

CITY COUNCIL STUDY SESSION MINUTES

December 16, 2008

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met Study Session in the Municipal Building Conference Room at 5:35 p.m. on the 16th day of December, 2008, 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 Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

ABSENT: Councilmember Ezzell

DISCUSSION REGARDING THE UNIVERSITY NORTH PARK TIF QUARTERLY UPDATE.

Mayor Rosenthal recognized Bob Goins, Rick McKinney, and Michael Moorman, University North Park (UNP) Architectural Review Board, and thanked them for attending tonight's study session.

Ms. Kathryn Walker, Assistant City Attorney, said to date Council has approved the Master Development Agreement for University North Park Tax Increment Finance (UNP TIF) District; Development Agreement No. 1, Traffic and Roadway Improvements; Development Agreement No. 2, Hotel/Conference Center; the Master Financing Agreement for Hotel/Conference Center; Development Agreement No. 3, Legacy Park; and Development Agreement No. 4, Rock Creek Road Bridge. The total project is \$54,725 million broken down as follows:

Initial Project Activity Costs	\$ 1.925 million
Traffic and Roadway Improvements	\$11.55 million
Rock Creek Bridge	\$ 7.75 million
Legacy Park, landscaping and Legacy Trail	\$ 8.25 million
Cultural Facilities	\$ 8.75 million
Lifestyle Center	\$ 8.25 million
Economic Development	\$ 8.25 million
TOTAL	\$54,725 million

Ms. Walker said retail development was designed in two phases. Phase One includes the area west of 24th Avenue N.W. that includes all of the retail development to date, Legacy Park, and the economic development segment north of Legacy Park. Phase Two consists of the area east of 24th Avenue N.W., which includes the Lifestyle Center - upscale retail shopping and the Hotel-Conference Center.

The Hotel/Conference Center opened on October 15, 2008, completing \$3 million in pre-opening sales and has created 200 new jobs in Norman. She said the hotel/conference center includes a total of 80,000 gross square feet of combined meeting space and can accommodate groups with as many as 2,900 guests.

She said Council previously requested a study be conducted on retail cannibalization and the study has been completed and is scheduled for review at the City Council Finance Committee meeting on December 18, 2008.

Ms. Walker said the Economic Development portion of the Project Plan is intended to foster special employment opportunities in Norman and includes planning, financing, acquiring, construction, and

developing facilities to foster such opportunities. She said the businesses located in the project area are not currently located in Norman and provide quality employment opportunities for Norman or expand existing businesses that would not otherwise be able to remain in Norman. She said the Norman Economic Development Coalition was given a six month extension on their contract to purchase the property known as the University North Park Corporate Center.

Ms. Walker highlighted the funding received in the UNP TIF outlined below, which is a combination of ad valorem taxes and sales taxes. She said it is approximately an 18 month turn-around from when the properties are placed on the tax rolls and the ad valorem revenue is received. She said sales tax revenue projections continue to be higher than proposed; however, the Project Plan does contain language to protect the City's overall sales tax base in the event a downturn in the economy would affect sales tax revenue received in the TIF. She said the Project Plan requires a comparison of the retail sales tax increment to the average annualized sales tax growth rate from 2004-2005 to ensure it at least exceeds the historic growth rate of 4.5%. If sales tax revenue falls below 4.5%, then the amount of UNP sales tax revenue apportioned from the General Fund to the TIF is reduced proportionately.

	AD VALOREM	SALES TAX
2006 actual		\$ 62,639
2007 actual	\$ 87,291	\$ 641,444
2008 estimate	\$300,366	\$1,354,280
2009 estimate	\$600,272	

Ms. Walker provided a brief overview of Legacy Park and its accompanying amenities as a park setting with appropriate memorials and a significant lake/water feature. She said there will also be an extension of the Legal Trail system, trees, and extensive landscaping through UNP in excess of that required by the Planned Unit Development along with quality public art.

Items submitted for the record

1. PowerPoint presentation entitled, "TIF Quarterly Update" dated December 16, 2008

PRESENTATION BY SCOTT HOWARD, HOWARD-FAIRBAIRN SITE DESIGN, INC., REGARDING PARTIAL DESIGN PLANS FOR LEGACY PARK.

Mr. Scott Howard, Howard-Fairbairn Site Design, Inc., landscape architect for Legacy Park, provided a three dimensional computer model presentation of the site design for Legacy Park and highlighted many of the design features including modifications to the design plans from the original Master Plan. He said the entry portals on both the north and south entries into the park have been moved further west within the park boundaries and a reduction in the width of the original promenade. Other modifications include changes to the backside of the stage at the amphitheatre to allow access between the stage and the water feature without disrupting events occurring on the stage at the amphitheatre; handicap access seating in the amphitheatre; the addition of handicap access to the lower level of the pond area; and the addition of a restroom facility on the north side of the lake. He said a potential support parking lot has been added along the I-35 Frontage Road to be bid as an alternate; however, the TIF Oversight Committee does not recommend the additional parking area be included as the original intent of the park was to be an active walking park. The Committee believes adequate parking for events in Legacy Park is available within a reasonable walking distance at retail locations.

Councilmembers voiced concern regarding the placement of dumpsters for the restaurant pads and their possible negative affects on the park and walking trails, as well as the type of trash receptacles to be used in the park. Mayor Rosenthal felt the character of the park should be maintained by using trash receptacles opposed to dumpsters. The design also included a possible detention pond located northwest of the park. Councilmember Cubberley recalled previous Council discussion regarding the detention pond and felt Council agreed it was a requirement of the developer. City Attorney Jeff Bryant said funding would only be used for the detention pond if extra funds were available and agreed Council's desire was to use most, if not all, of the TIF dollars in the park. Mr. Jud Foster, Director of Parks and Recreation, solicited Council input for the additional parking area along the west edge of the park site. Mayor Rosenthal felt the TIF Oversight Committee and the Architectural Review Board (ARB) made the correct recommendation and additional parking should not be taken from the park.

Mr. Howard said design plans should be completed and the project ready to bid by April 2009, and the project construction is expected to take approximately one year. Mr. Bob Goins, ARB member, said he felt the design plans for Legacy Park indicated it would be one of the finest urban spaces in the state of Oklahoma. He said the interactions included in UNP are complicated and this area is probably one of the more complicated and critical areas due to the partnership with the developer and the City. He said in order the meet the City's expectations for its use, it is important the developer find the appropriate restaurant to locate next to the park. He said the ARB will need to work closely with the developer to ensure the expectations are met.

Items submitted for the record

1. Letter dated December 11, 2008, from Scott Howard, ASLA, Principal, Howard-Fairbairn Site Design, Inc., to Mr. Jud Foster, Parks Director
2. Site design plan
3. Memorandum dated December 2, 2008, from Jud Foster, Director of Parks and Recreation, to Steve Lewis, City Manager
4. Memorandum dated November 18, 2008, from Robert Castleberry, Chair, Oversight Committee – Tax Increment Financing District No. 2, to Honorable Mayor and City Councilmembers and Honorable Norman Tax increment Finance Authority Trustees

The meeting adjourned at 6:25 p.m.

ATTEST:

City Clerk

Mayor