

CITY COUNCIL STUDY SESSION MINUTES

March 29, 2022

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 29th day of March, 2022, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 24 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Hall, Peacock,
Lynn, Schueler, Studley, Tortorello,
Mayor Clark

ABSENT:

Councilmembers Holman and
Foreman

Item 1, being:

CITY COUNCIL DISCUSSION WITH THE OKLAHOMA TURNPIKE AUTHORITY REGARDING THE ACCESS OKLAHOMA TURNPIKE PLAN.

Mr. Joe Echelle, Oklahoma Turnpike Authority (OTA) Deputy Director, introduced Mr. Bryan Taylor, Oklahoma Department of Transportation (ODOT) Chief Engineer; Mr. Rick Johnson, ODOT Director of Project Delivery; Mr. Todd Gore, OTA Director of Right-of-Way (ROW) and Utilities; Ms. Kristen McCullough, Environmental Team Leader for Garver Engineering; Mr. David Streb, President of Poe & Associates; T.J. Dill, OTA Director of Construction; Mr. David Machamer, OTA Assistant Deputy Director of Department of Tolls; Mr. Jimmy Sparks, Oklahoma Regional Manager for Olsen and Associates, L.L.C.; Mr. Daren Butler, OTA Director of Engineering; Ms. Julie Porter, OTA Comptroller; Mr. Marcus Williams, OTA Director of Cabinet-Wide Customer Service, Business Service, and Pike Passes; and Mr. Mark Kalka, OTA Director of Maintenance.

The OTA was created by the Oklahoma Legislature on April 30, 1947, and the first efforts of the OTA were to connect Oklahoma City (OKC) to Tulsa then extend beyond Tulsa to the northeast and beyond OKC to the southwest. Eventually it became important to provide loops around the two largest metropolitan areas, OKC and Tulsa. House Bill 933 passed on May 7, 1953, creating a new OTA providing statewide representation on the OTA Board and establishing the basis for the state system of turnpikes.

In 1947, turnpikes were a fairly new concept to allow construction and maintenance of roadways to be paid through road user fees. The tolls are increased by an OTA Board vote, as necessary. The Turner Turnpike from OKC to Tulsa opened in May 1953, Will Rogers Turnpike from Tulsa to Missouri opened in June 1957, and H.E. Bailey Turnpike from OKC to Texas opened in April 1964. These three turnpikes formed the basis of Interstate 44 (I-44) connecting Oklahoma from Missouri to Texas. In 1954, voters approved cross-Pledging, which is any pledge, mortgage, or grant of a security interest in or Lien on any of Guarantor's present or future assets or property, whether real or personal, tangible or intangible, to secure payment or performance of any other group debt.

Item 1, continued:

With I-44 largely complete, the OTA turned its attention to other turnpike areas that included Cimarron Turnpike; Cherokee Turnpike; Creek Turnpike; Kilpatrick Turnpike; Chickasaw Turnpike; Muskogee Turnpike; Indian Nation Turnpike; and Kickapoo Turnpike, which all opened between 1969 and 2020. The OTA merged with ODOT in 2020, with Secretary of Transportation, Mr. Tim Gatz, as manager for both agencies.

Mr. Echelle said the eleven turnpikes have 624.4 road miles, 98 interchanges, and carry 3,500 to 70,000 vehicles per day. There are 84 turnpike road miles in urban areas and 540.4 turnpike road miles in rural areas. Currently, there are 35 states with some form of tolling and numerous tolling authorities are regional. He said OTA receives no State appropriations and is totally self-supportive with approximately 40% of revenue coming from out-of-state motorists and 38% coming from revenue provided by commercial carriers. Total projected revenues for 2022 are \$451,600,000 with anticipated expenditures of \$451,600 that include costs for debt service; Customer Service Center; asset preservation; routine road maintenance; toll operations; Highway Patrol; and administrative costs. He said OTA is required by their Trust to be audited annually by the top five national firms. He said toll rates in Oklahoma are 60% below the national average.

