning. There is a collector street that divides the R-1 property to the west from the RM-6 property to the east; that collector street is Brookhaven Boulevard, which will intersect with Rock Creek Road. The revisions that have been made from the previously approved preliminary plat are that the R-1 lots have been increased in size; and the multi-family area has now proposed an apartment complex. The stormwater from the R-1 property will drain to the east and go to a proposed L-shaped detention pond to be constructed along with Brookhaven Mansions Addition, which is a senior independent living center on 36th Avenue N.W. The stormwater from the apartment complex and the multi-family to the west of it will go into an underground storm sewer system that will then go under 36th Avenue and over to Brookhaven Creek; that proposal has been in place since 1984 and the piping has been sized for it and Brookhaven Creek handles the detention for that area. There is C-1, Local Commercial zoning to the east of the apartment complex; at this time they do not have proposals for development, but it is part of the preliminary plat. Depending on how final plats come in, staff plans to recommend deferral of improvements to Rock Creek Road until such time as a project can be gathered and go from Grandview Avenue to 36th Avenue N.W. under one project; the developer will be responsible for posting a cash surety for the cost of his proportionate share of those improvements for the frontage of that final plat so the money will be there for the City to use. To the west of this development are two parcels that the property owners will not participate in road improvements and the City will have to pick up that cost.

2. Mr. Gasaway asked what year the preliminary plat was first approved. Mr. Danner responded that the zoning took place in approximately 1984, so the preliminary plat was done at that time.

3. Mr. Knotts asked whether the L-shaped detention pond is shown on the plat as "existing detention pond" around the Mansions. Mr. Danner responded that what is existing is a temporary holding area. The detention pond that is proposed has not been built. The proposed L-shaped detention pond with be west of The Mansions and south of it. It will be constructed as part of The Mansions. The permanent detention pond will be in the same location as the existing temporary detention area. It will be sized to meet the requirements of the preliminary plat.

4. Ms. Pailes asked about access from the apartments and from the commercial area onto Rock Creek Road. Mr. Danner responded that the commercial area will use an existing drive to the east of the apartments that currently provides access to the oil well.

5. Ms. Pailes asked whose responsibility it will be to fence the oil well, which is not presently fenced. Mr. Danner indicated that will be part of the agreement between the developer and the oil company and that is in process.

6. Ms. Pailes noted that the Greenbelt Commission commented that a little additional open space would be a good thing because of the size of the apartment complex. She asked if there will be an opening in the 7' brick wall around the apartment complex so there can be access to the detention pond area. Mr. Danner responded that the detention pond is not specifically intended for the apartment complex. The applicant would have to address any access to it.

PRESENTATION BY THE APPLICANT:

1. David Hargis, Clour Planning & Engineering Services, 408 Bannister Court, representing the applicant – He pointed out the proposed L-shaped detention pond on the map, which lies to the south and will wrap around to the west of The Mansions. It is shown as "existing" on the plat because there is a temporary low area that the surrounding property drains into. It is now time to further delineate it, shape it, size it for capacity and volume, and put it in a dedicated drainage easement. It will be a detention pond, so it will be dry.

Here is the preliminary plat. To the north is Brookhaven No. 41 final plat which has been submitted, but has not yet been constructed. The center area is the RM-6, Multi-Family area. The corner bordered by Rock Creek Road and 36th Avenue N.W. is the commercial area, which has been referred to as Brookhaven Commercial Addition, but it is not a separate preliminary plat – everything is combined under this plat. There is a site plan for the proposed apartments, which abuts the commercial area. There are two entrances proposed. The typical site plan for the commercial area shows the existing First Bank at Brookhaven, CP Land Addition with the Oklahoma Hearing Center, Razook Family Addition with the Razook Eye Clinic, Brookhaven Day Care Addition and Creative Kids Learning Center.

We have extended utility lines into this area with the previous final plats, such as Brookhaven 41, 25, 26, and the commercial areas. The Brookhaven Mansions Addition is just south of the daycare, but north of the detention pond. This area has three different zoning designations within it: R-1, C-1, and RM-6. We are likely to get 42 R-1 lots (down from 46 lots); we have enlarged some of the lots. There are four C-1 lots left and two RM-6 lots. The RM-6 area makes a nice transition from the R-1 section over to the commercial area. Warwick Addition is to the north. Brookhaven 25, 26 and 40 Additions are to the south. Prairie Creek Addition is to the east. The bank and CP Land Addition share an entrance now and there will be connectivity within the commercial area. There is also a private road that extends off 36ths Avenue N.W. and gives access to the daycare and the eye clinic, and will provide connectivity to the other commercial lots as well. The apartments are proposed to have two entrances off Rock Creek Road. The apartments will have a private pool, play area, and another courtyard, with a nice landscaped setback in the front. The apartments will also have some garages available in addition to parking spaces. Brookhaven Boulevard will be extended to connect with Rock Creek Road.

2. Ms. Pailes asked about access through the 7' brick wall around the apartments so there can be access to open space at the detention pond. Mr. Hargis indicated that the apartments will not directly abut the detention pond. The commercial area will abut the detention pond and access from the commercial area will be for maintenance purposes. There will probably be residential lots that back up to the detention pond. There will probably be some type of fence around the detention pond with access for maintenance purposes.

3. Ms. Pailes asked about school bus parking for the apartments. Mr. Hargis indicated that will be up to the school system. Most often the buses park on the public rights-of-way.

4. Mr. Trachtenberg asked about the RM-6 area between the apartments and the residences to the west. Mr. Hargis said they do not expect that to be developed with

apartments; it will likely be small-lot single-family homes or patio homes, which would require a new preliminary plat. Mr. Trachtenberg asked about access. Mr. Hargis indicated the access to that area would be from Brookhaven Boulevard, and it might be developed with some small cul-de-sacs.

COMMENTS FROM THE AUDIENCE:

1. Kim Gaddie, 3801 Chamberlyne Way, in Warwick Addition – I had a question with regard to the traffic study and the traffic on Rock Creek Road. As you all have noticed, there are some chopped up entryways and its not existing four-lane. The traffic report that is listed as part of the analysis was done in 2008. Obviously, that was well before the construction of the bridge over I-35 to the TIF. We now have a proposed apartment complex with two entrances off of Rock Creek Road. My concern is traffic on that road and the access and even the potential of school buses and other access points as commercial developments continue to go in.

2. Mr. Danner responded that the traffic engineers have done a recent review of the traffic information that was proposed in 2008 and their response has been that there is not an issue with the traffic as a result of this development.

3. Christine Cleveland, 1904 Banbury Court – I back up to the detention pond. She asked if there has been any discussion about the exterior material to be used on the apartments and whether they would meet the same covenant as Brookhaven.

4. Mr. Hargis responded that he hasn't read the covenants, but the exterior materials will be similar to the houses and the commercial development. It is going to be a high-end multi-family apartment complex. That was addressed at the Pre-Development Meeting, but it is more of a final plat issue.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Trachtenberg asked whether multi-family developments are subject to the masonry requirements for commercial developments. Ms. Conners indicated they are not.

Chris Lewis moved to recommend approval of the Revised Preliminary Plat for <u>*BROOKHAVEN NO. 41 ADDITION*</u> *to the City Council. Andy Sherrer seconded the motion.*

2. Ms. Hartley asked about sidewalks. It is very difficult for kids to get to Roosevelt Elementary School from the neighborhoods because of lack of sidewalks. Mr. Danner stated that the developer is responsible for the sidewalks as they final plat. Typically the sidewalks are part of the deferral because of the possibility for damage when a street project is done. Staff is looking at the possibility of requiring the sidewalks with the apartment complex and trying to protect them when Rock Creek Road is improved to four lanes.

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

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

Recording Secretary Roné Tromble announced that the motion to recommend approval of the Revised Preliminary Plat for <u>BROOKHAVEN NO. 41 ADDITION</u> to the 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-1011-60

File ID:	O-1011-60	**Type:**	Zoning Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 44	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/10/2011
File Name:	O-1011-60 Eure Rezone			**Final Action:**	

Title: ORDINANCE NO. O-1011-60: 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 EAST HALF OF SECTION 17 OF TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY, AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-60 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1011-60 upon Final Reading section by section.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 44

Attachments: O-1011-60 Eure, Eure Addition Site Plan, Eure Location Map, Eure Staff Report, Eure Addition Pre-Development, Eure Protest Map, Eure Protest Letters, 10-13-11 PC Minutes - Eure Addition

Project Manager: Doug Koscinski, Current Planning Manager

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

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/13/2011					
1	Planning Commission	10/13/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	City Council	11/08/2011	Introduced and adopted on First Reading by title only				
	Action Text:	Introduced and adopted on First Reading by title only					
1	City Council	11/08/2011					

Text of Legislative File O-1011-60

Body

SYNOPSIS: In 1983, this tract was rezoned from Rural Agricultural to its current RM-2, Low Density Apartment zoning, when this entire area was proposed for development along with all of the surrounding area that eventually developed as the Shadowlake subdivision. With the adoption of the 2020 Land Use Plan in 1997, this particular tract was designated for Office use. The 2025 Land Use Plan kept that Office designation as well. The applicant has requested rezoning to a Suburban Office zoning district so that this vacant parcel can be developed in accordance with the city's long range land use plan. At this time, a single three-story office building is proposed at the southeast corner of the lot, with parking placed north and west of the structure.

ANALYSIS: When the preliminary plat for the Shadowlake neighborhood was approved, no road or pedestrian connections were proposed between the single-family homes that were developed and this multi-family site. While that lack of connectivity is a drawback, it does minimize any negative impacts that might result from incompatible uses. The proposed office development, as depicted on the Site Plan, shows a single three-story building with adequate parking located north and west of the building. While the parking is located near the rear yards of the abutting single-family homes, the applicant shows a large buffer yard of 20-30 feet between the parking spaces and the rear property line of the homes. The structure is located closer to 12th Avenue, and does not abut most of the single-story homes in the neighborhood except at the southern end of this tract. While the existing RM-2 zoning does allow three story structures, it is more typical to see one- or two-story homes constructed as duplexes or triplexes. A new driveway will be installed to align with Preservation Street, the main entrance to the Park Hill Addition across 12th Avenue. As a multi-family project of 40 to 80 units, the traffic entering and leaving the site is estimated to be between 450 and 850 trips per day depending on density, with the morning period being the peak time of travel.

Office use would generate approximately 660 trips per day, with the afternoon being the peak hour. In both cases, the threshold (100 peak hour trips) for a full Traffic Impact Analysis would not be met. The Traffic Engineer's assessment is that the capacity of 12th Avenue would not be adversely impacted by either use. According to information provided to the Greenbelt Commission, it is the owner's intent to preserve approximately thirty percent of the site in an undeveloped state, and install walking trails around the perimeter that would be available to the public. The topography of the site drops off towards the north, and the design preserves the wooded area at that end. On-site detention is located in an existing pond at that north end, with development clustered at the southern end of the site. The building is located on the highest spot of the lot, where it will be prominently visible from the roadway.

STAFF RECOMMENDATION: Building a single multi-story structure maximizes the amount of open space that can be preserved for trails, although a taller structure will be more visible to nearby neighbors. Landscaping around the parking areas will be installed, and lighting will be controlled in accordance with current requirements. This request is consistent with the 2025 Land Use Plan, and staff recommends approval of this rezoning request. At the October 13 public hearing, the Planning Commission, by a vote of 6-0, recommended adoption of this rezoning request.

O-1011-60

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 EAST HALF OF SECTION 17, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICER COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY, AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

§ 1. WHEREAS, Jack Eure, the owner of the hereinafter described property, has made application to have the same placed in the CO, Suburban Officer Commercial District, and to have the same removed from the RM-2, Low Density Apartment District and R-1, Single-Family Dwelling District; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the CO, Suburban Office Commercial District, and to have the same removed from the RM-2, Low Density Apartment District and the R-1, Single Family Dwelling District, to wit:

Part of the E/2 OF Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

Commencing at the SE/C of the SE/4 of Said Section 17;
Thence North 00°06'01"West for a distance of 2619.75 feet;
Thence South 90°00'00" West for a distance of 50.00 feet to the Point or Place of Beginning;

Thence continuing North 00°06'01" West and along the West Highway Right-of-Way a distance of 14.25 feet;
Thence North 00°41'11" West a distance of 765.89 feet;
Thence North 09°25'47" West a distance of 59.06 feet;
Thence North 89°18'59" West a distance of 281.31 feet to a point being the NE/C of Lot 9, Block 3, of Shadowlake Addition;
Thence South 00°41'01" West and along the East line of said Block 3 a distance of 492.72 feet;
Thence South 21°18'59" West and along the East line of said Block 3 a distance of 304.02 feet;
Thence South 68°41'01" East and along the North line of said Block 3 for a distance of 182.16 feet;
Thence North 89°53'59" East amd along the North line of said Block 3 a distrance of 246.87 feet to the Point of Place of Beginning.

