

CITY COUNCIL STUDY SESSION MINUTES

May 3, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 3rd day of May, 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 Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: None

DISCUSSION REGARDING THE FYE 2012 BUDGET – CAPITAL FUND.

Mr. Steve Lewis, City Manager, said tonight's presentation will include the FYE 2012 Capital Improvement Plan (CIP) Budget and felt it is important to remember the CIP is the management plan and process for City facilities. He said the CIP projects often take two to four years to complete and the CIP represents the multi-year scheduling of public infrastructure improvements and expansion.

Ms. Linda Price, Revitalization Manager, said the FYE 2012 Plan Budget includes FYE 2013 – 2016 Capital Improvements Plan (CIP) and said the benefits of adopting a Plan include:

- Offers vital link between the Comprehensive Land Use and Transportation Plan (2025 LUP) and the actual construction of public improvements to support the Plan
- Ensures that plans for community facilities are carried out
- Improves coordination and scheduling of public improvements that require more than one year to construct
- Provides an opportunity for residents and community interest groups to participate in decisions that impact their quality of life
- Acts as a public information document to advise residents of how the City plans to address significant capital needs over the next five years
- CIP is a flexible plan that can be altered as conditions, funding, priorities, and regulations change
- Each year projects are reassessed for financial feasibility, environmental impact, conformance to previously adopted plans, and priorities from citizen input processes

The Capital Budget includes the following 14 Funds with fund summaries, project tables and detailed project forms:

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| ▪ Special Grants Fund | ▪ Sewer Sales Tax Capital Fund |
| ▪ Campus Corner TIF Fund | ▪ Sanitation Fund |
| ▪ Westwood Fund | ▪ Capital Fund |
| ▪ Water Fund | ▪ Park Land and Development Fund |
| ▪ Wastewater Fund | ▪ Hall Park Fund |
| ▪ Sewer Maintenance Fund | ▪ University North Park TIF District Fund |
| ▪ New Development Excise Tax Fund | ▪ Arterial Road Recoupment Fund |

Sewer Excise Tax is the largest source of funds for the FYE 2012 Capital Budget at 27.41% or \$11,674,521, and following closely is the Capital Sales Tax at 26.90% or \$11,456,538. Other sources of funds for the FYE 2012 Capital Budget include General Obligation Bond (16.39%); User Fees (11.03%); Sales Tax TIF (7.99%); Sewer Maintenance Rate (5.40%); Capital Improvements Charge (4.08%); Sewer Replacement Charge (0.54%); Grant (0.17%); Community Park Fee (0.08%); and Private (0.02%).

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Expenditures in the Capital Budget total \$43,599,256 and are categorized as follows:

▪ Capital Outlay	\$ 2,895,912	6.64%
▪ Services and Maintenance	\$ 16,375	0.04%
▪ Maintenance of Existing Facilities	\$ 678,050	1.56%
▪ Personnel	\$ 833,497	1.91%
▪ Street Maintenance	\$ 1,511,240	3.47%
▪ Transportation	\$ 9,089,231	20.85%
▪ Buildings and Grounds	\$ 2,857,500	6.55%
▪ Parks and Recreation	\$ 385,000	0.88%
▪ Sanitation	\$ 461,500	1.06%
▪ Wastewater	\$16,165,000	37.08%
▪ Water	\$ 8,705,951	19.97%
TOTAL	\$43,599,256	100.00%

The proposed FYE 2012 Capital Fund Budget is \$13,984,070 and the Capital Fund expenditures by category include Capital Outlay, Street Maintenance, Maintenance of Existing Facilities, Other Capital Projects, Salaries and Benefits, Transfers, and Bond Projects.

Since FYE 2009, Staff has updated Council on projects related to intense construction on streets, bridges, signalization, traffic calming, sidewalks, and trails by both the City and Oklahoma Department of Transportation (ODOT). Ms. Price said these projects have a large impact on the public and provided an overview of the status of the 2005 General Obligation (GO) Bond projects as follows:

Proposition 1:

- Duffy Railroad Crossing and Realignment – complete
- Robinson Street Underpass – construction began in June 2010; Flood Avenue south of Robinson is underway; excavation and temporary railroad bridge under construction; and expected completion scheduled for December 2011.