OTAs five-year Capital Plan includes bridge rehabilitation; milling/inlay; surface treatments; drainage/grading work; and joint ODOT/OTA Projects. Recent Bond Projects include the John Kilpatrick Turnpike extension, the Eastern Oklahoma County Turnpike extension, the Gilcrease Turnpike extension, widening Turner Turnpike, and pavement rehabilitation.

Mr. Echelle said OTA is currently in the process of converting its tolling to Plate Pay that eliminates cash lanes. He said invoices are mailed to turnpike users identified by their vehicle license plate and do not have a PIKEPASS, which is a safer and more efficient experience for customers. He said the main cause of turnpike accidents is people slowing down to pay the toll and sometimes coming to a complete stop, which is not safe for interstate travel. He said the PIKEPASS is interoperable with other Turnpike Authorities in Texas and Kansas that include Harris County Toll Road Authority; North Texas Tollway Authority; Kansas Turnpike Authority; Fort Bend Grant Parkway Toll Road Authority; Central Texas Regional Mobility Authority; and Texas Department of Transportation.

The ACCESS Oklahoma Program will widen 70 miles of I-44) between Oklahoma City and Tulsa and between United States Route 412 (US-412) and Claremore; widen John Kilpatrick Turnpike from Interstate 40 (I-40) to Interstate 35 (I-35); review extents of older turnpike network for new access locations as allowed by Cashless Tolling; and provide an alternate route for I-35/I-44 congestion south of Oklahoma City.

According to the Average Annual Daily Traffic (AADT), traffic on interstates around I-35 is anticipated to grow by 41.2% over the next 30 years due to population growth in Norman as well as in smaller towns, such as Noble, Goldsby, Purcell, etc. He said this will double the current number of vehicles on I-35 causing severe traffic congestion specifically between 5:00 p.m. to 8:00 p.m. In 2019, there were 1,827 accidents on I-35 between Purcell and I-40 and those numbers continue to increase.

Item 1, continued:

Mr. Echelle said it currently takes one and one-half hours to travel from Purcell to the Kickapoo Turnpike on I-35. If nothing is done to alleviate traffic congestion by 2050, the very same drive turns into a two hour and ten minute drive.

Citizens can tour the ACCESS Oklahoma website at <http://www.accessoklahoma.com> or call the OTA hotline at 1-844-562-2237 for concerns or questions. Mr. Echelle said OTA is being as proactive as possible in returning phone calls or answering emails within 24 hours of receiving them.

OTA priorities include connecting I-44 to I-35 on Indian Hills Road, connecting Indian Hills Road north to Kickapoo Turnpike, extending the southwest side of Will Rogers Airport to Moore or Norman connecting to Kickapoo Turnpike, and connecting Indian Hills Road south to State Highway 9 (SH-9).

Questions and Answers

Councilmember Lynn asked if OTA Board members or family members are prohibited from purchasing property in project areas and Mr. Echelle said no, but he is unaware of that taking place; however, if anyone has evidence of that, please bring it to the Board's attention. He said OTA employees and board members have had property purchased from them for turnpikes and when that happens, the property is condemned and the Court decides the value of the property in order for OTA to avoid the look of favoritism.

Mayor Clark asked if Mayors and City Managers of other impacted cities were notified prior to February 22nd about the turnpike project and Mr. Echelle said yes, all local governments were apprised of the plans for a bond program for the project. Mayor Clark said City officials and the public were caught off guard and citizens are traumatized over the possibility of losing their homes.

Councilmember Schueler asked when project discussions began in earnest and Mr. Echelle said the proposed project was presented to the OTA Board in December 2021, but they were not shown the map until February 22, 2022. He said none of the studies, such as environmental, engineering, surveying, etc., has been done so the map cannot be finalized until these studies are complete. He said OTA is trying to impact the least number of homes as possible and believes once the map is finalized the number of homes in the turnpike path will be substantially decreased. He said Garver will oversee the environmental studies for the entire program and is scheduled to begin the process next month, which will take the better part of a year to cover the entire program.