Said described tract of land contains 6.17 acres, more or less

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

a. The site shall be developed in accordance with the Site Plan (Exhibit A), approved October 13, 2011, and supporting documentation submitted by the applicant and approved by the Planning Commission.

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

ADOPTED this _____day of

_____, 2011.

_____
Mayor

NOT ADOPTED this _____day of

_____, 2011.

_____
Mayor

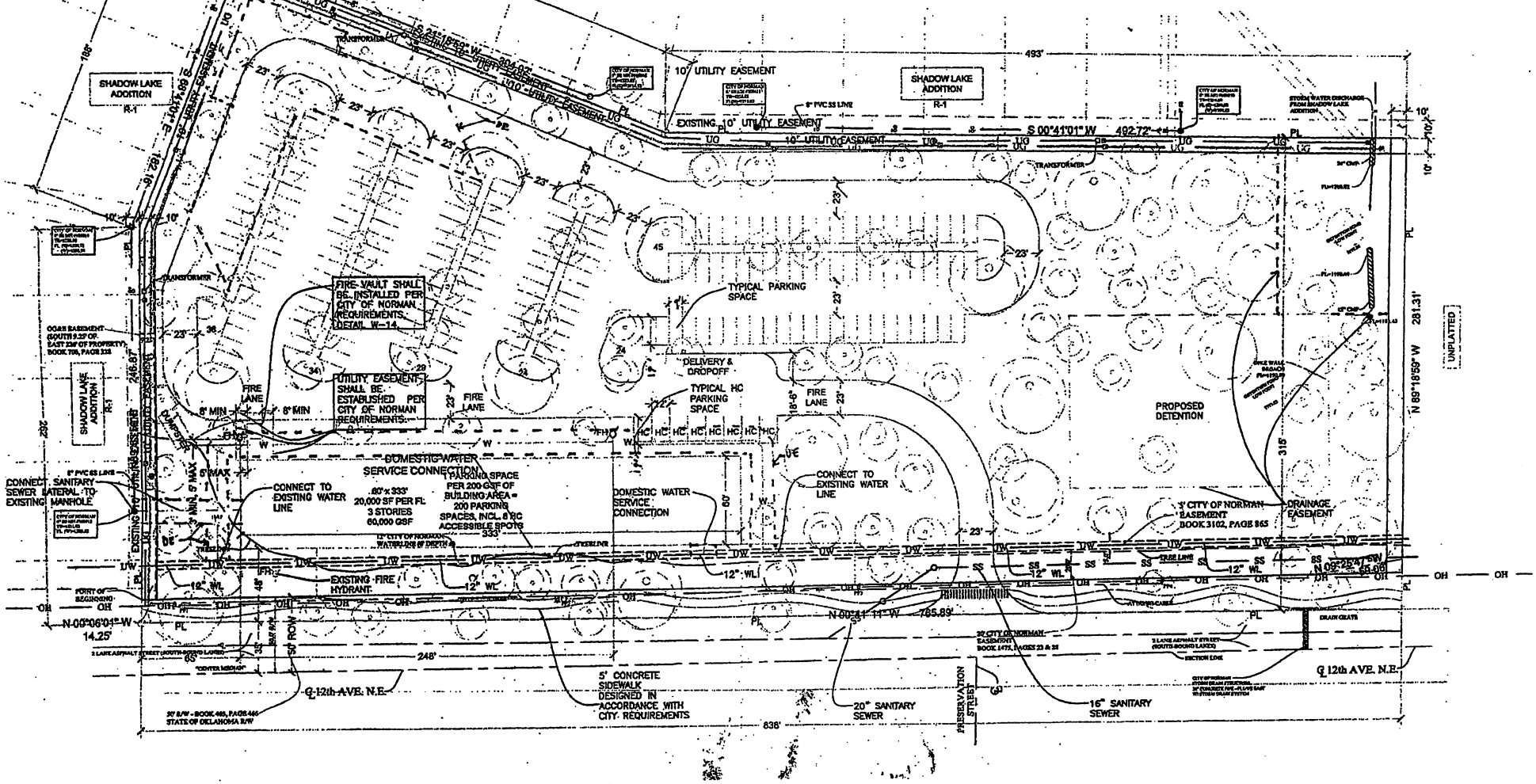
ATTEST:

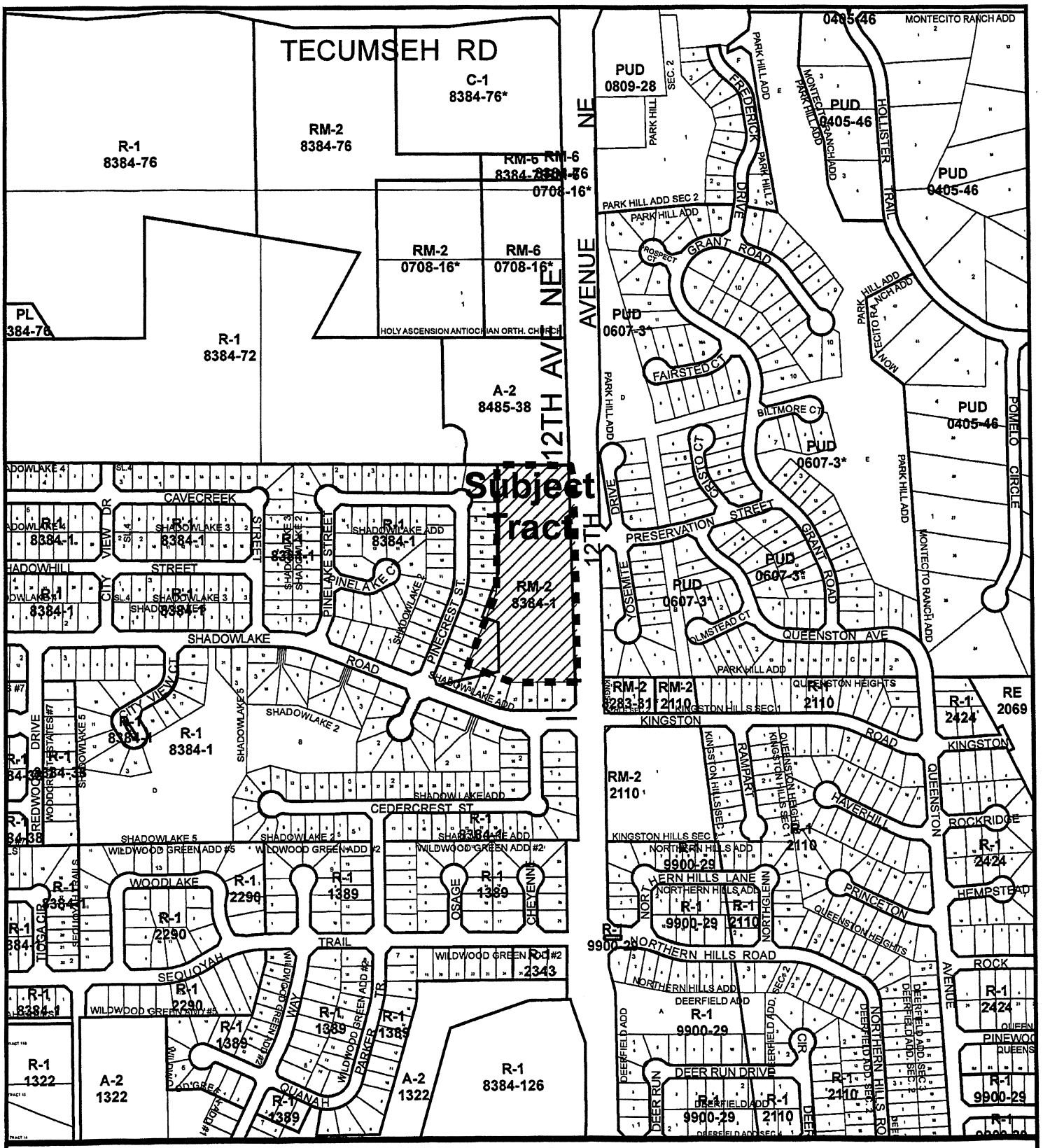
_____
City Clerk

SITE PLAN

EURE ADDITION

6.17 ACRE TRACK IN
E/2 OF SECTION 17, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





Location Map

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

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May 12, 2011

0 300 600 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1011-60 | ITEM NO. 7a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Jack Eure
REQUESTED ACTION	Rezoning to CO, Suburban Office Commercial District
EXISTING ZONING	RM-2, Low Density Apartment District
SURROUNDING ZONING	North: A-2, Rural Agricultural East: PUD South: R-1, Single Family West: R-1, Single Family
LOCATION	West side of 12th Avenue N.E. and ½ mile north of Rock Creek Road
SIZE	6.17 acres, more or less
PURPOSE	Offices
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: Single family subdivision South: Single family subdivision West: Single family subdivision
LAND USE PLAN DESIGNATION	Office

SYNOPSIS: This tract was rezoned from Rural Agricultural to its current RM-2, Low Density Apartment zoning in 1983, when this entire area was proposed for development. With the adoption of the 2020 Land Use Plan in 1997, this particular tract was designated for future Office use. The applicant has requested rezoning to a Suburban Office zoning district so that this vacant parcel can be developed in accordance with the city's long range land use plan. At this time, a single three-story office building is proposed at the southeast corner of the lot, with parking placed north and west of the structure.

ANALYSIS: When the first section of the Shadowlake neighborhood was filed in 1996, no road or pedestrian connections were proposed between the single-family homes that were developed and this multi-family site. While that lack of connectivity is a drawback, it does minimize any negative impacts that might result from incompatible uses.

ISSUES:

- **IMPACTS** The proposed office development, as depicted on the Site Plan, shows a single three-story building with adequate parking located north and west of the building. While the parking is located near the rear yards of the abutting single-family homes, the applicant shows a large buffer yard of 20-30 feet between the parking spaces and the rear property line of the homes. While the existing RM-2 zoning does allow three story structures, it is more typical to see two story homes constructed as duplexes or triplexes. As shown, the three story office structure is located closer to 12th Avenue, and not immediately abutting most of the single-story homes in the neighborhood except at the southern end of this tract.

- **ACCESS** When the State widened 12th Avenue, they installed an access drive that replaced an older driveway into the site. The Traffic Engineer has requested that it be closed, and the new driveway be installed to align with Preservation Street, the main entrance to the Park Hill Addition across the street.

- **TRAFFIC** As a multi-family project, the traffic entering and leaving the site is estimated to be between 450 and 850 trips per day depending on density, with the morning period being the peak time of travel. Office use would generate approximately 660 trips per day, with the afternoon being the peak hour. In both cases, the threshold (100 peak hour trips) for a full Traffic Impact Analysis would not be met. The Traffic Engineer's assessment is that the capacity of 12th Avenue would not be adversely impacted by either use.

- **SITE PLAN** As shown, the topography of the site drops off towards the north, and the design preserves the wooded area at that end. On-site detention is located in an existing pond at that north end, with development clustered at the southern end of the site. The building is located on the highest spot of the lot, where it will be prominently visible from the roadway.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Commercial land uses do not require dedication of public park land.

- **GREENBELT COMMISSION** According to information provided to the Greenbelt Commission, it is the owner's intent to preserve approximately thirty percent of the site in an undeveloped state, and install walking trails around the perimeter that would be available to the public. The Commission unanimously approved of the concept.

- **PUBLIC WORKS** With the requirement that the proposed driveway align with Preservation Street, the Public Works staff supports the preliminary plat.

STAFF RECOMMENDATION Building a single multi-story structure maximizes the amount of open space that can be preserved for trails, although a taller structure will be more visible to nearby neighbors. Landscaping around the parking areas will be installed, and lighting will be controlled in accordance with current requirements. This request is consistent with the 2025 Land Use Plan, and staff recommends approval of this rezoning request.

City of Norman Predevelopment **March 24, 2011**

Applicant	Jack Eure
Location	South of Tecumseh Road on the west side of 12th Avenue NE
Case Number	PD11-12
Time	5:30—6:00 PM

Attendee	Stakeholder	Address	Phone
Tom McCaleb	Applicant's Engineer	SMC Engineers 815 W Main OKC	232-7715
Calvin & Shirley Matthies	Neighbor	3013 Pinecrest St.	447-6064
Christina Gonzalez	Neighbor	3025 Pinecrest St.	609-0158
Kathy Kugler	Neighbor	3016 Pinecrest St.	366-2865
Rex Wall	Neighbor	3021 Pinecrest St	371-2121
Amy Bass	Neighbor	3001 Yosemite Dr.	250-3389
Doug Koscinski	City Staff		366-5433
Ken Danner	City Staff		366-5458
Blaine Nice	City Staff		366-5472
Jane Hudson	City Staff		366-5344

Application Summary. Applicant is proposing a preliminary plat for Eure Addition, a 6.17 acre development located in northeast Norman. The property is currently zoned RM-2. The *Norman 2025 Land Use Plan* designation is Office.

Applicant's Opportunity. Applicant's representative, Tom McCaleb, presented the outline of this proposal. This proposal is focused on the open space and walkability for the employees. Two multi-story buildings are proposed with the parking area located in the rear away from the street. Buildings are situated fairly close together creating a large open space area to the north to use for trails and a natural environment.

Neighbors' Comments. Several neighbors attended the meeting and were concerned with how the future development will impact their properties to the west.

Maintenance of Open Space. Neighbors asked about the maintenance of open space and walking trails.

> **Answer.** The area would be maintained by the owner of the development.

Fencing. Neighbors with property abutting this proposal are concerned they will be impacted by a lot of noise from both 12th Avenue NE as well as the new buildings once the trees are gone. The neighbors are interested in a noise reducing element. Several of the neighbors abutting this lot do not have fences currently and want to know if this development will be installing a fence.

> **Answer.** There will be a fence installed between the proposed parking area and adjacent lots. Representative also stated there could be a possibility of a berm to reduce noise.

Privacy. Neighbors concerned with the multi-story buildings and the tenants of the buildings will be able to look down into their backyards.

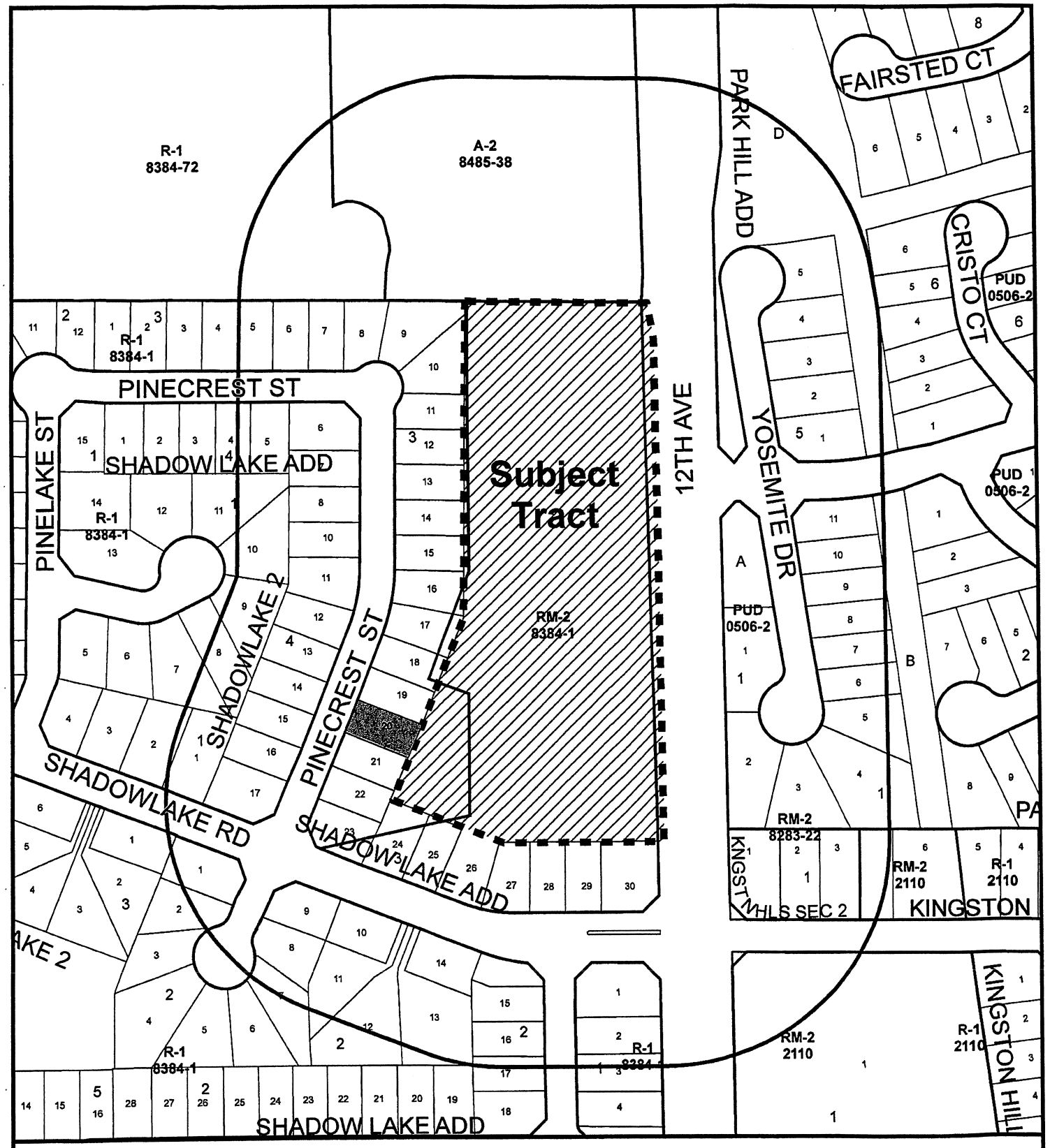
> **Answer.** Applicant's representative asked what they would prefer. Duplexes were the preference.

Runoff. Neighbors concerned with the impact of run-off into their backyards.

> **Answer.** All runoff will go to the detention area to the north not impacting the adjacent properties.

Traffic Issues. Neighbors concerned with the increased traffic on 12th Avenue NE.

> **Answer.** Applicant will be responsible for submitting a traffic impact analysis.



Protest Map

0.7% Protest Within Notification Area

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

N
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Scale: 1" = 200'
October 13, 2011

Subject Tract
Protest
Notification Area
Protest Outside Notification Area

(Tom McCaleb is the contract person for the propo.
Attention Tom McCaleb: (405) 232-7715

My name is Shirley Matthies and I reside at 3013 Pinecrest St. My Husban name is Calvin Matthies. I am goin to try to explain our situation, as brief I can. We received a letter from the Cit of Norman, stating that Jack Eure was ow. of the property and that currently hei. zoned for RM-2, Low Density Apartment District, and he is trying to get the Prope Re-zoned from RM-2 to what District C-O that gives Jack Eure the right to build three story professional office building right next to our lot. It will take away our privacy, create a lot of dust, and ca the little creatures to re-locate on our property. We hope that the Re-zoning will n. be passed, so that we can live here at Shadow Lake for the rest of our life, havi open-space behind us!

Thank you,

Shirley Matthies

To: whom it MAY CONCERN:

FIRST of ALL, this is A Residental AREA AND We Live in A SURBERB of Residen Homes. If this JACK, whom ever he is, is WANTING to CHANGE the CURRENT ZONING FROM A R-M 2 LOW DENSITY APARTment Disi to A C-O PLAN to PUT office BUILDINGS, JU SO THAT he CAN BUILD 3-STOREY office BUILDINGS is GOING to CHANGE "SHADOW L FOREVER! when we moved here in 1999 Home WAS PURCHASED with what we thou THAT the PROPERTY Behind US WOULD Be AS OPEN SPACE. We have NO FENCE AS C each side of US has FENCING AND We hav NO FENCE Behind US, SO THAT WE CAN ENJ OPEN SPACE. ALSO there ARE TREES NEXT 12th AVENUE, A 4 LANE HIGHWAY (SOONER ROA THAT BLOCKS the AUTOMOBILE NOISE (there ARE SO MANY MORE CARS AS PEOPLE have mov INTO the AREA.) IT HAS Become VERY DIFFICU AS ALL of these CARS have, Become ANG ROAD RAGE DRIVERS. WE DID NOT EVEN THAL

A STREET SIGNAL when we moved here. WHAT
BEAUTIFUL WAY of Life, to have OPEN SPACE
AND ALL of GOD'S LITTLE CREATURES BEHIND US
I have EXPERIENCED SEEING LITTLE WILD
JACK RABBITS COMING ON OUR SPACE to AS
with OPEN SPACE the RABBITS DIDN'T have to
JUMP the FENCE to BE ABLE to ENJOY WHAT
GOD WANTED them to have. If this JACK EURE
ALLOWED to BUILD A THREE STORIE office
BUILDING BEHIND US it WILL CHANGE OUR WAY
Life FOREVER!

MY HUSBAND IS A CANCER PATIENT through -
V.A. AND he is RECOVERING AS of NOW. He has
ASTHMA AND the V.A. has PUT him ON
PROVENTIL HFA (ALBUTEROL SULFATE INHALAT.
AEROSOL) AND (ALBUTEROL .90 APRATROP 18 MCG
200 D) AS he NEEDS these MEDICATIONS IN O
to SURVIVE! CAN YOU IMAGINE WHAT ALL
this DUST WOULD CREATE AND DESTROY his
WAY of Life AND WOULD CHANGE the WAY
Live FOREVER AND CHANGE WHAT "SHADOW LAK
WAS MEANT to BE - A WAY of A GOOD LIFE

in A Residential Neighborhood and N
that this Jack Evre could come to
Area and Ruin our Area's Life Fore
the only thing I know to do is write this
Letter that Reveals what would happen
this code was changed so that this
man, Jack Evre, could Be allowed t
Put us in Jeporday as to how things
could Be to take our Lives away from
what we thought would Be A Peacefu
way of Life to spend what time we
have to Live. My Husband is 83 and
Am 75. Whomever Reads this would Y
Please take into consideration what
this will do to us and everyone else
who Lives in this Area.?

thank you so much,

Shirley J. Matthies
3013 Pinecrest St.
Norman, OK 73071-7149

(405) 447-6064

3/13/11

To Whom It May Concern:

My name is Barbara Bridgeford and I am close friends of Calvin and Shirley Matthies.

I am deeply concerned about the new development behind their property 12th Ave in the Shadow Lake addition

Shirley suffers from mental illness and it has turned her world upside dou and has disturbed her peace. Her husb Calvin also suffers from cancer and i under doctors care. He also suffers u asthma and the dust will cause seri breathing problems.

We pray that you take these th into consideration before starting th project. It will also bring property values down.

Should you need to speak with me, please call (405) 824-9415

Respectfully

Barbara Bridgeford

44-15

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 13, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of October 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Diana Hartley Tom Knotts Curtis McCarty (arrived at 6:38 p.m.) Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Cynthia Gordon Chris Lewis Roberta Pailes

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY JACK EURE FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.

7A. ORDINANCE NO. O-1011-60
JACK EURE REQUESTS REZONING FROM RM-2, LOW DENSITY APARTMENT DISTRICT, TO CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, FOR 6.17 ACRES OF PROPERTY LOCATED AT 3000 12TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan
4. Norman Greenbelt Enhancement Statement
5. Greenbelt Commission Minutes

7B. PP-1112-2 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACK EURE (RIZWAN NAJMI, P.E.) FOR EURE ADDITION FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Alley Waiver
7. Pre-Development Summary

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that both the 2020 and 2025 Plan designated this tract for office use. It has been zoned RM-2, with a small section of R-1, since 1983. This request is consistent with the 2025 Plan. The existing zoning of RM-2 is for low-density apartments, which would typically be developed with 40-80 units. The site is currently vacant. The surrounding area was originally zoned in 1983. When the residential portion of the subdivision was designed, there were no access points, either pedestrian or streets, into this tract. That is not good in terms of connectivity, but minimizes negative impacts from this tract to the neighborhood. The tract is predominantly wooded and slopes toward the north. There is a sidewalk along a portion of the tract. The road has been improved as part of a State project, and a driveway was installed. The Traffic Engineer would like the existing driveway closed and relocated, which the applicant has agreed to do. The Park Hill Addition has been developed across the street to the east with single-family homes. The Traffic Engineer has requested that the driveway align with Preservation Street. The RM-2 designation allows up to 4-plex development. The tract backs up to the single-family homes in Shadowlake Addition. Some of the homes along the west side of the tract have not constructed fences and preserve their view into this wooded area. The preliminary plat shows one large lot and the proposed development is a large, multi-story office building located at the high point of the site. It will have good visibility from 12th Avenue N.E. Parking is tucked to the west behind the building. Most of the north end of the site, which drops off topographically, will be preserved. The applicant is a member of the Greenbelt Commission and made a nice presentation to them on his proposal for the site. The impacts that staff thinks could occur would be from parking lot lights, but there is a 20-30' buffer from the residences. The new lighting ordinance will also be in effect for this development, so we should get good quality lighting. The site will be landscaped. The site plan shows an undeveloped portion at the north end, leaving it as natural as possible. One protest was received from a resident of the area, which was 0.7% of the notification area. A three-story building will be more visible than a series of one-story duplexes, but the applicant has tried to move it as far away from most of the residences as

possible. The Traffic Engineer estimated traffic impacts of 40-80 residences and from the proposed office building. The peak hours are different, and all the traffic will be on 12th Avenue N.E. and should have minimal impact on residential areas.