Proposition 2:

- Main Street and 36th Avenue N.W. Signal and Intersection Improvement - complete
- 24th Avenue S.E., Imhoff Road to Lindsey Street widening – complete
- Lindsey Street: Oakhurst Avenue to 24th Avenue S.E. widening – complete
- Main Street: Carter Avenue to 12th Avenue N.E. widening – complete
- Rock Creek Road: Porter Avenue to Queenston Avenue widening – complete
- Jenkins Avenue and Imhoff Road Signal – complete
- Lindsey Street: Jenkins Avenue to Classen Boulevard widening – Bid awarded May 2, 2011, and construction to begin as early as May 16, 2011, to be completed before school resumes in August 2011. Lindsey Street will only be allowed to be closed for a maximum of 28 days to complete bridge work.

Proposition 3:

Rural Road Improvements:

- Post Oak Road: 108th Avenue S.E. to 132nd Avenue S.E. – complete
- 132nd Avenue S.E.: Post Oak Road to Cedar Lane – complete
- Tecumseh Road: 156th Avenue S.E. to 168th Avenue S.E. – complete

Street Maintenance – Urban Asphalt and Urban Concrete:

- Overall 99% complete; 99% of year five complete in both the Urban Asphalt category and Urban Concrete category.

Proposition 4:

- Fire Station 3 relocation – complete

Ms. Price provided a status update for the 2010 G.O. Bond Projects as follows:

Proposition 1:

- Street Maintenance – Year one/2010 - \$3,794,333
 - Urban Asphalt Pavement – to start May 15, 2011
 - Urban Concrete Pavement – started April 11, 2011, and is 15% complete
 - Rural Road Reconstruction – City/County and is 50% complete
 - Road Reconstruction – FYE 2011 and FYE 2012 required additional engineering and will bid in July

Proposition 2:

- Outdoor Emergency Warning System - complete

Ms. Price said there are a number of impact projects currently underway and highlighted those projects as follows:

Underway:

- Fire Station No. 8 construction
- Rock Creek Road Overpass
- Robinson Street Underpass
- Roofs, HVAC and Lighting in Municipal Buildings
- Hall Park Dam Repair – plans have been prepared and Staff waiting for Oklahoma Water Resource Board (OWRB) approval to ensure the City is in compliance with mandates
- State Highway 9 Multi-modal Path and State Highway 9 Widening from 24th Avenue S.E. to 84th Avenue S.E.
- Compressed Natural Gas Facility – Bid(s) accepted on equipment and Phase 2 will bid June or July
- Lindsey Street: Jenkins Avenue to Classen Boulevard reconstruction
- 60th Avenue N.W.: Tecumseh Road to Indian Hills Road Widening
- Infrastructure improvements related to Cleveland County Detention Facility
- Robinson Street and I-35 N.E. ramp

Upcoming:

- Robinson Street and 12th Avenue N.E. signal and intersection improvements
- Classen Boulevard and Imhoff Road intersection improvements and signalization
- Interstate 35: Main Street to Canadian River Bridge (ODOT project)
- Fire Station No. 9

Residential area projects include residential street overlay and reconstruction projects; sidewalks; accessibility modifications; new neighborhood park development; and playground equipment upgrades in neighborhood parks.

Project assumptions included in the FYE 2012 Capital Budget include: FYE 2011 decreases street rehabilitation by using GO Bond 2005 funds in the amount of \$780,492; FYE 2012 decreases asphalt street rehabilitation by using GO Bond 2005 funds and Association of Central Oklahoma Governments (ACOG) funds in the amount of \$644,425; postponements of recreation center interior renovations, 24th Avenue S.E. widening from Lindsey Street to Alameda Street, and a Fire apparatus/equipment storage building for a total savings of \$1,160,000; and deletion of funding for one year for traffic calming; miscellaneous drainage maintenance projects; drainage construction projects; and greenbelt acquisition projects for a total savings of \$505,000.