Councilmember Schueler asked if ROW acquisition begins prior to studies being completed and Mr. Echelle said at the end of the design process when OTA is certain that ROW has been safely established then ROW negotiations will begin. He said impact studies are anticipated to be 60% completed during the design process so designers will have a better understanding of where these areas are located. Councilmember Schueler said negotiating ROW prior to environmental impact studies being completed and presented to the public is very concerning to her.

Item 1, continued:

Councilmember Peacock asked how many acres are required for a typical turnpike interchange and Mr. Echelle said he does not know the exact number of acres because terrain is a major factor as well as stop lights, stop signs, etc. Councilmember Peacock asked how much of the proposed project budget is dedicated to environmental remediation and Mr. Echelle said budget amounts dedicated for remediation or mitigation issues have not been established yet.

Councilmember Peacock asked if OTA has taken into consideration that the newer generations will have less drivers on the road in the future and Mr. Echelle said no, traffic history studies suggest increased traffic and more vehicles on the road.

Councilmember Peacock said because of traffic congestion and vehicle emissions, why has OTA not embraced the more sustainable transit options, such as passenger rail, which would eliminate negative impacts simultaneously, would not damage the environment, and would not take people's homes. Mr. Echelle said nothing OTA or ODOT is proposing in the project inhibits the possibility of future passenger rail.

Mayor Clark asked why ODOT does not pay for commuter rail instead of investing in turnpikes. Mr. Taylor said ODOT supports all forms of transportation and the community typically supports commuter rail and is one of the funding parties bringing that forth. He said ODOT should not be the sole provider for commuter rail.

Councilmember Hall asked how ACCESS Oklahoma meshes with the Regional Transportation Authority (RTA) and Mr. Taylor said OTA has conferred with the Association of Central Oklahoma Governments (ACOG), who is leading the way to a regional transit system, specifically about OTA's Program. He said OTA has also participated in gathering traffic numbers from ACOG regarding the proposed interchanges.

Councilmember Hall said the proposal from OTA changes the character of Norman completely so any decisions and ability to have interaction or impact on where the turnpike will be located will affect every single person in Norman. She is concerned about Lake Thunderbird and the City's drinking water supply. Mr. Echelle said OTA has identified and incorporated all wetlands, lakes, streams, tributaries, etc. within the project area.

Councilmember Hall said there are non-profit agencies, such as Wild Care in Noble, that will be impacted by this program and she would like to see a list of non-profit agencies that will be contacted by OTA during the environmental study to ensure they have the opportunity to give input. Ms. Porter said OTA welcomes input from the public and she will be happy to share the contact list with Council.

Councilmember Hall asked what level of environmental studies would be done, local, State or Federal, since Lake Thunderbird is an impaired body of water owned by the Central Oklahoma Master Conservancy District and operated by United States Corp of Engineers. Ms. Porter said if the turnpike alignment intersects with State or Federal property then different environmental processes are required that OTA would have to follow.

Item 1, continued:

Mayor Clark said in terms of ad valorem tax, how long it will take to pay off the bonds and will ad valorem partners be reimbursed for loss of property valuation and Mr. Echelle said OTA sells 30-year bonds and, to his knowledge, ad valorem has never been reimbursed.

Mayor Clark said rose rocks are another key piece of this unique environment that a turnpike is proposed to be constructed upon and asked if that has been a part of discussions and Mr. Echelle said OTA is aware of the importance of rose rocks in Oklahoma, but until a few weeks ago, he was unaware of the concentration in this area. Ms. McCullough said all entities are aware of the uniqueness of rose rocks to Oklahoma as a whole and it is the State Rock of Oklahoma. She said discussions have occurred about locations with large concentrations of rose rocks that will be mapped and assessed.

Mr. Echelle said a public meeting will be held in Norman's Central Library on April 19, 2022, from 5:30 p.m. to 7:30 p.m.

Councilmember Studley asked if OTA has studied any environmental impacts in rural communities where turnpikes were constructed in prior projects and Mr. Echelle said not to his knowledge.

Items submitted for the record

1. PowerPoint presentation entitled, "Access Oklahoma," City Council Study Session dated March 1, 2022

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Item 2, being:

CONTINUED DISCUSSION REGARDING RELOCATION OF THE WARMING SHELTER.

Mr. Pyle said the current lease for the warming shelter on Comanche Street is ending and the property owner will not renew the lease. He said Council discussed the possibility of a temporary low barrier facility on Griffin State Hospital property. He said Council was concerned about the impact or ability to verify the status of anyone registered as a sex offender wishing to seek shelter, particularly since the proposed facility location is near a private elementary school. Since that meeting, Staff made contact with representatives from Housing and Urban Development (HUD) and Department of Commerce for consultation and approval. He said the City's ability to verify potential guests at the warming shelter who are on the registered sex offenders list would require documentation and policy changes on the City's part concerning intake documents.

Mr. Pyle said at Council's direction, Staff would begin amending intake documents and policy guidelines for Council's consideration. The State Department of Commerce would also need to approve the documents and policy in order for the City to maintain current status as a low-barrier shelter without jeopardizing the status of the City's current grant that expires at the end of August. Mr. Pyle said there are no alternative shelter locations for registered sex offenders at this time. He said the City recognizes the need to assure residents that registered sex offenders will not be accepted at any low-barrier shelter.

Item 2, continued:

Mr. Pyle said the Gibbs House on Griffin property will be opened as a Day Resource Center by an existing State agency that would provide direct services, but the City would not be involved. The facility will be open Monday through Friday from 9:00 a.m. to 6:00 p.m. to provide access to day services, educational programs, case management services to place people on track for housing, job training, obtaining documents, such as birth certificates, etc.

Councilmember Hall said the elementary school has experienced growth every year while adding grade levels, which will probably require a larger facility in the future. She has heard concerns from parents and residents and wanted to clarify what a low-barrier shelter really is and how they operate. She said a low-barrier shelter is not equal to a no-barrier shelter; drugs are not allowed; alcohol is not allowed; and registered sex offenders are not allowed to stay. She said amending the documents would give shelter Staff another layer of security to keep registered sex offenders out of the low-barrier shelter. She would like to start focusing on who can stay at the shelter versus who cannot stay, particularly people who are employed but are having challenges in finding housing. The shelter has two security guards on 12 hour shifts so they are on the premises the entire time the shelter is open; once a person exits the shelter, they are not allowed to re-enter; and personal belongings are secured and returned to owner when they exit. She said not only is the City helping people find a safe place to sleep at night, case management is being provided as well.

Councilmember Hall said the Gibbs House is a project of the Oklahoma State Department of Mental Health and Substance Abuse (OSDMHSA) and they will be moving forward with the first step toward providing a daytime resource center for the homeless community. She said the City has applied for American Rescue Plan Act (ARPA) funding to build a new shelter in a new location, but that will probably not be decided until July. She said current funding for the shelter will run out by August 31st and she has identified several things that has to happen before Council is in any position to make decisions and is interested if there is consensus to investigate

- 1) Entering into discussions with OSDMHSA on terms of lease,
- 2) Attending to technical aspects of the contract through the Department of Commerce (to pursue amendments to policies and procedures to include additional screening questions), and
- 3) Beginning discussions with the Oklahoma Department of Commerce to seek approval for a change in location of the current shelter on Comanche Street without compromising the current terms of the grant contract.

As much as she would like to speed things along, she recognizes it will take time and will probably not happen during this school year.

Councilmember Tortorello said he appreciates all the work Staff has done in mitigating problems, but he still has concerns about the shelter being near the school.

Item 2, continued:

Councilmember Schueler said she supports the City Manager and Councilmember Hall's suggestions.

Mayor Clark said there is consensus to move forward.


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The meeting adjourned at 9:14 p.m.

ATTEST:



City Clerk



Mayor