PRESENTATION BY THE APPLICANT:

1. Jack Eure, 1017 Kings Road, the applicant – Doug hit all the most important highlights. It's 6.17 acres. We are developing this along the principles of conservation-oriented development, to try to leave at least 40% of the site untouched and to preserve the existing woodland terrain and habitat on the north end of the site. We're also trying to locate the building along the street, in accordance with the best practices of design to try to avoid a phenomenon of driving by and seeing parking lots lining the road; instead, we'd like to help shape the street and create kind of a room experience in the street by putting the building along 12th Avenue. It's a more urban approach. It's also very economical and very efficient. The initial site plan that we showed utilized the existing curb cut in order to try to preserve a little bit more of the wooded bowl at the north end of the site. The Traffic Engineer expressed some concerns so we tried to accommodate those by aligning the drive with Preservation Road across 12th Avenue.

2. Mr. Knotts asked about the underground storage indicated on the Preliminary Plat. Mr. Eure explained that the southwest corner of the property drains in that direction, so a unique solution for that portion of the site was required to prevent runoff into an adjoining yard. The vast majority of drainage from the site goes down into the existing bowl at the north end of the property. Mr. Knotts asked if there is an outlet for the underground storage. Mr. Eure explained that an easement will be required with an adjoining property owner to secure the drainage off the site to the southwest. He added that the City looked at the plan and approved it.

3. Mr. Trachtenberg asked if the easement across the neighbor's property is to allow the water to be released to Pinecrest Street or Shadowlake Road. Mr. Eure explained that his understanding is the release would be above-grade and didn't have to be channelized. Given the underground facility, the water overground will be minimized. The detained water will percolate down.

4. Mr. Knotts asked whether the applicant has spoken with adjacent property owners. Mr. Eure indicated he has not. Mr. Knotts commented that the plan is basically held hostage to some opportunity to get rid of the overflow, and therefore it is not complete. Underground storage fills up and could silt in over time, so it is very critical to have a route for overflow. Mr. Danner stated that the Development Engineer has reviewed the drainage report. If the applicant is not able to obtain an easement, he will have to come up with another plan. There are other alternatives that they can do. They can leave more pervious area for sheetflow before it gets to the residential area. The current proposal would take the water from the underground storage to a street in Shadowlake Addition through a pipe. The majority of the parking lot will drain to the north; the existing pond will have to be modified to accommodate the runoff. Mr. Trachtenberg asked if it would be possible to pipe from the underground storage to the detention pond to the north. Mr. Danner indicated that has not been proposed and staff only reviews the proposal before them. Mr. McCarty asked if Shadowlake Road can accommodate the additional runoff. Mr. Danner indicated that was checked and it can support the additional water.

5. Mr. Gasaway asked about the option of sheeting the water to the neighboring back yards. Mr. Danner responded that the runoff is currently doing that. If you do not increase the volume of water, you can continue that, although there may have to be some adjustments.

6. Mr. Trachtenberg asked, if they are not able to obtain an easement, and they have to redesign the parking lot, whether it would push the parking lot north into the area they are trying

to leave undisturbed. Mr. Eure indicated it might require a shift toward permeable paving but leave the layout intact. Mr. McCarty asked if the City currently allows pervious parking lots. Mr. Koscinski said there are some test lots currently. Mr. Eure said they might be able to take a combined approach; they are showing some planted medians between the double rows of parking and those could potentially be sources of percolation.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Trachtenberg commented that this is a beautiful design and has all kinds of great stuff that we like to see. There's a huge amount to like about this project. It sounds like the entire thing isn't premised on getting an easement and there is a back-up plan. What's the next step to ensure that it all happens correctly if the developer cannot obtain an easement?

2. Mr. Danner noted that this is a preliminary plat and has preliminary drainage reports. If they are not able to obtain an easement they may have to modify the size of the building and decrease the amount of parking. There are things that can be done if they cannot obtain an easement. A site plan is required with the final plat that will have to address drainage if they are not able to obtain an easement.

3. Mr. Trachtenberg asked if a change to the drainage plan would be a relatively small redesign that would fall within the normal amount of change that can occur between a preliminary and final plat. Mr. Danner responded that change between preliminary and final plats has to do with lot count. So as long as the final plat shows a single lot, it is not a problem.

Curtis McCarty moved to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council. Diana Hartley seconded the motion.

4. Mr. Gasaway commented that there were letters of protest from one property. The major concern of that letter seemed to be that they didn't want anything built on the property. When a property owner owns a piece of property, whether developed or undeveloped, they have the ability and right to develop the property as it is currently zoned or request a change of zoning. His concern is that this is predominantly a residential area, and a three-story building will overlook the adjacent back yards.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council, passed by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: PP-1112-2

File ID:	PP-1112-2	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 45	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/21/2011
File Name:	Eure Addition Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR EURE ADDITION AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E., ONE-HALF MILE NORTH OF EAST ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject the preliminary plat and waiver of alley requirements for Eure Addition.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 45

Attachments: Attachment A-Traffic Table, Eure Location Map, Eure Addition Prelim Plat, Staff Report Prelim Eure, Eure Addition Site Plan, Eure Addition Alley Waiver, Eure Addition -Traffic-Review Form, Eure Greenbelt Enhancement Statement, Eure Greenbelt Commission Comments, 10-13-11 PC Minutes - Eure Addition

Project Manager: Ken Danner, Development 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	10/13/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	10/13/2011					

Text of Legislative File PP-1112-2

body

BACKGROUND: This item is a preliminary plat for Eure Addition and is generally located on the west side of 12th Avenue NE and one-half mile north of East Rock Creek Road. This property consists of approximately 2.74 acres on one (1) developable lot. The proposal is a three-story commercial office complex.

Planning Commission, at its meeting of October 13, 2011, on a vote of 6-0, recommended to City Council that this property be placed in the CO, Suburban Office Commercial District zoning classification. Also, Planning Commission, at its meeting of October 13, 2011, on a vote of 6-0, recommended to City Council that the preliminary plat for Eure Addition be approved with alley waiver.

DISCUSSION: The proposed addition will feature 60,000 square feet of commercial office space. The location for the proposed development is along the west side of 12th Avenue NE between Rock Creek Road and Tecumseh Road. This addition is expected to generate approximately 660 trips per day or 89 PM peak hour trips. As such, the trip generation potential for this development is below the threshold for when a traffic impact study is required. 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)**

The site plan submitted for the addition at the Plat Review Meeting showed the access to the proposed development located along the west side of 12th Avenue NE approximately 150 feet south of the existing intersection of Preservation Street and 12th Avenue NE. Although the proposed driveway would be located in acceptable location with respect to Preservation Street from a traffic standpoint as traffic turning left at either location will not conflict with one another, the proposed driveway must be located opposite Preservation Street. This is to eliminate a potential sight distance problem for traffic leaving the proposed office complex. If the driveway were to be located in the location shown on the site plan presented at the Plat Review Meeting, traffic attempting to exit the development via left-turning traffic onto 12th Avenue NE from the site would have inadequate sight distance available to the south. Staff was unable to support the driveway location as presented on the previous site plan. Therefore, the applicant has changed the site plan for City Council consideration.

Public improvements for this property consist of the following:

Alley. The engineer for the developer has made a request to waive alley requirements. Planning Commission, at its meeting of October 13, 2011 recommended waiver of alley requirements.

Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their

locations have been approved by the Fire Department.

Sanitary Sewers. Sanitary sewer mains are existing. Depending on the locations of the structures and elevations, a private pump system might be needed.

Sidewalks. Sidewalks will be constructed adjacent to 12th Avenue N.E.

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately maintained detention facilities will be utilized. A portion of the storm water will be conveyed to a proposed underground storm sewer system. With this proposal, a down stream drainage easement in Shadowlake Addition will be required. The remaining storm water is conveyed to the northwest to two (2) existing ponds that will be converted to detention/retention facilities.

Streets. 12th Avenue N.E. is existing and meets current standards.

Water Mains. There is an existing 12-inch (12") water main. As a result, the owners have granted a utility easement so that a new water main will be located outside of the proposed pavement.

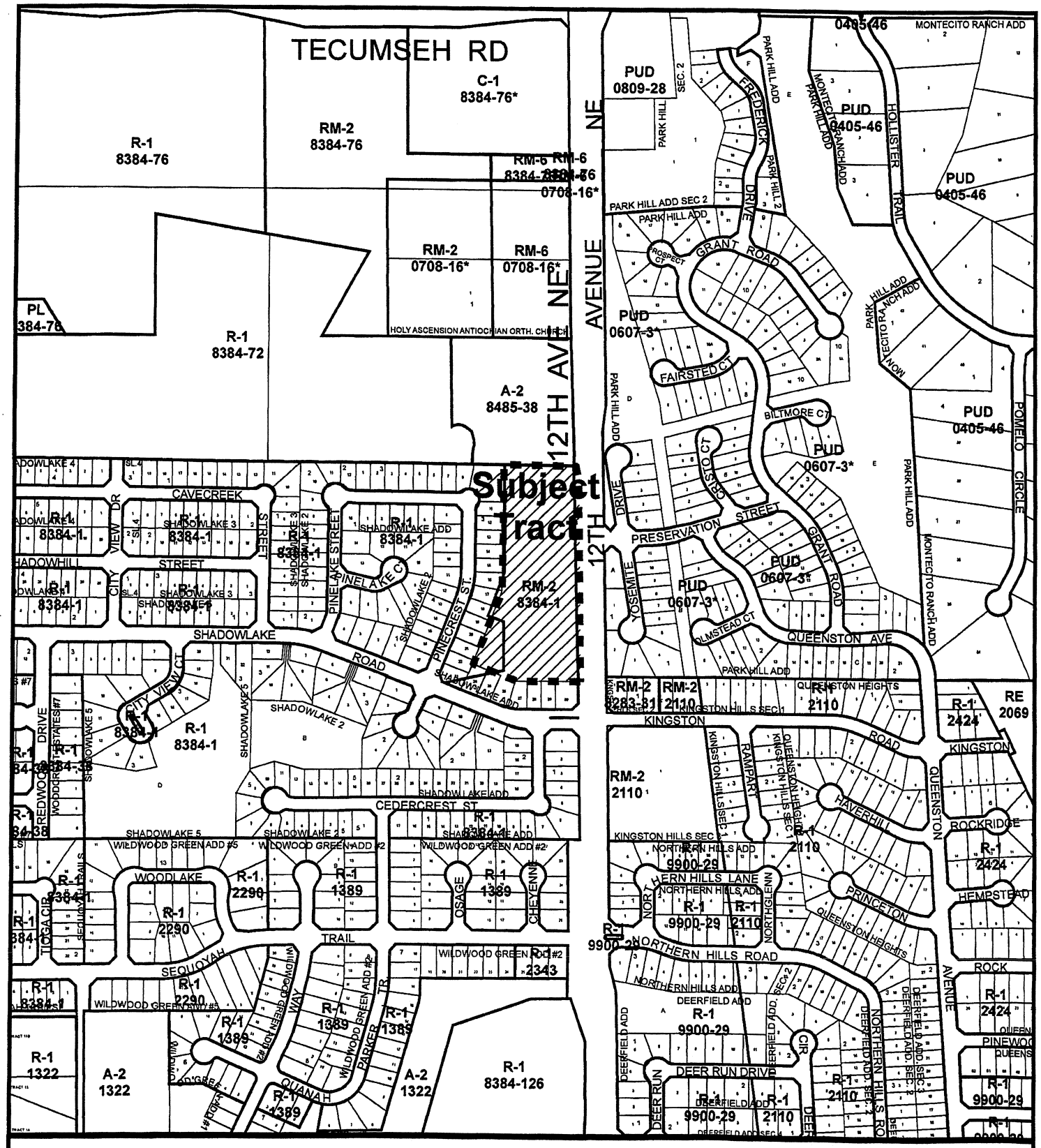
Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

RECOMMENDATIONS: Based on the above information, staff recommends approval of the request to waive alley requirements and the preliminary plat for Eure Addition.

EXHIBIT A

TRAFFIC TABLE
FOR
EURE ADDITION PRELIMINARY PLAT

STREET	NO. OF LANES	PROPOSED DEVELOPMENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% LOS 'E' CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
12th Ave NE	4	660	20,350	21,050	34,200	59.50	61.55



Location Map

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

N W E S

May 12, 2011

0 300 600 Ft.

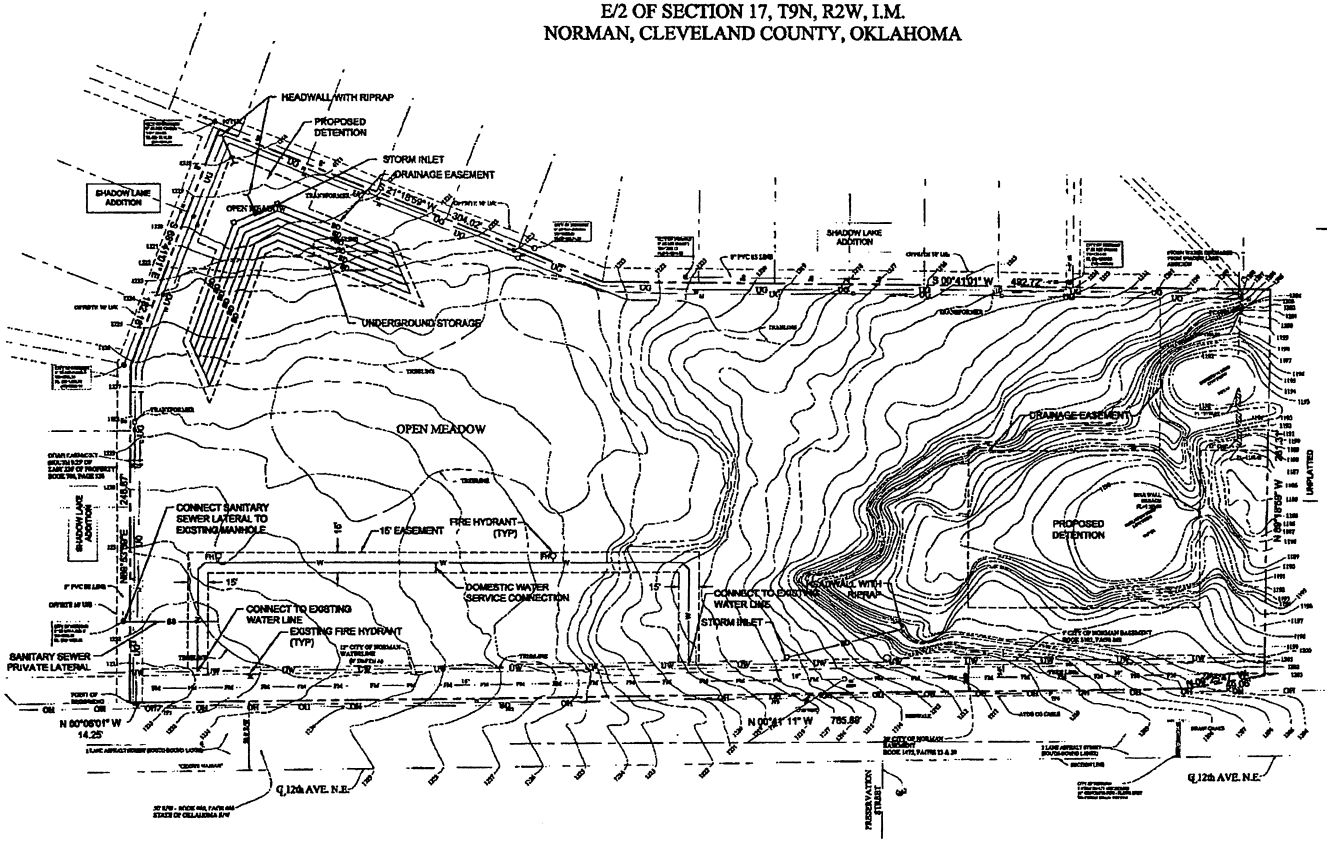
Subject Tract

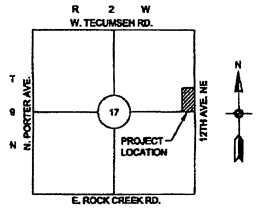
Zoning

PRELIMINARY PLAT

EURE ADDITION

6.17 ACRE TRACK IN
E/2 OF SECTION 17, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP
NOT TO SCALE

LEGEND

EXISTING		NEW	
	PROPERTY LINE	WATER LINE	W
UW	12" UNDERGROUND WATER LINE	FIRE HYDRANT	FHC
OHE	OVERHEAD ELECTRIC (OGE)	STORM SEWER LINE	SS
SS	10" SANITARY SEWER MAIN (CITY OF NORMAN)	SANITARY SEWER LINE	SS
8" SS	8" PVC SANITARY SEWER LINE		
	UNDERGROUND ATTO CABLE		
UGT	UNDERGROUND TELEPHONE CABLE (AT&T)		
UGE	UNDERGROUND OGE CABLE		
	POWER POLE		
PED	PEDESTAL (BNSF/OGE)		
	FIRE HYDRANT		
	SANITARY SEWER MANHOLE		
	1/2" I.P. SET @ PROPERTY CORNERS W/CAP MARKED O.A. 2409		
	CHANNEL COMM. CORP (BROAD BAND CABLE)		

LEGAL DESCRIPTION:

Part of the East Half (E/2) of Section Seventeen (17), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter (SE/4) of said Section 17; Thence North 00°06'01"West for a distance of 2619.75 feet; Thence South 90°00'00"West for a distance of 50.00 feet to the Point or Place of Beginning; Thence continuing North 00°06'01"West and along the West Highway Right-of-Way a distance of 14.25 feet; Thence North 00°41'11"West for a distance of 765.89 feet; Thence North 89°53'47"West for a distance of 59.06 feet; Thence North 89°18'59"West for a distance of 281.31 feet to a point being the Northeast Corner of Lot 9, Block 3, of Shadowlake Addition; Thence South 00°41'01"West and along the East line of said Block 3 for a distance of 492.72 feet; Thence South 21°11'59"West and along the East line of said Block 3 for a distance of 304.02 feet; Thence South 68°41'01"East and along the North line of said Block 3 for a distance of 182.16 feet; Thence North 89°53'59" East and along the North line of said Block 3 for a distance of 246.87 feet to the Point or Place of Beginning.

BENCHMARK:
SPIKE CAP AT INTERSECTION OF PRESERVATION STREET AND YOSEMITE DRIVE (EAST OF 12TH AVE N.E.)
ELEV. = 1210.87

TBM:
TOP/GALVOLE OF FIRE HYDRANT AT S.E. CORNER OF PROPERTY
ELEV. = 1230.80

0 40' 80'
SCALE: 1"=40'

NOTES:

1. EXISTING ZONING IS RM-2. PROPOSED ZONING IS C-O.
2. ALL PUBLIC UTILITIES SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS.
3. ALL STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS.
4. ALL PUBLIC UTILITIES WILL BE IN DEDICATED EASEMENTS.
5. ALL SANITARY SEWER LINES TO BE 8" DIAMETER UNLESS OTHERWISE NOTED.
6. ALL WATER LINES TO BE 8" DIAMETER UNLESS OTHERWISE NOTED.
7. THE FIRE HYDRANTS WILL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN REQUIREMENTS.
8. REFER TO THE DRAINAGE REPORT FOR SPECIFIC DATA.
9. ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN OF STANDARDS AND SPECIFICATIONS.
10. DRAINAGE EASEMENT WILL BE COORDINATED WITH ADJACENT PROPERTY OWNER.

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 EURE 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.

SURVEYOR:
GORDON T. OATES
MCDONNELL BUILDING
109 NORTH MINCOLE DRIVE, SUITE C
NORMAN, OKLAHOMA 73069

OWNER:
JACK EURE
1017 BINGS ROAD
NORMAN, OK 73072

PRELIMINARY PLAT
EURE ADDITION
12TH AVE NE & SHADOW LAKE ROAD
NORMAN, OKLAHOMA

DESIGNED BY: NORMAN HUNN, PE
4501 NW EXPRESSWAY (#200)
OKLAHOMA CITY, OK 73116

NO.	REVISION	BY	DATE

DATE: 10-3-11
SCALE: 1" = 40'
SHEET NO. 1
DRAWN BY: BRC
PROJECT NO. 09001
ENGINEER: NORMAN HUNN, PE

PRELIMINARY PLAT ITEM NO. 7b

STAFF REPORT

ITEM: Consideration of a PRELIMINARY PLAT FOR EURE ADDITION.

LOCATION: Generally located on the west side of 12th Avenue NE and one-half mile north of East Rock Creek Road.

INFORMATION:

1. Owner. Jack Eure.
2. Developer. Jack Eure.
3. Engineer. Rizwan Masmi.

HISTORY:

1. July 7, 1983. The Norman Board of Parks Commissioners, on a vote of 6-0, recommended fee in lieu of parkland for Rucker Addition.
2. August 11, 1983. Planning Commission, on a vote of 7-0, recommended the to City Council that this property be placed in RM-2 and removed from A-2 zoning classification.
3. August 11, 1983. Planning Commission, on a vote of 7-0, approved the preliminary plat for Rucker Addition.
4. September 6, 1983. City Council adopted Ordinance No. 0-8384-1, placing this property in RM-2, and removing it from A-2 zoning classification.
5. August 11, 1988. In accordance with Section 19-506 of the City Code, the approval for the preliminary plat for Rucker Addition became null and void.
6. July 13, 1995. Planning Commission, on a vote of 8-0, approved the preliminary plat for Shadow Lake Addition.

7. July 13, 2000. In accordance with Section 19-506 of the City Code, the approval for the preliminary plat became null and void.

8. July 13, 2005. In accordance with Section 19-506 of the City Code, the approval for the preliminary plat became null and void.

9. October 13, 2011. The applicant has made a request to place this property in CO, Suburban Office Commercial District and remove it from RM-2, Low Density Apartment District.

IMPROVEMENT PROGRAM:

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

2. Permanent Markers. Permanent markers will be installed prior to City acceptance of street improvements.

3. Sanitary Sewers. Existing sanitary sewer mains are located to the west and south of the property. Depending on the locations of the structures and elevations, a private pump system might be needed.

4. Sidewalks. Sidewalks will be constructed adjacent to 12th Avenue N.E.

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

6. Streets. Twelfth Avenue N.E. is existing.

7. Water Mains. There is an existing twelve-inch (12") water main adjacent to 12th Avenue N.E.

PUBLIC DEDICATIONS:

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

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

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

STAFF COMMENTS AND RECOMMENDATION: The owner/developer is proposing a single lot commercial office development with required parking. The proposal is to set aside a large area on the northern portion of the property to remain undisturbed except for the detention facilities. Staff recommends approval of the preliminary plat.

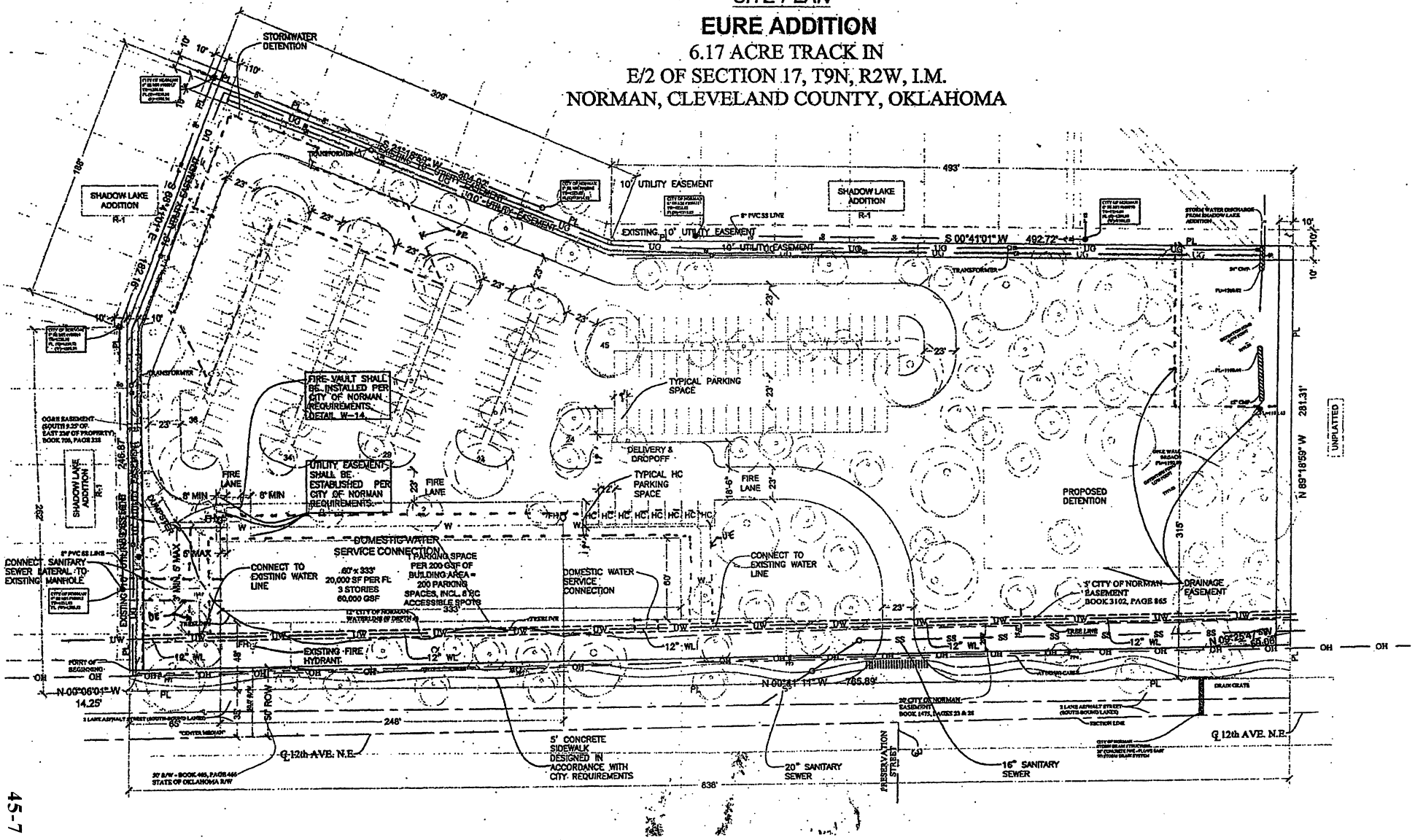
ACTION NEEDED: Recommend approval or rejection of the preliminary plat for Eure Addition to City Council.

ACTION NEEDED:_____

SITE PLAN

EURE ADDITION

6.17 ACRE TRACK IN
E/2 OF SECTION 17, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



28 September 2011

Mr. Jim Gassaway, Chairman
Planning Commission
City of Norman
PO Box 370
Norman, OK 73070

Re: Preliminary Plat
Eure Addition
EURE Proj. No. 11_007

Mr. Gassaway:

As the Owner and Architect for the proposed rezoning of the Eure Addition, we request a waiver of the alley requirements for the property in accordance with Section 19-402 of the City of Norman. The plat is a large tract that can be designed adequately without the use of an alley. All utilities, sanitation access, emergency access, and fire protection shall be provided and identified in accordance with all pertinent requirements without the use of an alley.

Please accept this request and grant the alley waiver.

Sincerely,

Jack Eure Architect

Jack Eure, AIA, MArch, NCARB
Principal

Jack Eure Architect | 1017 Kings Rd., Norman, OK 73072 | TEL 405-808-5120 | E Mail jack@jackeure.com | www.jackeure.com

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 22, 2011

STAFF REVIEW BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Eure Addition Preliminary Plat
Owner/Designer: Jack Eure Engineer: None

PROJECT TYPE: Commercial-Office
Traffic Engineer: None

SURROUNDING ENVIRONMENT (Streets, Developments)
Low density residential developments surround the project location with some commercial space to the north at Tecumseh Road and to the south at Rock Creek Road. The project fronts along 12th Avenue NE which is the main north/south roadway. The site is midway between Rock Creek Road and Tecumseh Road.

ALLOWABLE ACCESS:
Proposed access is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
12th Avenue NE: 4 lanes. Speed Limit - 50 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐

Proposed number of access points along for the development is in compliance with what is allowed in the subdivision regulations. The location of the proposed access must line up with the existing Preservation Street intersection.

TRIP GENERATION

	Total	In	Out
Weekday	660	330	330
A.M. Peak Hour	93	82	11
P.M. Peak Hour	89	15	74

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■

The trip generation potential for this development is below the threshold for when a traffic impact study is required. No negative impacts are anticipated.

RECOMMENDATION: **APPROVAL** ☐ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ■

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The proposed addition will feature 60,000 square feet of commercial office space. The location for the proposed development is along the west side of 12th Avenue NE between Rock Creek Road and Tecumseh Road. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. The site plan submitted for the addition at the Plat Review Meeting showed the access to the proposed development located along the west side of 12th Avenue NE approximately 150 feet south of the existing intersection of Preservation Street and 12th Avenue NE. Although the proposed driveway would be located in acceptable location with respect to Preservation Street from a traffic standpoint as traffic turning left at either location will not conflict with one another, the proposed driveway must be located opposite Preservation Street. This is to eliminate a potential sight distance issue. If the driveway were to be located in the location shown on the site plan presented at the Plat Review Meeting, traffic attempting to exit the development via a left-turn onto 12th Avenue NE would have inadequate sight distance available to the south. Staff is unable to support the driveway location as presented on the previous site plan.

3-7-11

Pre-Development Case No. PD 11-12
NORMAN GREENBELT ENHANCEMENT STATEMENT DATE: 3/7/11

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement form was developed to aid in assessing proposed new developments to insure that green space and trail opportunities are being included in new development designs, whenever possible.

As part of your application and submittal of information for a Pre-Development Meeting, this form should be utilized to address the Greenbelt Commission's review. ***The City of Norman ordinances require that you complete this Greenbelt Enhancement Statement and leave it with City of Norman staff at the same time as you submit the required information for a Pre-Development Meeting.***

Review: At the time you submit the application and information for a Pre-Development Meeting, you will be provided with both the date of the Pre-Development Meeting and the date of the next Greenbelt Commission meeting. You are urged to attend that Greenbelt Commission meeting where you will be provided an opportunity to present information, to explain and discuss your proposed development, and to answer questions the Greenbelt Commission might have about your submittal. Based upon the review and discussion at the Greenbelt Commission meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will then be recorded and provided to you. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application for consideration of your proposed development.

Should you have any questions about this process or any of the questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5435. (Attached is the adopted Greenbelt Ordinance which includes guidelines.)

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: Jack Eure Date: 3/7/11

Contact Person: Jack Eure Telphone/Fax/Email: 405-808-5120

1. List development name, location, number of acres, and type of development, including types of buildings and their proposed uses. 3000 12th Ave. NE: Office Buildings

2. How does your proposed development or project incorporate open space(s)? This conservation-oriented commercial development promotes green space in a number of ways. First, the buildings address 12th Ave. NE using principles of Form-Based Codes, in which a pedestrian-friendly streetscape is strengthened and defined by placing appropriately scaled buildings along the street rather than at a remove behind parking. Secondly, the existing terrain and wooded character of the site is preserved, with the northern third of the property, a wooded draw with seasonal pond (that doubles as stormwater runoff system) remaining as a pocket wilderness to support native plants and wildlife. Third, the buildings and parking are clustered in such a way as to allow an extensive perimeter walking trail that encourages daily interaction with nature and healthful exercise. This plan was guided by the principles of Conservation Development, in which buildings and parking were clustered together in such a way as minimally disturb the topography, while preserving about 40% of the site for pocket wilderness and trails.

Are those open spaces. accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain. The plan as shown invites usage from the surrounding community, tempered by the

security offered by a single point of entry. Community members would check in with building security personnel during business hours only, before entering the trails.

3. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable. The trails in this plan, envisioned as crushed Oklahoma granite paths lined by Oklahoma sandstone are arranged in a pair of loops that afford passage along the perimeter of the property, lined with native plants and trees. The total linear footage will be about a half mile. Included are gently graded (ADA) trail sections in the lower, wooded preserve area that are out of site of the buildings. In this wooded "bowl" or draw beside the seasonal pond, occupants and visitors enjoy benches, shade, and a sense of solitude in nature.

4. Identify the public open space(s), such as a parks or trails, within 1/2 mile of your proposed development. The development sits There are two small ponds with perimeter trails with a half mile, one in the Shadowlake development, and one in the Ideal Homes development across 12th Ave. NE. About a half mile south is the northern extremity of the Sutton Wilderness.

Explain how the proposed development will connect to that area via a trail, sidewalk, or other means. Pedestrian connection to the surrounding community and its parks will be provided with sidewalks, which will be concrete and lined with native plants and trees, along 12th Ave. NE.

5. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4- 2028 of the Greenbelt Commission Ordinance.

There are two types of trails in this proposal. One is a concrete sidewalk, typically 6' wide, gently undulating, made with eco-friendly fly-ash, finished with a broadcast rock salt that leaves pock marks for a naturalistic source of traction. Where new, sidewalks will be designed to gently undulate so as to stimulate the sensory enjoyment of walking, particularly visual. The second type of path is a 6' wide crushed granite path, also undulating and lined with native plants, that affords passage into the pocket wilderness area, and softens the perimeter of the southern parking area with a permeable, planted, pedestrian edge. The soft crunching sound of the gravel accompanies the rustle of prairie grass and tall shade trees.

Of course, for both types of trails, code requirements related to accessibility of both the City of Norman and federal ADA guidelines will be observed. Users with limited mobility will be accommodated fully. Native plants such as prairie grasses (little blue stem) will integrate the design with local climate and esthetic roots. Outcroppings of native sandstone bedrock along the banks of the seasonal pond offer a glimpse of local orangey-red geology. Tall trees afford cool, shaded refuge in summer months, an abundance of fall color, and a stark wooded winterscape.

Two types of users are envisioned: occupants of the office building, who will be able to enjoy the trails for breaks and outdoor "meetings" throughout the work day, and community visitors, who will be welcomed to enjoy the facility during daylight business hours. The elderly, those strolling small children, and those walking pets will all be welcome, provided the rules are observed.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements. In performing its duties, the Greenbelt Commission shall take into account the considerations listed below. Not all considerations will be applicable or feasible for each application.

(a) Portions of the Greenbelt System are accessible to the general public. The sidewalk along 12the Ave. NE will be landscaped and, where new, designed to undulate to allow an enhanced visual and kinesthetic experience for the pedestrian. The trails within the interior of the property are envisioned as accessible to the public, albeit with the security provision of a single, monitored point of vehicular and pedestrian access. Visitors must register with security personnel and abide by facility rules that prohibit noise, litter, loitering, weapons, smoking, and indecency and limit access to business hours.

(b) Greenways are established and provide connections to other existing and future components of the Greenbelt System. The planted winding sidewalk along 12th Ave. NE will offer connection in the north-south direction to-and-from town, the Sutton Wilderness, and the future East Little River Greenway.

(c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee. This proposal makes use of building setbacks to provide a trail system.

(d) Greenways connect neighborhoods to each other and to industrial and commercial areas.
This proposal helps green 750' of frontage along Sooner Rd (12th Ave. NE), the primary north south axis or spine connecting OU, Norman, Moore, Midwest City and Tinker. Although not part of the current long range plans for this area, this spine should become a corridor of light rail, and enhanced pedestrian experience. This proposal envisions such an outcome.

(e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking. This proposal offers a green refuge or oasis along 12th Ave. NE.

(f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized. This proposal minimizes alteration to existing topography, drainage patterns and vegetation, by relying on existing, native conditions to satisfy stormwater requirements. Incidentally, this approach saves the project a good deal of money and preserves the inherent esthetic value of the sites sloped, wooded character.

(g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird. This proposal envisions a sidewalk along 12th Ave. NE transformed from a dull, straight sidewalk on an endless, tedious, unremitting expanse of Bermuda, to a path that offers positive sensory stimuli, such as dappled shade and native rocks amidst a variety of native plants that are drought tolerant and rooted in local climate.

(h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees. This proposal envisions exceeding City landscape requirements by a wide margin.

(i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution. N/A

(j) Permeable ground surfaces have been preserved to the extent possible. This site plan flows from the principles of Conservation Development, in which preservation of permeable land is a priority. Improvements are clustered together so that a large portion of the property can be preserved in its natural state.

(k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development. Vehicular and pedestrian access to the interior of the site is designed to maximize safety and security, with a single point of secure access. Law-abiding, well-behaved community members are welcome to enjoy the greenspace.

(l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.
This project envisions a perimeter fence of high-quality, durability and beauty. Galvanized steel poles on 10' centers are spanned by a 4" grid of heavy duty galvanized steel "hog panel," which offers the perfect trellis for climbing, flowering vines. Maximum height regulations shall be satisfied. A green, vegetative fence of vines will provide a pleasing, naturalistic backdrop from any point of view.

(m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials. The existing terrain and wooded character of the site is preserved, with the northern third of the property--a wooded draw with seasonal pond (that doubles as stormwater runoff system)--remaining as a pocket wilderness to support native plants and wildlife.

(n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible. This project proposes retaining the existing seasonal pond to perform as a natural stormwater runoff system. In addition, parking areas and roads replace curbs with zero edge paving and rain gardens, for further reductions to flow speeds and turbidity of runoff.

(o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation. The seasonal pond in this proposal serves as the centerpiece of a new trail through the existing woodland.

(p) **The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.** About two acres of sloped, wooded land is preserved in this project as both a drainage corridor and a pocket wilderness that supports the preservation of plants and animals, that is also intended for pedestrian enjoyment.

(q) **The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.** This proposal involves a trail that brings pedestrians into a wooded draw, or small canyon, from which sensory input from the surrounding manmade environment is minimized. Tall trees and dense understory vegetation work together with the folding of the land to create a naturalistic enclave.

(r) **To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.** This proposal explicity preserves the seasonal runoff corridor as a pocket of wilderness within which wildlife preservation is encouraged.

(s) **Riparian buffers are incorporated into the Greenbelt System.** The pocket wilderness in this proposal could become a jewel in the planned Woodcrest Greenway tracking just west of Sooner Rd.

(t) **The commercial developments have provided for pedestrian access.** This is a highly pedestrian-oriented plan for leverages green space and trails to improve the marketability of the project.

(u) **Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.** This proposal envisions treating the edges of the paved areas with curbless/rain garden conditions to provide storm runoff of minimized negative impact on the environment. City parking minimum requirements will be observed.

(v) **Cluster development has been utilized as a means to develop the Greenbelt System.** This proposal clusters development at the southern portion of the site and along the street, promoting streets of greater urban character and pedestrian amenity. In keeping with principles of Conservation Development, this site plan clusters development in such a way as to preserve the area of the site deemed most sensitive, most important for preservation of natural stormwater runoff. This area also happens to be the most visually striking. Meanwhile, the area of the site that we chose to build on is the most economical on which to build, requiring the least earthwork to ready for construction.

(w) **Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.** See (V)

6. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking. This proposal envisions 12th Ave. NE as a key N-S corridor of future pedestrian importance, and provides a pocket wilderness that is a modest oasis natural destination in its own right.

7. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include:
storm water channels, detention ponds, floodplains, stream bank/ riparian corridors, utility easements, abandoned or active railroad corridors. How will your development incorporate those elements into greenbelts and trails? This project takes an existing arroyo, or draw that includes a seasonal pond, and makes that the centerpiece of a proposed pocket wilderness to accompany this commercial development. Existing drainage patterns are entirely preserved, together with the existing plant and animal conditions in this area, to the esthetic and functional benefit of the developed portion of the property. In addition, required building setbacks will serve as pathways for sidewalks and winding gravel paths.

8. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.
There is almost never not an opportunity to contribute to the greenbelt system. It may be adding a green roof on a zero lot-line existing building. It may be enhanced plantings lining the sidewalk. Maybe it's window planters or a new park bench. Accept no excuses!

9. Other comments: This proposal will in reality be limited in its plan to rezoning the property from RM2 to CO, as envisioned for this parcel in the Norman 2025 plan. What the next owners do with it will be out of this applicant's control, unless they buy into this seller's vision.
Signature of Applicant or Contact Person: Doug L McD Agent

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):
VOTE BY COMMISSION

Greenbelt Commission Regular Meeting **Greenbelt Case No. 11-14**

Monday – March 21, 2011- 6:30 p.m.

Sec. 4-2028. Guidelines for Evaluating Greenbelt Enhancement Statements

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below and how they apply to each proposed development

Please check the areas that will apply to your development.

(*Not all considerations will be applicable or feasible for each application.*)

N/A (a) Portions of the Greenbelt System are accessible to the general public.

N/A (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.

Yes (c) Existing easements (e.g. utility, pipeline, oil lease right of way, etc) may be used for Greenways where appropriate and where expressly approved by the easement grantor and grantee.

Yes (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.

Yes (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bicycling or walking.

Yes (f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

N/A (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.

N/A (h) Landscaping required by the City has been planted in conformance with Norman Zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.

N/A (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.

Yes (j) Permeable ground surfaces have been preserved to the extent possible.

Greenbelt Case No. 11-14

N/A (k) Ingress and egress to and from a development is designed to permit safe use by non-motorized traffic in and out of the development and across the ingress and egress provisions of the development.

N/A (l) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under Norman City Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.

Yes (m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.

Yes (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.

Yes (o) Storm water management design considers the potential for trail and green space preservation, enhancement and/or creation.

Yes (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.

Yes (q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.

N/A (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.

N/A (s) Riparian buffers are incorporated into the Greenbelt System.

Yes (t) The commercial developments have provided for pedestrian access.

N/A (u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under the Zoning Ordinance of the City of Norman and the City Engineering Design Criteria.

N/A (v) Cluster development has been utilized as a means to develop the Greenbelt System.

Yes (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

Greenbelt Case No. 11-14

Greenbelt Commission comments and suggestions regarding proposed development submitted for Planning Commission and City Council consideration are as follows:

> *Commission approved the application and commended the applicant on the real intent to design with nature by proposing multi-story buildings to preserve approximately 30% of the site as open space.*

Vote by Commission: Move to approve; 6-0, 1 abstain

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 13, 2011

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of October 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Diana Hartley Tom Knotts Curtis McCarty (arrived at 6:38 p.m.) Andy Sherrer Zev Trachtenberg Jim Gasaway
MEMBERS ABSENT	Cynthia Gordon Chris Lewis Roberta Pailes

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Development Coordinator Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY JACK EURE FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.

7A. ORDINANCE NO. O-1011-60
JACK EURE REQUESTS REZONING FROM RM-2, LOW DENSITY APARTMENT DISTRICT, TO CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, FOR 6.17 ACRES OF PROPERTY LOCATED AT 3000 12TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan
4. Norman Greenbelt Enhancement Statement
5. Greenbelt Commission Minutes

7B. PP-1112-2 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY JACK EURE (RIZWAN NAJMI, P.E.) FOR EURE ADDITION FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.E. AND ½ MILE NORTH OF ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Alley Waiver
7. Pre-Development Summary

PRESENTATION BY STAFF:
1. Mr. Koscinski reported that both the 2020 and 2025 Plan designated this tract for office use. It has been zoned RM-2, with a small section of R-1, since 1983. This request is consistent with the 2025 Plan. The existing zoning of RM-2 is for low-density apartments, which would typically be developed with 40-80 units. The site is currently vacant. The surrounding area was originally zoned in 1983. When the residential portion of the subdivision was designed, there were no access points, either pedestrian or streets, into this tract. That is not good in terms of connectivity, but minimizes negative impacts from this tract to the neighborhood. The tract is predominantly wooded and slopes toward the north. There is a sidewalk along a portion of the tract. The road has been improved as part of a State project, and a driveway was installed. The Traffic Engineer would like the existing driveway closed and relocated, which the applicant has agreed to do. The Park Hill Addition has been developed across the street to the east with single-family homes. The Traffic Engineer has requested that the driveway align with Preservation Street. The RM-2 designation allows up to 4-plex development. The tract backs up to the single-family homes in Shadowlake Addition. Some of the homes along the west side of the tract have not constructed fences and preserve their view into this wooded area. The preliminary plat shows one large lot and the proposed development is a large, multi-story office building located at the high point of the site. It will have good visibility from 12th Avenue N.E. Parking is tucked to the west behind the building. Most of the north end of the site, which drops off topographically, will be preserved. The applicant is a member of the Greenbelt Commission and made a nice presentation to them on his proposal for the site. The impacts that staff thinks could occur would be from parking lot lights, but there is a 20-30' buffer from the residences. The new lighting ordinance will also be in effect for this development, so we should get good quality lighting. The site will be landscaped. The site plan shows an undeveloped portion at the north end, leaving it as natural as possible. One protest was received from a resident of the area, which was 0.7% of the notification area. A three-story building will be more visible than a series of one-story duplexes, but the applicant has tried to move it as far away from most of the residences as

possible. The Traffic Engineer estimated traffic impacts of 40-80 residences and from the proposed office building. The peak hours are different, and all the traffic will be on 12th Avenue N.E. and should have minimal impact on residential areas.

PRESENTATION BY THE APPLICANT:

1. Jack Eure, 1017 Kings Road, the applicant – Doug hit all the most important highlights. It's 6.17 acres. We are developing this along the principles of conservation-oriented development, to try to leave at least 40% of the site untouched and to preserve the existing woodland terrain and habitat on the north end of the site. We're also trying to locate the building along the street, in accordance with the best practices of design to try to avoid a phenomenon of driving by and seeing parking lots lining the road; instead, we'd like to help shape the street and create kind of a room experience in the street by putting the building along 12th Avenue. It's a more urban approach. It's also very economical and very efficient. The initial site plan that we showed utilized the existing curb cut in order to try to preserve a little bit more of the wooded bowl at the north end of the site. The Traffic Engineer expressed some concerns so we tried to accommodate those by aligning the drive with Preservation Road across 12th Avenue.

2. Mr. Knotts asked about the underground storage indicated on the Preliminary Plat. Mr. Eure explained that the southwest corner of the property drains in that direction, so a unique solution for that portion of the site was required to prevent runoff into an adjoining yard. The vast majority of drainage from the site goes down into the existing bowl at the north end of the property. Mr. Knotts asked if there is an outlet for the underground storage. Mr. Eure explained that an easement will be required with an adjoining property owner to secure the drainage off the site to the southwest. He added that the City looked at the plan and approved it.

3. Mr. Trachtenberg asked if the easement across the neighbor's property is to allow the water to be released to Pinecrest Street or Shadowlake Road. Mr. Eure explained that his understanding is the release would be above-grade and didn't have to be channelized. Given the underground facility, the water overground will be minimized. The detained water will percolate down.

4. Mr. Knotts asked whether the applicant has spoken with adjacent property owners. Mr. Eure indicated he has not. Mr. Knotts commented that the plan is basically held hostage to some opportunity to get rid of the overflow, and therefore it is not complete. Underground storage fills up and could silt in over time, so it is very critical to have a route for overflow. Mr. Danner stated that the Development Engineer has reviewed the drainage report. If the applicant is not able to obtain an easement, he will have to come up with another plan. There are other alternatives that they can do. They can leave more pervious area for sheetflow before it gets to the residential area. The current proposal would take the water from the underground storage to a street in Shadowlake Addition through a pipe. The majority of the parking lot will drain to the north; the existing pond will have to be modified to accommodate the runoff. Mr. Trachtenberg asked if it would be possible to pipe from the underground storage to the detention pond to the north. Mr. Danner indicated that has not been proposed and staff only reviews the proposal before them. Mr. McCarty asked if Shadowlake Road can accommodate the additional runoff. Mr. Danner indicated that was checked and it can support the additional water.

5. Mr. Gasaway asked about the option of sheeting the water to the neighboring back yards. Mr. Danner responded that the runoff is currently doing that. If you do not increase the volume of water, you can continue that, although there may have to be some adjustments.

6. Mr. Trachtenberg asked, if they are not able to obtain an easement, and they have to redesign the parking lot, whether it would push the parking lot north into the area they are trying

to leave undisturbed. Mr. Eure indicated it might require a shift toward permeable paving but leave the layout intact. Mr. McCarty asked if the City currently allows pervious parking lots. Mr. Koscinski said there are some test lots currently. Mr. Eure said they might be able to take a combined approach; they are showing some planted medians between the double rows of parking and those could potentially be sources of percolation.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Trachtenberg commented that this is a beautiful design and has all kinds of great stuff that we like to see. There's a huge amount to like about this project. It sounds like the entire thing isn't premised on getting an easement and there is a back-up plan. What's the next step to ensure that it all happens correctly if the developer cannot obtain an easement?

2. Mr. Danner noted that this is a preliminary plat and has preliminary drainage reports. If they are not able to obtain an easement they may have to modify the size of the building and decrease the amount of parking. There are things that can be done if they cannot obtain an easement. A site plan is required with the final plat that will have to address drainage if they are not able to obtain an easement.

3. Mr. Trachtenberg asked if a change to the drainage plan would be a relatively small redesign that would fall within the normal amount of change that can occur between a preliminary and final plat. Mr. Danner responded that change between preliminary and final plats has to do with lot count. So as long as the final plat shows a single lot, it is not a problem.

Curtis McCarty moved to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council. Diana Hartley seconded the motion.

4. Mr. Gasaway commented that there were letters of protest from one property. The major concern of that letter seemed to be that they didn't want anything built on the property. When a property owner owns a piece of property, whether developed or undeveloped, they have the ability and right to develop the property as it is currently zoned or request a change of zoning. His concern is that this is predominantly a residential area, and a three-story building will overlook the adjacent back yards.

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

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

Recording Secretary Roné Tromble announced that the motion, to recommend adoption of Ordinance No. O-1011-60, the Site Development Plan and accompanying documentation, and recommend approval of the Preliminary Plat for EURE ADDITION, with an alley waiver, to the City Council, passed by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: O-1112-16

File ID:	O-1112-16	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 46	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/01/2011
File Name:	Ordinance Removing Inactive Boards			**Final Action:**	

Title: ORDINANCE NO. O-1112-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE IV BOARD OF HOSPITAL MANAGEMENT; REPEALING IN ITS ENTIRETY ARTICLE VI CABLE COMMUNICATIONS ADVISORY COMMISSION, ARTICLE XVIII UTILITIES COMMISSION, AND ARTICLE XX TRAFFIC APPEALS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-16 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes: November 22, 2011, City Council Agenda

Agenda Date: 11/22/2011

Agenda Number: 46

Attachments: O-1112-16 (Boards & Commissions) Scanned, Pert exc CC Special Session minutes 10/11/11.pdf

Project Manager: Jeff Bryant, City Attorney

Entered by: brenda.hall@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	11/08/2011	Introduced and adopted on First Reading by title only				

Action Text: Introduced and adopted on First Reading by title only

1 City Council 11/08/2011

Text of Legislative File O-1112-16

Body

On October 11, 2011, at a City Council Special Session, the Mayor and Councilmembers reviewed the existing boards and commissions including their policies and practices. The Council appeared to reach consensus that certain commissions could be dissolved because they no longer hold meetings. Those commissions are: Traffic Appeals Commission, Cable Communication Advisory Commission and the Utilities Commission. Further, Council directed that the Board of Hospital Management be revised to mirror the recent language changes in the City Charter at Article IX.

At its Council Conference Meeting on October 25, 2011, Council advised it was ready to move forward with these changes. The changes have been memorialized in Ordinance O-1112-16 and is being presented to Council for first reading at its regularly scheduled meeting on November 8, 2011. The Ordinance is scheduled for second reading at the regularly scheduled meeting on November 22, 2011.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE IV BOARD OF HOSPITAL MANAGEMENT; REPEALING IN ITS ENTIRETY ARTICLE VI CABLE COMMUNICATIONS ADVISORY COMMISSION, ARTICLE XVIII UTILITIES COMMISSION, AND ARTICLE XX TRAFFIC APPEALS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Article IV, Board of Hospital Management, Section 4-401 of the Code of Ordinances of the City of Norman shall be amended as follows:

ARTICLE IV. BOARD OF NORMAN REGIONAL HOSPITAL AUTHORITY

Sec. 4-401. Duties and powers of the Board of Norman Regional_Hospital Authority.

The Board of Norman Regional Hospital Authority shall exercise control over the Norman Regional Health System, and pursuant thereto shall:

(1) Establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the operations of the hospital;

(2) Approve all contracts or purchases which exceed an amount previously established by the Board;

(3) Approve all salaries, wages and fees which are initially proposed by the Administrator for hospital employees;

(4) Appoint an Administrator of the Hospital who shall be removed as is provided in the Charter of the City;

(5) Delegate any or all of the powers granted the Administrator to any officer or employee who is subordinate to the Administrator and whom the Administrator approves, and the Board may revoke any such prior transfer, or vest the same in some different officer or employee of the Hospital;

(6) Keep a record of its meetings and official transactions, and shall make monthly financial reports to the Council in such form as the latter may require;

(7). The Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption.

§ 2. That Article VI, Cable Communications Advisory Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

ARTICLE VI. RESERVED

§ 3. That Article XVIII, Utilities Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

ARTICLE XVIII. RESERVED

§ 4. That Article XX, Traffic Appeals Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

ARTICLE XX . RESERVED.

§ 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 _____, 2011.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2011.

_____

Cindy Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE IV BOARD OF HOSPITAL MANAGEMENT; REPEALING IN ITS ENTIRETY ARTICLE VI CABLE COMMUNICATIONS ADVISORY COMMISSION, ARTICLE XVIII UTILITIES COMMISSION, AND ARTICLE XX TRAFFIC APPEALS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Article IV, Board of Hospital Management, Section 4-401 of the Code of Ordinances of the City of Norman shall be amended as follows:

ARTICLE IV. BOARD OF ~~HOSPITAL MANAGEMENT~~ NORMAN REGIONAL HOSPITAL AUTHORITY

Sec. 4-401. Duties and powers of the Board of ~~Hospital Management~~ Norman Regional Hospital Authority.

The Board of ~~Hospital Management~~ Norman Regional Hospital Authority shall exercise control over the ~~Norman Municipal Hospital~~ Norman Regional Health System, and pursuant thereto shall:

(1) Establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the operations of the hospital;

(2) Approve all contracts or purchases which exceed an amount previously established by the Board;

(3) Approve all salaries, wages and fees which are initially proposed by the Administrator for hospital employees;

(4) Appoint an Administrator of the Hospital who shall be removed as is provided in the Charter of the City;

(5) Delegate any or all of the powers granted the Administrator to any officer or employee who is subordinate to the Administrator and whom the Administrator approves, and the Board may revoke any such prior transfer, or vest the same in some different officer or employee of the Hospital;

(6) Keep a record of its meetings and official transactions, and shall make monthly financial reports to the Council in such form as the latter may require;

(7) ~~On the fourth Tuesday in May, file a copy of its proposed budget for the ensuing fiscal year with the Council.~~ The Board shall file a copy of its adopted budget for the ensuing fiscal year with the City Clerk for presentation to the City Council no later than the next regularly scheduled City Council meeting following its adoption.

§ 2. That Article VI, Cable Communications Advisory Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

~~**ARTICLE VI. CABLE COMMUNICATIONS ADVISORY COMMISSION**~~

~~Sec. 4-601. Additional qualifications for members.~~

~~No employee or person with an ownership interest in a cable television franchise granted pursuant to chapter 6 of this Code shall be appointed to the Cable Communications Commission.~~

~~Sec. 4-602. - Duties and powers of Commission.~~

~~(a) The Cable Communications Advisory Commission shall act on behalf of and as the designee of the City Council for the purpose of advising on the operation and programming of the noncommercial governmental access channel provided for under chapter 6 of this Code.~~

~~(b) The Cable Communications Advisory Commission shall provide the City Council with:~~

~~(1) advice on matters which will enhance the efficient operation of the governmental access channel;~~

~~(2) recommendations that promote the noncommercial use of such channel for the furtherance of its noncommercial missions;~~

~~(3) recommendations on budget items covering those expenses which the Commission anticipates being incurred in its performance of the various functions imposed by this article;~~

~~(4) an annual report within sixty (60) days of the close of each fiscal year.~~

~~a. Such report shall include but not be limited to:~~
~~1. a narrative review of the operation of the governmental access channel during the prior year;~~

~~b. Such report shall include the following program categories:~~
~~1. local government access (and may also include fire, police, burglar alarms, public announcements and NSSL);~~

~~(c) The Cable Communications Advisory Commission shall:~~

~~(1) Facilitate government use of the governmental access channel.~~

~~(2) Review in an advisory capacity the City of Norman's General Policy relating to the operation and use of the governmental access channel, with a view to maximizing the diversity of programs and service subscribers. The use of the governmental~~

~~access channel shall be allocated on a first come, first served basis, subject to limitations on monopolization of system time or prime times.~~

~~(3) Encourage the use of the access channel among the widest range of local institutions.~~

~~(4) Maintain a knowledge of current developments in cable communications.~~

~~(5) Develop and publish and periodically amend as necessary, a rules and procedures manual to define the Commission's functions and responsibilities. Such manual and amendments shall be subject to City Council approval.~~

~~Sec. 4-603. Expenditures of City funds; compensation; reimbursement of expenses.~~

~~(a) The Cable Communications Advisory Commission shall neither authorize nor incur the expenditures of any City funds for any purpose except as may be specifically authorized and appropriated therefore by the Council.~~

~~(b) The Cable Communications Advisory Commission may, with prior specific Council approval, employ the services of a technical consultant, to assist in the analysis of any matter relative to the duties ascribed to it.~~

~~(c) Members of the Cable Communications Advisory Commission are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in the performance of their duties as Commission members.~~

~~Sec. 4-604. Prohibited acts.~~
~~Nothing contained within this article or within chapter 6 of this Code shall authorize or require compliance with any Cable Communications Advisory Commission's actions prohibited by FCC Regulations.~~

ARTICLE VI. RESERVED

§ 3. That Article XVIII, Utilities Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

~~ARTICLE XVIII. UTILITIES COMMISSION.~~

~~Sec. 4-1801. - Duties and powers of the Utilities Commission.~~

~~The Utilities Commission shall have the following duties and powers:~~

~~(1) To review and verify at the end of each fiscal year the total operating costs for each of the utilities, water, sewer and sanitation, including repair and replacement costs and the cost of any bonded indebtedness.~~

~~(2) To study and investigate Norman's utility rate structure and to prepare and recommend to the Council specific recommendations for a utility rate structure designed to create a revenue return equal to total operation, repair and depreciation costs, including any debt service or reserve requirements on any bonded indebtedness payable from the revenue of the particular utility.~~

~~(3) To study and investigate fiscal policies of each of the utilities upon the request of the Council.~~

~~(4) To consider and investigate any subject matter affecting or relating to each of the utilities upon the request of the Council.~~

ARTICLE XVIII. RESERVED

§ 4. That Article XX, Traffic Appeals Commission, of Chapter 4 of the Code of Ordinances of the City of Norman shall be repealed in its entirety.

~~Sec. 4-2001. Created; composition of members.~~

~~(a) There is hereby created the Traffic Appeals Commission of the City of Norman, Oklahoma. The Traffic Appeals Commission shall be composed of nine (9) members, one (1) from each ward and one (1) at-large.~~

~~(b) The members of the Traffic Appeals Commission shall be appointed by the Mayor with advice and consent of the City Council.~~

~~(c) The members of the Traffic Appeals Commission shall serve staggered three (3) year terms.~~

~~Sec. 4-2002. Duties and powers of the Commission.~~

~~The Traffic Appeals Commission shall have the following duties and powers:~~

~~(1) To study the practice of traffic control operations and recommend appropriate policies to the City Council of the city;~~

~~(2) To hear appeals from citizens who have requested and been denied a change in traffic controls at any specific location within the corporate boundaries of the City;~~

~~(3) To review the specific physical characteristics of each site and consider those characteristics as well as the adopted regulations to determine if a unique situation exists that warrants a unique control plan;~~

~~(4) To create a record of information considered when an appeal is heard;~~

~~(5) The Traffic Appeals Commission shall have the authority to direct the erection of such traffic controls as are deemed appropriate from their hearing of filed appeals.~~

~~Sec. 4-2003. Meeting time and place.~~

~~The Traffic Appeals Commission shall meet in the City Council chambers on an as needed basis.~~

ARTICLE XX . RESERVED.

§ 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 _____, 2011.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2011.

_____

Cindy Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

Item 2, continued:

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

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

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

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

* * * * *

Item 3, being:

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

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

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

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

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

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

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