Proposed new infrastructure projects include Fire Station No. 6 restoration and repairs (\$20,000); Senior Citizen Center elevator compliance upgrades (\$10,000); Westwood Tennis Center HVAC replacement (\$6,000); Police Communications Uninterrupted Power Supply (UPS) replacement and upgrade (\$78,750); Police Safety Range wall repair (\$12,000); Fleet Maintenance backup generator (\$35,000); Kennedy Safe Route to School match (\$37,500); Legacy Trail multi-modal path extension (\$70,000); Roadway lighting on Jenkins Avenue, State Highway 9, and Constitution Street (\$10,000); Little Axe Center improvements (\$60,000); trail replacement in Hall Park greenbelt (\$80,000); and Transportation Master Plan Scoping Survey (\$30,000).

Other projects in the Capital Improvements Plan (CIP) include the maintenance of existing facilities, i.e., Police Communications, Sooner Theatre, Smalley Center, and Library Lighting; improvements to neighborhood parks; and sidewalk and accessibility projects. Ms. Price provided an update on the Smalley Center and stated the Army is waiting for guidance from the Nuclear Regulatory Commission (NRC) so they can proceed with radiological clearance and assessment on the brack sites. Councilmember Kovach asked how long the process will take once the guidance is received from the NRC and Ms. Price said Staff asked but were not given a timeframe.

Mayor Rosenthal asked whether the funds released as a result of the March 1, 2011, election authorizing to unlock certain Parkland fees for parks development are currently in the CIP and Mr. Jud Foster, Director of Parks and Recreations, said the funds are not currently in the CIP. Mayor Rosenthal asked the process for determining which parkland funds will be allocated first and Mr. Foster said a public input process will be conducted on a site by site, neighborhood by neighborhood, basis. Councilmember Kovach requested Staff to issue a press release providing information to citizens as to the subdivisions and area park(s) that have collected parkland fees but said fees have not been spent to date.

Ms. Price highlighted federal funds received between FYE 2007 and 2011, as well as those anticipated for Norman for Federal Fiscal Years 2012 and 2013. She said project readiness is critical in the score of the project and although Norman did fairly well in this process, we did not do as well as prior years due to the lack of funding for engineering design, right-of-way acquisition, and utility relocations. Ms. Price said when projects are “bumped out” it lowers the City’s ability to have readiness points and by moving projects, i.e., 24th Avenue S.E. and Porter Avenue Projects, etc., it will make a significant impact in the amount of Federal funds the City may receive.

In February Staff suggested options that would allow the City to get back into the position of obtaining readiness points because the Capital Budget does not have enough resources to complete some of the larger projects. Staff proposed a GO Bond funding option to include 24th Avenue S.E., from Lindsey Street to Robinson Street; 36th Avenue N.W., from Tecumseh Road to Franklin Road; Cedar Lane from 12th Avenue S.E. to Classen Boulevard; Franklin Bridge, one half mile west of 12th Avenue N.W.; Main Street Bridge, one half mile west of 36th Avenue; and West Lindsey roadway and drainage improvements from Interstate 35 to Berry Road.

GO Bond funding would provide several advantages to include:

- Projects would be supplemented with federal transportation funds, developer fee, and recoupment fee in excess of fifty percent.
- Could meet needs more quickly on major corridors.
- Project costs in excess of \$31,000,000 with City share at \$15,000,000 for first five projects; Lindsey Street costs would be \$10 million to \$20 million.

Councilmember Ezzell asked Staff to give more information about the trail replacement in Hall Park and Ms. Price said utility companies are doing a lot of utility work in the area and the greenbelt in this particular location needed to be replaced. The City is using this opportune time, while utility companies have already cleared out the area, to re-do the trail at the same time. Mr. Foster said the trail is a pre-existing concrete walkway in Hall Park that badly deteriorated over the years and a new walkway is being proposed. Councilmember Kovach asked the status of Fire Station No. 9 bid opening and Mr. James Fullingim, Fire Chief, said a preliminary site design is being reviewed by Staff and will be given to the City Manager later this week for final approval.

Councilmember Kovach said if the Smalley Center is going to be delayed for another 10 -12 months the City may have the opportunity to do some of the initial projects that were pushed back. Ms. Price said she could not answer for certain but felt City Staff will receive information from the Army and/or NRC before the FYE 2012 Budget is adopted. Councilmember Kovach suggested Staff have alternatives ready should the Smalley Center be delayed and Mr. Lewis said Staff will prepare alternatives for Council.

Councilmember Kovach asked whether the Transportation Master Plan (TMP) will be in place to assist with the implementation of the potential Lindsey Street Project and Mayor Rosenthal felt both the TMP and Lindsey Street

Project should be proceeding along because of the technical planning but also the consensus building process that needs to take place. She felt the TMP and Lindsey Street Project may not necessarily proceed sequentially, but rather in parallel to one another. Councilmember Kovach wondered if the technical planning for the Lindsey Street Project should be prepared this year since the scoping process for the TMP will be done this year and the TMP is proposed for 2012. Mr. Shawn O’Leary, Director of Public Works, felt the Lindsey Street Project will not begin until 2015 and the engineering for the project will take 18 months to two years.

Mayor Rosenthal said the Citizen’s Public Safety Oversight Committee (CPSOC) recommended Staff look at additional fire station sites and asked Staff to elaborate on those discussions, as well as other public safety capital needs that are not listed in FYE 2012 Budget. Mr. Lewis said when the Public Safety Sales Tax (PSST) was approved by the voters, there was a provision that stated if excess funds were generated over the life of the PSST those funds could be used for other purposes and specific criteria was placed in the ordinance as to how those funds could be used. He said the CPSOC encouraged Staff to look at acquiring sites for future fire stations and they also included the recommendation in the CPSOC annual report to Council. Mr. Lewis said Staff is currently working with the CPSOC on capital needs, i.e., Computer Aided Dispatch (CAD) System Upgrade and major apparatus for the Fire Department, etc., should the funds become available. He said as part of the discussion process, Staff has tried to impress upon CPSOC these funds are preferred to be used for one-time capital expenses such as land and equipment. Mayor Rosenthal asked whether Staff should be looking at alternative capital projects that would be appropriate as well as looking how to determine how much fund balance is needed to finish PSST projects. Councilmember Butler agreed and said she supported the one-time expenditure(s) for the PSST capital needs.

Councilmember Kovach asked whether Staff has been looking at acquiring fire apparatus to accommodate taller facilities being constructed in Norman and Chief Fullingim said proposed future fire apparatus needs include the replacement of fire truck with an 85 foot ladder. Councilmember Cubberley said because the PSST is a temporary tax he felt there is need for a transition fund if authorization is not given to continue the PSST and Council agreed. Mayor Rosenthal requested Staff prepare potential revenue scenarios for future meeting as well as priority projects (possibly the presentation Staff will be giving to the CPSOC).

Councilmember Kovach suggested the Traffic Calming Program be changed to assessment districts on a neighborhood basis and would rather use the money for sidewalk improvements and police patrol. Councilmember Cubberley said even with the extra police officers hired due to the PSST, there are still not enough officers to be everywhere to keep traffic from speeding. He felt the Traffic Calming Program is still needed and Mayor Rosenthal felt Council should look at a holistic approach for traffic calming. Councilmember Cubberley said public safety needs should be in an un-programmed category so that it would help Council to prioritize issues.

Items submitted for the record

1. Memorandum dated April 28, 2011, from Ms. Linda R. Price, Revitalization Manager, to Honorable Mayor and Council Members
2. Capital Fund Summary - Fund 50 Update from FYE 2012 Annual Budget
3. PowerPoint Presentation entitled, “FYE 2012 Capital Improvement Projects Budget and FYE 2013 – 2016 Capital Improvements Plan (CIP)”
4. Traffic Congestion Mitigation Projects (FYE 2012 – 2016)

The meeting adjourned at 6:40 p.m.

ATTEST: