



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Tuesday, August 24, 2021 at 6:30 PM

## AGENDA

*It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.*

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY,  
AND NORMAN TAX INCREMENT AUTHORITY

You are required to sign up in advance of the meeting on the City's webpage, by calling the City Clerk's Office (405-366-5406), or at the Council Chambers prior to the start of the meeting with your name, ward, and item you wish to speak to including whether you are a proponent or opponent. When the time comes for public comments, the Clerk will call your name and you can make your way to the podium. Comments may be limited on items of higher interest, if so, the Mayor will announce that at the beginning of the meeting. Participants may speak one time only up to 3 minutes per person per item. There will be no yielding of time to another person. Sign up does not guarantee you will get to speak if the allotted time for that item has already been exhausted. If there is time remaining after those registered to speak have spoken, persons not previously signed up may have the opportunity to speak. Comments received must be limited to the motion on the floor only.

### CALL TO ORDER

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF JULY 28, 2020

CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 8, 2020

CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 23, 2021

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE  
MINUTES OF APRIL 22, 2021

CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 4, 2021

CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 3, 2021

## PROCLAMATIONS

2. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2122-3: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, AUGUST 26, 2021, AS WOMEN'S EQUALITY DAY IN THE CITY OF NORMAN

## COUNCIL ANNOUNCEMENTS

### 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 3 through Item 25 be placed on the consent docket.

### Appointments

3. CONSIDERATION OF CONFIRMATION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE 2021-2022 CITY OF NORMAN YOUTH COUNCIL NOMINATIONS

4.

CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF THE MAYOR' APPOINTMENTS AS FOLLOWS:

#### HUMAN RIGHTS COMMISSION

TERM: 08-24-21 TO 07-13-24: MICHAEL KIHEGA, WARD 6

#### NORMAN HOUSING AUTHORITY

TERM: 08-24-21 TO 11-21-22: LEE LAWRENCE, WARD 8

#### PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 08-24-21 TO 02-10-24: GREGORY GILKEY, WARD 3

TERM: 08-24-21 TO 02-10-23: RUSSELL RICE, WARD 2

#### REAPPORTIONMENT COMMISSION

KATHERINE LEIDY, WARD 3

## **Reports/Communications**

5. SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2021, AND DIRECTING THE FILING THEREOF.
6. SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2021, AND DIRECTING THE FILING THEREOF.

## **Authorization for Purchase**

7. ACTING AS THE NORMAN UTILITIES AUTHORITY, CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AN AUTHORIZATION TO PURCHASE ONE (1) HORIZONTAL WOOD GRINDER FROM ROTOCHOPPER, INC., IN THE AMOUNT OF \$805,476 UTILIZING GENERAL SERVICE ADMINISTRATION (GSA) CONTRACT GS-30F-004DA.

## **Donation**

8. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DONATION IN THE AMOUNT OF \$9,985 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY TAX COMMITTEE TO BE USED TO PURCHASE AIR BAGS AND CHEMICAL MONITORS FOR FIRE STATIONS 5 AND 6 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.
9. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A DONATION IN THE AMOUNT OF \$45,965.21 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY SALES TAX COMMISSION TO BE USED TO PURCHASE ONE (1) ZOLL X SERIES CARDIAC MONITOR FOR THE NORMAN FIRE DEPARTMENT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

## **Contracts**

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. TWO TO CONTRACT K-2021-6 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, L.L.C., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$44,624.51 FOR A REVISED CONTRACT AMOUNT OF \$1,138,447.99 FOR THE FYE 2021 URBAN CONCRETE PROJECT, 2021 LOCATIONS, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$56,922.41.
11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT CHANGE ORDER NO. TWO TO CONTRACT K-2021-9 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, LLC., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$4,745.20 FOR A REVISED CONTRACT AMOUNT OF \$989,517.59, FOR THE INTERSTATE DRIVE RECONSTRUCTION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$49,475.88.

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-77: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND W.E.B. CONSTRUCTION INC., INCREASING THE CONTRACT AMOUNT BY \$2,824.50 FOR A REVISED CONTRACT AMOUNT OF \$340,824.50: FOR THE NORMAN WATER TREATMENT PLANT 36-INCH FILTER EFFLUENT PIPE IMPROVEMENTS PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$20,306.85.
13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-32: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRT ENTERPRISES, L.L.C., D/B/A STRATEGIC JANITORIAL SOLUTIONS, TO PROVIDE CUSTODIAL SERVICES FOR THE CITY'S PUBLIC TRANSPORTATION FLEET AND FLEET MAINTENANCE FACILITIES FOR THE TOTAL MONTHLY FEE OF \$9,495.
14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-104 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND H&H PLUMBING AND UTILITIES, INC. DECREASING THE CONTRACT AMOUNT BY \$3,225 FOR A REVISED CONTRACT AMOUNT OF \$46,715 FOR THE 12<sup>TH</sup> AVENUE SE DRAINAGE IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT
15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-112 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY DECREASING THE CONTRACT AMOUNT BY \$156 FOR A REVISED CONTRACT AMOUNT OF \$28,377 FOR THE 12<sup>TH</sup> AVENUE S.E. PAVING IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.
16. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2122-17, CONTRACT K-2122-26 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARATHON CONSTRUCTION, L.L.C., IN THE AMOUNT OF \$192,420.50 FOR THE FYE 2022 24TH AVENUE N.W. SIDEWALK ACCESSIBILITY CONSTRUCTION PROJECT, PERFORMANCE BOND B-2122-29, STATUTORY BOND, B2122-30 AND MAINTENANCE BOND MB-2122-18 AND RESOLUTION R-2122-20 GRANTING TAX-EXEMPT STATUS.
17. CONSIDERATION FOR APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-1920-32: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA EXTENDING THE TERM OF THE LEASE AGREEMENT FOR OFFICE SPACE, SERVICE BAYS, FLEET STORAGE, AND WAREHOUSE/GARAGE SPACE TO BE USED FOR PROVIDING TRANSPORTATION SERVICES UNTIL DECEMBER 31, 2021 OR UPON SUBSTANTIAL COMPLETION AND OCCUPATION OF THE NORTH BASE COMPLEX PROJECT, PHASE 1, BY THE CITY OF NORMAN.

18. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-46: A SETTLEMENT AGREEMENT AND RELEASE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, AND OWNERS OF CERTAIN PROPERTY LOCATED AT 5430 NW 36TH AVE, RESOLVING EMINENT DOMAIN ACTION CJ-2021-224 FILED IN THE OKLAHOMA DISTRICT COURT FOR CLEVELAND COUNTY REGARDING THE ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE 36TH AVENUE N.W. BOND PROJECT.

19. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-47: A RIGHT-OF-WAY LICENSE AND INDEMNITY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, (THE "CITY") AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, REGARDING THE CONDITIONS FOR USE OF CERTAIN CITY RIGHT-OF-WAY FRONTING PROPERTY LOCATED AT 5430 36TH AVENUE NW.

### **Resolutions**

20. RESOLUTION R-2122-28: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2022.

21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-32: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") ISSUING ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING AND AUTHORIZING THE EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATING THERETO..

22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-33: A RESOLUTION AUTHORIZING THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") TO ISSUE ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,882,000; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; APPROVING AND AUTHORIZING EXECUTION OF A NOTE INDENTURE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER

DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$500,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED TO INCENTIVIZE COVID-19 VACCINATIONS.

24. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-35 APPROPRIATING \$100,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED FOR THE FURTHERANCE OF THE NORMAN ARTS COUNCIL'S SUBGRANT PROGRAMS

25. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-36: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA SETTING AN EXPECTATION THAT RESIDENTS FOLLOW GUIDANCE FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO PREVENT THE SPREAD OF COVID-19, INCLUDING WEARING A MASK IN PUBLIC INDOOR SPACES AND GETTING A VACCINATION; AND AFFIRMING THE ABILITY OF BUSINESSES AND ORGANIZATIONS TO REQUIRE MASKS BEFORE ENTERING ITS SPACE.

## **NON-CONSENT ITEMS**

26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-2 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT THREE (3), IN BLOCK ONE (1), OF PRAIRIE CREEK ADDITION, SECTION 5, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD 2331 36TH AVENUE N.W.)

## **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 three minutes or less.*

## **ADJOURNMENT**

**File Attachments for Item:**

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF JULY 28, 2020

CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 8, 2020

CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 23, 2021

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF APRIL 22, 2021

CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 4, 2021

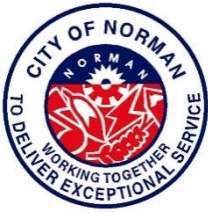
CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 3, 2021

CITY COUNCIL MINUTES OF AUGUST 10, 2021

NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 10, 2021

NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 10, 2021

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 10, 2021



# CITY OF NORMAN, OK STAFF REPORT

## Item 1

**MEETING DATE:** 08/24/2021

**REQUESTER:** Name Brenda Hall

**PRESENTER:** Brenda Hall, City Clerk

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

- CITY COUNCIL CONFERENCE MINUTES OF JULY 28, 2020
- CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 8, 2020
- CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 23, 2021
- CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF APRIL 22, 2021
- CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 4, 2021
- CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 3, 2021
- CITY COUNCIL MINUTES OF AUGUST 10, 2021
- NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 10, 2021
- NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 10, 2021
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 10, 2021

**BACKGROUND:**



## CITY COUNCIL CONFERENCE MINUTES

July 28, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual conference at 5:00 p.m. hosted in the Municipal Building Council Chambers on the 28th day of July, 2020, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark

ABSENT: None

Item 1, being:

DISCUSSION RELATED TO PUBLIC SAFETY BARGAINING UNITS IN NORMAN AND OKLAHOMA.

Mr. Rick Knighton, Assistant City Attorney, said Staff received a request to initiate an independent and public review of factors limiting transparency and accountability in the Norman Police Department (NPD). He said tonight he will present information to Council regarding why there are labor unions and how they are set up, which will provide Council a better discussion base on issues raised by the request. He will also present information on the Norman Fire Department (NFD) and NPD Arbitration Act in O.S. § 51-101 through O.S. § 51-113, the Open Records Act (ORA) as it applies to personnel records that may be in possession of the City, and other municipalities procedures.

The Fire and Police Arbitration Act (FPAA) originally enacted in 1971, was amended in July 1978, and states, “The protection of the public health, safety and welfare demands that the permanent members of any paid fire department or police department in any municipality not be accorded the right to strike or engage in any work stoppage or slowdown. This necessary prohibition does not, however, require the denial to such employees of other well-recognized rights of labor such as the right to organize, to be represented by a collective bargaining representative of their choice and the right to bargain collectively concerning wages, hours, and other terms and conditions of employment; and such employees also have the right to refrain from any and all such activities.”

Mr. Knighton said the Legislature explicitly balanced the requirement that collective bargaining agreements (CBAs) contain a no-strike provision with the right to grievance arbitration. Invalidating grievance arbitration would destroy this vital, conscious public policy decision. He said “any” dispute over the “interpretation or application of any provision” of the CBA is subject to grievance arbitration and neither side can bargain to exclude certain contractual provisions from grievance arbitration.

Mr. Knighton said Article 10, Section 2, of the Fraternal Order of Police (FOP) contract states that any dispute between the employer and the FOP or any employee concerning the interpretation or application of this Agreement, or the actions of the parties under the Agreement, or dismissal, demotion, or other discipline of an employee, shall be handled in the following manner:

The City Manager or designee shall submit his written answer to the Chief of Police and the grievant within ten (10) business days. If the City Manager and the grievant have not settled the grievance within that time, the FOP may notify the City Attorney's Office in writing of the FOP's intent to arbitrate the grievance within twenty (20) calendar days from the City Manager's response.

Mr. Knighton said pursuant to the FPAA, the award of the Arbitrator shall be final and binding on the parties to this Agreement. He said there have been instances when the discipline imposed by the Chief of Police was amended or vacated by an arbitrator and whether or not this has "prevented" the City from disciplining officers depends on the alternatives, such as District Court to Supreme Court. He said the Oklahoma Supreme Court generally rules on the side of the arbitrator and there are no other alternatives at that point.

The City Charter allows bargaining, non-binding interest, binding grievance, and no strikes while the FPAA allows bargaining, binding interest, binding grievance, and no striking. He said Oklahoma Police Pension System requires a civil service board of review for municipalities that have not negotiated a CBA to hear appeals concerning the discharge of members so police officers will always have some type of review if they were terminated. He said Section 50-123 creates a property interest and creates a due process right in continued employment, which is significant when talking about alleged violations of the Federal Constitution and the ability to go to Federal Court to sue the City for a due process violation because the City failed to comply with the provisions of the Police Pension System and provide officers with a hearing prior to discharging them. He said O.S. § 50-101 designates who can serve on the civil service board that includes the Mayor, two police officers, a lawyer, and a physician. He said the problem with the Mayor serving on the Board is the City's Charter language in Article III, Section 6, that prohibits the Mayor and Councilmembers from being involved either directly or indirectly with the appointment or removal of anyone subordinate to the City Manager.

Mr. Knighton said on October 17, 1969, police officers and firefighters in Montreal, Canada, went on strike for 16 hours and during that 16-hour period, six banks were robbed, 100 shops were looted, 12 fires were set, 40 carloads of storefront glass was broken, and \$3 million in property damage was inflicted. He said today, that damage would total \$21,754,713 when adjusted for inflation. Two years later, Oklahoma was not the only State to enact provisions that prohibit public safety officers from striking and it is suspected this decision was based on what happened in Montreal, and that was when arbitration language was added to offset the no striking rule.

He said the original request also included identifying impediments to independent review and the ability of NPD to hold officers accountable for violation of department policies and procedures, including but not limited to specific union contract terms. He said he is not clear on how the term “independent review” is being defined. He said many would argue that the arbitration process is an independent review, but not really knowing how that is defined it would be difficult to determine if that process satisfied the independent review. He said binding arbitration impacts the Police Department’s ability to discipline officers but the extent to which it is an impediment to holding officer’s accountable for policy violations is not clear, i.e., the alternatives also impact NPD’s ability to discipline officers.

Mr. Knighton said the Open Records Act (ORA) is affected by the FPAA because 51 O.S. § 24A.7 states that a public body may keep records confidential under the following circumstances:

1. Records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or
2. Records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, employment applications submitted by persons not hired by the public body, and transcripts from institutions of higher education maintained in the personnel files of certified public schools employees: provided, however, that nothing in this sub section shall be construed to exempt from disclosure the degree and the curriculum on the transcripts of certified public school employees.

All personnel records not specifically falling within the exceptions provided in subsection 24A.7 of this section shall be available for public inspection and copying including, but not limited to, records of any final disciplinary action resulting in loss of pay, suspension, demotion of position, or termination.

Mr. Knighton said in the case of *Oklahoma Public Employees versus Oklahoma Office of Personnel Management*, it was determined the examples in A(1) and A(2) are *per se* prohibited from disclosure. He interprets that to say any internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation are prohibited from disclosure. He said all personnel records not specifically falling with the exceptions provided in subsection A of this section shall be available for public inspection and copying, including but not limited to, records of any final disciplinary action resulting in loss of pay, suspension, demotion of position, or termination.

Mr. Knighton said Article 6, Section 1, of the FOP contract states, “The City reserves the right to discipline or discharge any employee for just cause subject to the provisions of this Agreement. Discipline and discharge shall be the right and responsibility of management and may include, but not be limited to, written reprimand, suspension, probation, demotion, and discharge.”

Regarding the request that the City properly inform the public when known incidents of misconduct, excessive use of force, and evidence of racism emerge, Mr. Knighton said unless Statute 51 O.S. § 24A.7 is amended or the Oklahoma Supreme Court overrules its opinion in the Oklahoma Public Employees Association case, Legal Staff will continue to advise that the City is prohibited from disclosing written reprimands and probation to the public.

Councilmember Wilson asked if there is a way for the public to rate or review an officer other than a complaint system. She says the community wants to know who the bad apples are as well as good things officers are doing. Mr. Knighton said there is a complaint process if someone believes an officer acted inappropriately and people routinely send letters of commendation that go into the officer's personnel file. The NPD also has a Citizen's Advisory Board that reviews complaint allegations and gives the Police Chief feedback with regard to incidents submitted, but there is currently no system for public reviewing of officers.

Mr. Knighton highlighted police data available that can be found on the City website that includes Norman demographics; complaints and inquiries; use of force; contacts, community engagement; and hate crimes.

There is also data regarding the Norman Citizens Advisory Board that includes current members, applying to become a member, quarterly listening sessions, and the Board's Constitution and Bylaws as well as a feedback form.

Councilmember Perry said it is his understanding that once the City has gone through arbitration negotiations with NPD and NFD, if Council is not prepared to accept that arbitration, the arbitration issue could go to a vote of the people and Mr. Knighton said that is correct. He said the interest arbitration provision provides that after the arbitrator issues his or her decision and the decision is in favor of the labor union, then the governing body of the municipality has the option of sending the issue to a vote of the people. During his tenure with the City of Norman, there has never been an election regarding arbitration.

Ms. Kathryn Terry, Attorney with Phillips Murrah, P.C., said she represents cities in the metro area and NPD's investigation and reporting procedures are significantly better than most Police Departments in the Oklahoma City metro area. She said Norman's document management system is quite good and very effective in tracking an incident. She said labor and management relationships depend greatly on union leadership and whether or not that leadership is aggressive or collaborative.

Article 11, O.S. § 51-102(6)(3), Unfair Labor Practice, prohibits municipalities from interfering in any manner whatsoever with the process of selection by fire fighters or police officers of their respective bargaining agents or attempting to influence, coerce, or intimidate individuals in such selection.

Ms. Terry said there is no "independent" entity that conducts public safety administration investigations in Oklahoma.

Councilmember Bierman asked if disciplinary records are confidential to other City Departments or Staff, e.g., Legal Department or City Manager’s Office, because one of the conversations she has had with the community is a recognition that there are many people who have had bad experiences with police officers and do not feel comfortable making a complaint. She said involving other departments would give another layer of oversight. Ms. Terry said it would depend on the type of complaint, but the Legal Department or Human Resources Office would be the two main departments to be involved in a complaint other than the Police Department and City Manager.

Councilmember Petrone said if there are any bad apples in the NPD, there needs to be a process to get rid of them so how would that be done? Ms. Terry said it is difficult, but one of the things Mr. Knighton addressed is the collective bargaining agreement, which is an impediment to discipline because that triggers a grievance process requiring arbitration and the employee will have nothing to lose. The concept of discipline is to correct behavior and is not designed to be punitive. Her advice is to discipline and if that discipline is termination, then work through that grievance process and hopefully the City can win at arbitration, but if not, she will negotiate to end that person’s employment. She said this can be expensive for municipalities, but negotiating to sever employment from an attorney’s perspective is often less expensive than negotiating to reinstate employment after a grievance. She said while transparency is ideal, it is difficult within the constraints of FPAA and collective bargaining agreements.

Items submitted for the record

1. PowerPoint presentation entitled, “City Council Conference,” dated July 28, 2020

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The meeting was adjourned at 6:27 p.m.

ATTEST:

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City Clerk

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Mayor

CITY COUNCIL CONFERENCE MINUTES

September 8, 2020  
5:30 p.m.

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual conference at 5:30 p.m. in the Municipal Building Council Chambers on the 8th day of September, 2020, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Petrone, Wilson, Mayor Clark

ABSENT: None

Item 1, being:

DISCUSSION REGARDING THE TEMPORARY USE OF PARKING LOTS AND/OR SPACES FOR OUTDOOR DINING USES.

Ms. Kathryn Walker, City Attorney, said the Community Planning and Transportation Committee (CPTC) discussed this issue in July and August 2020. She said cities across the country are getting creative to help small businesses impacted by COVID restrictions and a number of cities have been utilizing parking lots/spaces to extend the dining areas for restaurants for additional spacing and capacity.

Boulder, Colorado, has permitted temporary outdoor expansion in public rights-of-way (ROW) and private spaces allowed for a number of commercial uses (restaurants, retail, office, personal service, etc.). Boulder requires a revocable permit issued by the City Manager who evaluates the application based on public health, safety, welfare impacts; balance of needs of commercial uses to have an economically viable use with needs of surrounding property owners; access to utility infrastructure; adequate access through the area; health/convenience of business, employees, customers, residents, and visitors; term of permit; hours of operation; and impacts to others in the area. She said the initial order expires September 30, 2020.

Fort Collins, Colorado (Fort Collins) allows outdoor dining on City or private property adjacent to or in the immediate vicinity of the fixed location for restaurants, licensed liquor establishments, and retail establishments. A revocable permit is issued by the City Engineer who evaluates the application based on whether or not the business is up to date on its licensing and City requirements; if the closure is safe; if the applicant sufficiently mitigates impact to the public's ability to safely and conveniently bypass the proposed closure; compliance with applicable laws, including American with Disabilities Act (ADA); if adequate emergency access is maintained; and if its is compatible with other activities in the vicinity. Ms. Walker said the initial order expires on September 27, 2020.

Stillwater, Oklahoma, has a temporary outdoor expansion in adjacent public ways and parking lots allowed for restaurants and bars. A revocable permit is issued by the City Manager who evaluates the application based on a permanent location within City; whether the business is up to date on licensing and permits required; must have liability insurance to indemnify the City; the extended service area is limited to immediately adjacent to the sidewalk, on-street parking area, and/or private lot; if the area is enclosed by physical barrier to separate service area from public ROW and access is denied to persons who are not customers; tables, chairs, and equipment within barriers must be physically distanced; and ADA access into extended service area is required. Ms. Walker said the initial order expires November 30, 2020.

Ms. Walker said the City of Norman has a special event permit for outdoor festivals, gatherings, etc., anticipated to last more than two hours, open to the public, with 1,000 or more people anticipated to attend. The permit allows for street closures and barricades to operate within the special event area. The City also has parking variance permits that allow the closure of parking spaces that are evaluated by the Police Department and must allow adequate emergency and pedestrian access. Another permit issued by the City is the Sidewalk Dining Permit that allows restaurants to have tables and chairs on the sidewalk adjacent to the business, but public access along the sidewalk must be maintained.

Issues to consider include safety – sidewalk must remain accessible and dining areas must be protected from traffic; loss of public parking; up to date licensing – Alcohol Beverage Law Enforcement (ABLE) license laws require diners to be in front of the licensed premise; coordination with adjacent properties; revocable permit regulations; safety barriers; adequate access to expansion area; social distancing; insurance/indemnification; what department will approve permit; and an expiration date (Norman’s mask ordinance expires November 30, 2020).

Ms. Walker said a revocable permit would most likely be the best option for Norman, which would require businesses to provide safety barriers. She said evaluation by the Police Department will be necessary as well as Public Works for traffic and emergency service issues. The businesses have to operate a permanent location within Norman; must have current City, County, or State licenses; must show proof of insurance with City of Norman named as an additional insured in the minimum amount required by the Government Tort Claims Act; and submit a site plan of the extended service area that includes where barriers will be placed, where tables will be located, entrance and exits of barricaded area, and how the traveling public will get around barricaded area. She said safety barriers are a key component so consideration will be given to the type of barriers and whether or not they are in the public ROW or a private parking lot as well as the volume and speed of traffic around the barriers. She said design and operation should enable social distancing, not crowds. Applications will be reviewed by the City Manager after review by the Public Works Department, Planning Department, and Police Department to ensure the business is meeting all public safety requirements. She said revocable permits would expire November 30, 2020, unless extended by Council.

Councilmember Holman said he visited Boulder recently and their downtown area was full of outdoor dining areas in parking spaces/parking lots (parklets). He said the Center City Form Based Code (CCFBC) identifies parking spaces/parking lots and the concept drawings of a two-way Gray Street depicting angled parking spaces being used as restaurant outdoor seating. He said this would be an effective way to give businesses some relief from capacity restrictions due to the pandemic. He would like to see this policy continue after restrictions are lifted. He also does not want the policy requirements to be more burdensome than what other cities are doing as far as barrier costs, insurance, etc. Ms. Walker said she liberally used these other city's policies so Norman's proposed policies are not more restrictive.

Councilmember Hall said she likes this proposal and would also like to see a more long-term possibility for this proposal. She asked if the Fire Department should also review the application for capacity issues and Ms. Walker said if there is a closed off patio at the restaurant, the Fire Department does set a separate occupancy for that, but they do not typically set occupancy on street space. She said Staff can add the Fire Department to the review process if Council wishes. Councilmember Hall said there is already issues with bar and restaurant capacity issues even though it is pretty clear that they are supposed to be practicing social distancing so she would like the Fire Department to review the application so everything is as clear as possible regarding capacity limits on outdoor dining areas. She would also like to insist on seating rather than standing room in outdoor dining areas due to current challenges with that issue in bars and restaurants. Ms. Walker said that is why a revocable permit would be the best option because if the businesses are not following the rules, the City will revoke the permit.

Councilmember Bierman said she really likes this proposal especially at this time of year and asked if the City will be following American with Disabilities (ADA) requirements that Fort Collins and Stillwater included and Ms. Walker said yes.

Councilmember Bierman asked if CARES Act funding could be used to purchase barriers to help businesses that may not be able to afford to provide the type of safety barriers needed and she would like to avoid using drab, concrete barriers. Mr. Darrel Pyle, City Manager, said the City is looking at ways to provide the necessary barriers without having to purchase extra equipment to set heavy barriers or requiring a lot of man power. He said the barriers would need to be stored in the off season, so there is a cost for that storage as well.

Councilmember Peacock said he fully supports this proposal in the short term as well as long term and felt this should be treated as a placemaking project rather than a highway barrier project. He asked if there will be an expedited review process for game day applicants and Ms. Walker said processes are already in place for game day activities as far as closing streets and placing barriers, but she is expecting a five-day turnaround on applications for these types of applications.



Councilmember Petrone asked if insurance is required for game day outdoor activities and Ms. Walker said insurance is required for Special Events, which game days fall under. She said the Music Festival has to provide insurance as well. Councilmember Petrone asked if Sidewalk Dining Permits require insurance and Ms. Walker said no. Councilmember Petrone said the insurance portion could be time consuming so she would like another avenue than making businesses provide insurance, i.e., the City provide an insurance policy that could be part of a permit fee. Mr. Pyle said there could be group coverage policies that are date specific to protect businesses as well as the City and Staff will research that possibility. Ms. Walker said the business could add the City to their current policy, which is not uncommon and can be done quickly.

Councilmember Bierman agreed and said asking for an additional insured on a policy is fairly simple and may not cost much or may even be free.

Councilmember Peacock said this proposal in the long-term could bring in additional sales tax for the City.

Mayor Clark would this policy to stay in place in the long term as well and she loves the idea of placemaking because it fits into the vision of a walkable downtown area.

Councilmember Holman asked when this would go into affect and Ms. Walker said as soon as the Mayor signs the proclamation.

Items submitted for the record

1. PowerPoint presentation entitled, "Utilizing Parking Spaces for Outdoor Dining during COVID," dated September 8, 2020

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The meeting was adjourned at 6:06 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

## CITY COUNCIL CONFERENCE MINUTES

February 23, 2021  
5:00 p.m.

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual conference at 5:00 p.m. in the Municipal Building Council Chambers on the 23rd day of February, 2021, 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 Bierman, Foreman,  
Hall, Holman, McGarry, Nash,  
Petrone, Mayor Clark

ABSENT: None

Items 1 and 2 were discussed simultaneously.

Item 1, being:

UPDATE ON THE FYE 2021 CAPITAL IMPROVEMENTS BUDGET AND DISCUSSION REGARDING THE FYE 2022 CAPITAL IMPROVEMENTS BUDGET.

Item 2, being:

DISCUSSION REGARDING THE MID-YEAR BUDGET REVIEW TO INCLUDE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY, 2021.

Mr. Anthony Francisco, Director of Finance, said tonight Council will be presented with a mid-year budget review for FYE 2021 and FYE 2022. He said sales tax revenues are pretty much in line with Staff's estimates; use tax revenues are above Staff's estimate; franchise revenues are expected to be higher than estimated due to the ice storm; fine and forfeiture levels are below estimates; other revenue sources are meeting Staff estimates; and licenses and permits are higher than last year. He said taking all these categories into consideration, Staff is expecting to spend the City's one-percent (1%) Emergency Reserve and end the fiscal year with approximately \$2.7 million. He said this is below the City's three percent (3%) mandated reserve policy, which is concerning. He said the General Fund (GF) is surviving, but is not in really great shape to add a lot of new expenses and Staff is not anticipating drawing down on the Rainy Day Fund to balance the GF because the GF balance is still above one percent (1%) of expenditures.

Mr. Francisco said the Public Safety Sales Tax (PSST) Fund is below projected estimates and will need to be subsidized by the GF by approximately \$2.3 million.

Councilmember Holman said although it was anticipated that some of the GF would subsidize the PSST, what will the growth of this subsidy be in the future because \$1 million per year seems unsustainable. Mr. Francisco said the PSST ordinance obligated the City to add two Communication Officers and four School Resource Officer positions that have not been added to the budget. He said on an ongoing basis, the rate of growth in personnel expenses in the PSST Fund far outweighs the rate of growth from the sales tax source that is paying for that personnel. He said that is what is causing the ongoing and long term problems that necessitates subsidizing from the GF and budget projections, at that time, did not foresee these sales tax growth problems or high amount of GF absorption of the PSST Fund.

The Room Tax Fund will close out FYE 21 with a \$194,000 balance so there is concern about FYE 2022; however, Staff is predicting that Room Tax revenues for next fiscal year will increase due to businesses reopening from the pandemic and football season tourist influx.

Mr. Francisco said the Capital Fund will end FYE 21 with a dangerously low fund balance of \$805,000 with a negative amount of \$650,000 available for new projects in FYE 21 and a negative amount of \$471,000 available for new projects in FYE 22. He said if Council wants to add new projects above and beyond what is being projected, other projects will need to be removed from the budget.

Mr. Francisco said outside agency requests for FYE 22 include Social and Voluntary Services - \$250,000; Veteran's Day Parade - \$531; Center for Children and Families - \$120,000; Firehouse Art Center - \$60,000; Historical Museum - \$35,000; Sooner Theatre - \$65,274; Aging Services - \$14,500; Performing Arts Studio - \$5,600; and Norman Economic Development Coalition - \$125,000. He said many of these agencies provide beneficial services to local citizens so the question is whether or not Council wants to continue to fund these agencies at the requested budget levels.

Mayor Clark said she supports continuing to fund these agencies and asked if the City would be able to adjust the budget to a lower amount if the agencies were able to obtain CARES Act funding and Mr. Francisco said yes.

Councilmember Holman said he supports keeping funding at current levels, but is interested in seeing what comparable cities spend on outside agency funding. Mr. Francisco said some of the agencies have other funding sources, but some are City owned recreational or park facilities that are not supported by the GF.

Councilmember Nash said some agencies have not spent their total funds from FYE 2021, but he does not want the City to habitually decrease their budget because they are not spending their full requested amounts. Mr. Francisco said due to changing needs of these agencies, these figures are based on an average, i.e., Aging Services uses their funding for their van and that van may not have maintenance needs one year, but may need a lot of maintenance the next year as well as fluctuating fuel costs.

Mr. Francisco said the purpose of the CIP is to support services of municipal governments and projects are identified in Long Range Master Plans that are reviewed by citizens and adopted by Council (land use, transportation, parks, water, wastewater, greenways, stormwater, etc.). Priorities are set for short range and long range and short range needs go into a one-year adopted Capital Budget and long range needs go into a Five-Year CIP along with proposed schedules of implementation and available funding sources. The CIP and other budgets are adopted annually, but only the one-year budget allows appropriation of funds so emergencies and high priority unanticipated project needs can be added. He said sources of funding include enterprise revenues, voter approved General Obligation (G.O.) Bond proceeds; Capital Sales Tax; NORMAN FORWARD Sales Tax (NFST); Public Safety Sales Tax (PSST); University North Park Tax Increment Finance (UNPTIF) Sales Tax; intergovernmental grants; Room Tax; private funds, and others.

A capital project generally costs more than \$100,000; is relatively fixed or permanent in nature; is an asset with an expected life span of more than five years; usually consists of the construction of new, expanded, or improved tangible assets; often takes more than one fiscal year to complete; and contracted services for design, land acquisition, and utility relocations that may be required in advance of construction.

Mr. Francisco explained that Capital outlay is expenses for maintaining or purchasing new or replacing tangible assets which have an expected life of one to five years, is a one-time occurrence and expense that usually occurs within a single fiscal year to include vehicles, furniture, computers, and equipment. He said Capital Outlay paid by the Capital Fund are expended from the General Fund and Westwood Fund with capital sales tax funds transferred to cover costs.

Mr. Francisco highlighted all funds included in the CIP Budget as follows:

Special Purpose Capital Funds

- Public Safety Sales Tax Fund (PSST)
- Community Development Block Grant (CDBG) Fund
- Special Grants Fund
- Room Tax Fund
- Public Transportation and Parking Fund
- Capital Fund (Pay-As-You-Go or PAYGO)
- Capital Fund (General Obligation Bonds)
- NORMAN FORWARD Sales Tax Fund
- Park Land and Development Fund
- University North Park Tax Increment Finance (UNPTIF) District Fund
- Arterial Road Recoupment Fund

Enterprise Funds

- Water Fund
- Water Reclamation Fund
- Sanitation Fund
- Sewer Maintenance Fund
- New Development Excise Tax Fund

Sources of revenue for all funds in FYE 2020 through FYE 2021 include grants – .68%; Community Park Fee - .04%; User Fees – 20.39% Capital Improvement Charge – .91%; Sewer Maintenance Rate – 5.25%; Sewer Excise Tax - .71%; Capital Sales Tax – 19.56%; Tax Increment Financing – 1.84%; Public Safety Sales Tax – 4.48%; NORMAN FORWARD Sales Tax – 5.24%; Room Tax - .14%; and Bonds – 40.74% for total revenues of \$243,529,492.

Expenditures for all funds in FYE 2020-2021 include Capital Outlay – 2.21%; Maintenance of Existing Facilities – 0.13%; Personnel and Services – 0.75%; Street Maintenance – 1.93%; Transportation – 23.78%; Buildings and Grounds – 30.79%; Parks and Recreation – 12.55%; Water Reclamation – 9.45%; Sanitation – 0.54%; Stormwater – 1.58%; and Water – 16.29% for total expenditures of \$243,529,492.

Mr. Francisco said the Capital Improvements Fund (CIF) was established in 1976 to account for capital projects funded by capital sales tax receipts, general obligation bond issues, or specific matching funds, i.e., private and reimbursement. He said these projects support services that do not have dedicated special revenues like Enterprise Funds. Those projects relating to Enterprise Funds, funded with fees and charges, or special revenue sources are accounted for in their respective Enterprise Funds. He said 70% of one percent (0.7%) of sales tax is set aside for capital improvements for the Capital Fund and those approved projects for construction with this funding are accounted for in the CIF.

The capital sales tax guidelines to allocate revenue includes existing facility maintenance – 5%; general contingency – 7%; Capital Outlay – 27%; street maintenance – 25%; and other projects and debt service – 36%.

Mr. Francisco highlighted the status of the Capital Fund as follows:

- Capital Fund PayGo
  - FYE 21 estimated available for new projects is a negative (\$650,170)
  - FYE 22 projected available for new projects is a negative (\$471,695)
  - FYE 23 projected available for new projects is \$1,470,165
- Capital Fund Bonds
  - Bond reserves are unbalanced – some positive and some negative, evaluating how to balance those currently unbalanced

Significant projects underway in FYE 21 include Transit/Parks/Emergency Vehicle Maintenance Facility - \$8.6 million; Total Maximum Daily Load (TMDL) Compliance and Monitoring Plan Implementation, Year Five - \$300,000; Lake Thunderbird TMDL Data Analysis and Plan Update, Years One through Five - \$207,160; Engineering Design Criteria and Green Stormwater Infrastructure Review, Phase I - \$125,000; Fire Station 9 (finishing miscellaneous small items) and Fire Administration Building Renovation – 85% complete; East Interstate Drive, Main Street to Robinson Street - \$915,412; 24th Avenue East Bond Project - \$14,938,870; Porter Avenue and Acres Street Intersection - \$3,675,000; Engineering Design Criteria Update and Green Stormwater Infrastructure Review, Phase II - \$229,000; and Comprehensive Land Use and Transportation Plan Update.

Projects under construction in FYE 20/21 include Municipal Complex Renovations; Legacy Trail Extension along 24th Avenue N.E. and 36th Avenue N.W.; 36th Avenue N.W. Utility Relocation; I-35 and Robinson Street West Side; Classen Boulevard Sidewalks; and Flood Avenue Sidewalks, Gray Street to Acres Street.

Mr. Francisco highlighted projects included in the FYE 2016-2021 Street Maintenance G.O. Bond Program and the 2012 Transportation/Stormwater Bond Program.

The 2019 Transportation Bond Projects for FYE 2021-2022 consists of Porter Avenue and Acres Street Intersection Improvements - \$3,329,280; Porter Avenue Streetscape - \$5,280,074; Jenkins Avenue: Imhoff Road to Lindsey Street - \$9,416,550; Constitution Street: Jenkins Avenue to Classen Boulevard - \$2,581,862; James Garner Avenue, Phase Three: Acres Street to Duffy Street - \$4,853,440; and Gray Street – University Acres Street to Duffy Street - \$4,721,104.

Mr. Francisco said 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 costs of the high priority projects. As a result of changes to the ranking system at ACOG, acquisition of federal funding for the 2019 Transportation Bond Program was not received for 19 of the proposed projects so Staff had to be creative in finding different options for funding these projects. He said Oklahoma City received a majority of federal funding for FFY 20 with Norman only receiving \$254,455, but ACOG acknowledged their new ranking system was flawed and rectified that prior to FFY 21 distributions so the City will receive \$5,116,046 in FYE 21.

Councilmember Peacock asked why the City will obtain less funding in FYE 23 compared to FYE 22 and FYE 24 and Mr. Shawn O'Leary, Director of Public Works, said Norman is competing with 39 other local government entities in the metropolitan area that have higher ranking projects. Councilmember Peacock asked how the City may fare in FYE 24 and FYE 25 and Mr. O'Leary said Norman is fortunate enough to pass bonds for local funding that allows projects to be advanced in the ranking system. He said in FYE 22 the Porter Corridor Project is one of the top ranked projects in the metropolitan area and that project was not even on Norman's radar until two years ago. The bad news is the 36th Avenue N.W. Project, which is Norman's top priority, is just not ranking well and he does not anticipate it ranking well in the future either so the City will have to find another funding source for this project.

In the City Vehicle Replacement Program, the City replaced 35 units in FYE 2016 - \$2,316,765; 35 units in FYE 2017 - \$3,046,969; 27 units in FYE 2018 - \$2,383,036; 29 units in FYE 2019 - \$2,045,471; 36 units in FYE 20 - \$1,991,083; and 27 units in FYE 21 - \$2,147,635.

Councilmember Petrone said the City has discussed leasing City vehicles and asked Mr. Pyle for more information on that idea. Mr. Pyle said Enterprise Rent-a-Car provides a fleet lease program on every type of vehicle the City would utilize, but discussions were stalled by the pandemic; however, Staff hopes to reinitiate that discussion soon to determine how much money, if any, can be saved through leasing vehicles.

Upcoming Capital Project Fund recurring sidewalk projects in FYE 2022 includes Sidewalk Program for Schools and Arterials - \$80,000; Sidewalk Accessibility Projects - \$30,000; Citywide Sidewalk Projects (50/50 repairs) - \$50,000; Downtown Area Sidewalk Project - \$50,000; Sidewalks and Trails - \$120,000; and Horizontal Saw Cut Program - \$50,000 for total expenditures of \$370,000.

Recurring proposed CIP in FYE 2022 includes Capital Outlay - \$3,769,409; Street Maintenance - \$2,305,377; Maintenance of Existing Facilities - \$316,086; Stormwater Draining Maintenance - \$2,628,600; Personnel - \$1,384,316; Oklahoma Department of Transportation (ODOT) Audit Adjustments - \$100,000; Americans with Disabilities Act (ADA) Sidewalk Compliance and Repair - \$300,000; Bridge Maintenance - \$500,000; Driveway Repairs - \$10,000; Street Striping - \$100,000; Traffic Calming - \$50,000; Community/Neighborhood Improvements - \$100,000; and Building Maintenance Mechanical/Electrical - \$50,000 for total expenditures of \$11,613,788.

Upcoming significant projects in FYE 2021 include 36th Avenue N.W.: Tecumseh Road to Indian Hills Road Widening Utility Relocation - \$2,000,000; Porter Avenue Streetscape - \$5,280,074; and James Garner Avenue, Phase II - \$7,796,000.

Public Safety Sales Tax Fund Projects underway in FYE 2020-2021 includes Emergency Radio Communication – final acceptance and cleanup - \$12,055,986 (\$1,148,568 remaining in budget), Emergency Operations Center (EOC) – design complete - \$6,451,500, and Fire Apparatus Replacement, Year Four - \$800,000. Mr. Francisco said the EOC Project full cost to “build it right” is an estimated \$16 million leaving a funding shortfall of approximately \$9.55 million. Project reductions that meet current budget includes reducing facility by 7,000 square foot; only hardening the Information Technology (I.T) room against severe weather, limited Traffic Management Center, significantly reducing EOC space and capabilities, and removing five dispatch stations. Mr. Francisco said Council will need to decide if they want to proceed with the current design, hold a bond election for this facility only, or wait and look for other funding sources.

Mayor Clark said she would like to see a breakdown of the costs for current and full “build it right.”

Councilmember Foreman asked if inflation costs are being considered and Mr. Francisco said yes.

FYE 2021 NORMAN FORWARD Projects completed include Central Public Library, Rotary Park Renovation, Blake Baldwin Skate Park (at Andrews Park), and Ruby Grant Community Park, Phase I.

FYE 2021 NORMAN FORWARD Projects underway include Griffin Park remodel; Indoor Aquatic Facility and Multi-Sports Complex; Reaves Park Baseball/Softball Complex; new neighborhood park development (Southlake Park); James Garner Avenue – Flood Avenue to Acres Street; and Senior Wellness Center (southeast corner of Norman Regional Hospital Porter Campus).

Upcoming future NORMAN FORWARD Projects include new neighborhood parks - \$2,000,000; lease payments for Griffin Park - \$80,000 annually for a total of \$2,400,000; Canadian River Park - \$2,000,000; new trail development throughout Norman - \$6,000,000; and Saxon Park development - \$2,000,000.

Room Tax Fund significant projects in FYE 2021 include Historic Museum parking - \$55,000, remaining debt on 2002 Norman Municipal Authority (NMA) Golf Course Bonds retiring on June 1, 2022, and new project requests delayed due to revenue shortfalls.

Mr. Francisco highlighted upcoming challenges that includes the I-35 Corridor Study (Norman/Moore/ODOT); Public Transportation (Regional Transportation Authority (RTA), Bus Transfer Station, replacement busses, and recommendations from Transit Study); new traffic signals on State highways and City arterials; 718 North Porter Architecture and Engineering/Rehab; EOC funding; Police Department Shooting Range Updates/Maintenance; unfunded remodel of Police Department building after Municipal Court vacates; unfunded Building C remodel; Police Hydraulic Drive Unit (HDU) Robot; Fire Station No. 10; bridge replacements; stormwater infrastructure maintenance; Fleet Fueling Facility; City Vehicle Washing Facility; and revenue/expenditure imbalance.

Next steps include an overview of proposed FYE 2022 Budget for General and Special Revenue Funds – April 20, 2021; first public hearing on the proposed FYE 2022 Budget – April 27, 2021; review of final proposed Capital Budget for FYE 2022 and CIP Plan for FYE 2023-2026 – May 4, 2021; overview of proposed FYE 2022 Budget for Enterprise Funds – May 18, 2021; second public hearing on proposed FYE 2022 Budget – May 25, 2021; and adoption of proposed FYE 2022 Budget – June 8, 2021.

Items submitted for the record

1. PowerPoint presentation entitled, “FYE 2021 Mid-Year Budget Review, FYE 2021 Capital Improvement, Program Budget Status, Preparation of FYE 2002 Capital Improvements Plan, Preparation of FYE 2023-2026 Capital Improvements Plan,” presented by the Charter Review Commission”
2. FYE 2020 and FYE 2021 Audited Fund Balances for General Fund, Rainy Day Fund, Public Safety Sales Tax Fund, Room Tax Fund, and Capital Fund

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The meeting was adjourned at 6:27 p.m.

ATTEST:

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City Clerk

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Mayor



CITY COUNCIL  
COMMUNITY PLANNING AND TRANSPORTATION  
COMMITTEE MINUTES

April 22, 2021

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:01 p.m. in a virtual meeting hosted in the Council Chambers on the 22nd day of April, 2021, 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 Hall, Nash, Peacock, and Chairman Holman

ABSENT: Councilmembers Bierman and Petrone

OTHERS PRESENT: Mayor Breea Clark  
Ms. Carrie Evenson, Stormwater Program Manager  
Ms. Lora Hoggatt, Planning Services Manager  
Ms. Jane Hudson, Director of Planning and Community Development  
Mr. Taylor Johnson, Public Transit Coordinator  
Mr. Chris Mattingly, Director of Utilities  
Ms. Beth Muckala, Assistant City Attorney  
Mr. Shawn O’Leary, Director of Public Works  
Mr. Darrel Pyle, City Manager  
Ms. Kathryn Walker, City Attorney  
Ms. Brenda Wolf, Permit Services Supervisor  
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

**PUBLIC TRANSIT RIDERSHIP REPORT.**

Mr. Taylor Johnson, Public Transit Coordinator, said the fixed route service transported 17,475 passengers in March compared to 11,802 in February 2021. The daily average ridership was 647, an increase of 31.627%. There were 544 passengers with bicycles and 308 passengers with wheelchairs or other mobility devices transported in February.

The paratransit service transported 1,528 passengers in March compared to 989 in February 2021, with an average daily ridership of 57, an increase of 37.33%.

Saturday service began August 15, 2020, and totaled 1,391 in March 2021, compared to 1,087 in February 2021, but there is no 2020 comparable data at this time.

Item 1, continued:

Mr. Johnson said Staff continues to work with Nelson/Nygaard Consulting Associates, Inc., (Nelson/Nygaard) for a comprehensive evaluation of the existing transit service, which will identify opportunities to improve transit service for the community. The outcome of the study will be a strategic plan to optimize and expand transit over the next 20 years. He said outreach activities included promotion of the project website to citizens and stakeholders, public meetings, and promotion of an online survey to obtain feedback on existing transit service and suggestions for potential improvements.

Mr. Johnson said Staff is waiting for a final Notice to Proceed from the Oklahoma Department of Environmental Quality to purchase the City's first battery electric vehicle, a 35-foot transit bus. Staff is also preparing a grant application to the Federal Transit Authority (FTA) Low or No-Emission Vehicle Program for one battery electric bus and associated charger, which is a very competitive grant. He said Staff is working to identify other avenues to purchase vehicles to modernize and standardize the bus fleet.

The Traffic Control Department continues to install EMBARK Norman bus stop signs, which is anticipated to be completed within the next few weeks. Mr. Johnson said progress continues to be made on the construction of the new Transit Maintenance and Operation Facility on north base, but in the interim the Fleet Maintenance Division continues to keep the busses in working order despite their age. He said bus maintenance is not limited to mechanical maintenance, but includes fueling, cleaning, washing, and sanitizing the busses each night at the conclusion of service.

Chairman Holman said he received an email from a constituent in Ward 7 who uses the paratransit service and is having a hard time scheduling because this person used to schedule rides with an online feature that EMBARK does not provide and the person cannot use a telephone and asked for help.

Mr. Johnson said there were similar requests very early on and while Embark OKC has never offered that option of scheduling online for paratransit, City Staff made a reasonable accommodation for folks that needed that and EMBARK created an online form for paratransit riders to fill out. He said this form is for paratransit riders in Norman only so they can schedule trips more easily and is not open to the public. The reason it is not open to the public is because it is a shared ride and has to be scheduled right when that person makes the request for a ride per FTA regulations and it is hard to meet that regulation if EMBARK is fielding calls, receiving online requests, and making sure everyone gets scheduled. He said if someone is having issues with scheduling a paratransit accommodation, please have them contact him and he will be happy to help them. Chairman Holman thanked Mr. Johnson and said the City needs to let the public know there is a way to address this issue.

Chairman Holman said an issue he wants Staff to be aware of is that during the summer or any time OU is not holding classes, some residents in Ward 7 that live in the south Campus area, specifically Emerald Greens Apartments, have no transit service options. He said OU is continuing the operations of an on-campus bus route system and the City is operating the rest of the City routes outside of the Campus area. He said the Campus route connects to the Brooks Street Station

Item 1, continued:

and riders can get on a City route from that location, but when school is out, OU does not run the Campus route so residents do not have a way to get to the City connection. He said Emerald Greens is an apartment complex that is very low-income and many of the people living there do not own vehicles and generally walk, bike, or rely on the bus service. He said that is something he would like the City to review to see how to address this problem during the summertime, especially since that is such a long period of time when there is no service on Campus. He said winter break, which can be a month, is also a long time. He would like to have a discussion about options for times the Campus route is not running to see if there is anything the City can do to help these citizens.

Chairman Holman reminded everyone that it is free to ride the bus in Norman and wants to make sure citizens are aware of this fact. He thanked City Staff and said he appreciates the updates every month. He encouraged all residents that are interested in public transit to contact their Councilmember or contact him through email on the website and he will be happy to ask Staff any questions the public has about public transit in Norman. He said if anyone has a request regarding transit service or has issues with bus stops, benches, or shelters, please contact the City.

Items submitted for the record

1. Memorandum dated April 22, 2021, from Taylor Johnson, Public Transit Coordinator, through Shawn O’Leary, P.E., DFM, Director of Public Works, to Council Community Planning and Transportation Committee
2. Transit System Monthly Report for March 2021

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Item 2, being:

**DISCUSSION REGARDING OFF-STREET PARKING REQUIREMENTS.**

Ms. Jane Hudson, Director of Planning and Community Development, said Staff provided a memo that outlines efforts Ms. Carrie Evenson, Stormwater Program Manager, and her Staff are working on regarding green incentives. She asked Ms. Evenson to give Councilmembers a brief summary of the work and said although the agenda item is about parking, parking lots have a huge impact on stormwater. Chairman Holman agreed and said parking and stormwater are absolutely related. Ms. Evenson said a majority of City Staff has been working on updating the Engineering Design Criteria (EDC) and Standard Specifications and Construction Drawings (Specifications) adopted in 2006. She said Staff is reviewing City requirements and ordinance language to make sure there are no barriers to green infrastructure or low-impact development (LID) within the City. At Council’s direction, Staff is also looking at ways to incentivize the use of green infrastructure and installation of green infrastructure across the City. Through this process, Freese and Nichols has been tasked with looking at ways to either modify the ordinances or adding requirements or avenues for green infrastructure. She said incentivizing LID can potentially be acquired by offering or allowing reduced parking or landscaping requirements. She said Council approved the

Item 2, continued:

contract amendment with Freese and Nichols recently to begin Phase II, which will include language changes to the EDC with input from stakeholders and members of the community. She said the City will be reviewing parking requirements and ways to use those requirements to incentivize green infrastructure so this ties nicely into tonight's discussion regarding the City's current parking requirements.

Councilmember Hall asked how the City is identifying the stakeholders and who they are, because with having to cancel so many meetings this year due to the pandemic she has lost track of all the meeting pieces. She said Staff has given an excellent summary of all of the different things the City is taking under consideration and she appreciates getting that focus back to where we are right now.

Ms. Evenson said with the external stakeholder group, Staff tried to identify those builders, developers, engineers, and contractors that frequently interact with the City regarding EDC and many people were identified in response to some comments received during the diagnostic report discussion. She said she was going through that information today to send to Freese and Nichols so they can begin contacting people for stakeholder meetings. She said groups will be divided up into smaller committees so there will be specific discussion on stormwater, traffic control, streets, development issues, etc., in smaller groups. She said depending on how the external stakeholders want to divide themselves, there will be particular discussions on what changes are necessary to bring the City up to date with technology and materials. She said some items will need to be tweaked then discussions will begin in earnest and the City will hopefully have a finished product in about a year or so and can begin moving forward.

Councilmember Hall asked if meetings will be virtual or in-person and Ms. Evenson said that is still to be determined, but meetings will be held. She said meetings may end up being a hybrid where there are some people in the room and other people who are not yet comfortable being in the room that will be brought in virtually. If someone is out of state or out of town they can always Zoom and join the meeting so no one is left out. She said 25 to 30 people have been currently identified and they will be split up into smaller groups to make topics more manageable. She said there are also private citizens, particularly on the stormwater side, that have knowledge of stormwater and want to be involved and have reached out and asked to be involved.

Ms. Hudson said parking has always been a hot topic, specifically how much parking is needed or not needed. She really wants this to be an opportunity for the City to just have a lot of dialogue and figure out which direction Council wants to go with this. She visited with the Legal Department about the possibility of taking the required parking requirements currently in the ordinance and establishing a recommended maximum. She said a parking space can cost about \$6,000 per space and does get expensive when developing an entire parking lot so developers/builders could look to save money and cut back on their parking spaces. She said if they do that, it could negatively impact the business and she does not believe developers will really want to do that. She asked if Council likes the idea of creating a recommended maximum and if someone needs additional parking they can submit a request to Staff. She said if someone can demonstrate a need for more parking they would submit a request to City Staff, then Staff could

Item 2, continued:

take that request to the Development Review Team (DRT), which is the same team that reviews preliminary plats, certificates of survey, etc. She said everyone on that team is already very familiar with how a parking lot's stormwater runoff would need to be accommodated if someone wanted to go over what is established as the recommended maximum.

Chairman Holman said the Committee has talked about this issue before and it has come up in various Council discussions over the years and Councilmember Peacock has stated this is one of his top issues to address. He would want the City to be in a position where nobody in Norman ever says, "Well, I only have that much parking because that is what the City made me do." He basically does not want that to be a factor. His concern is that the City is requiring an excessive amount of parking for the type of business being built and he knows businesses can change based on buildings, but he is looking for regulations that do not require a lot of parking. He said people can apply to have more parking, but they need to make the case for why they need more if the City has a minimum or maximum. He would rather save a tree than meet a parking standard so if the applicant is going to get rid of the tree because they have to fit a certain amount of parking spaces then that is not the goal. He said it can inevitably be a headache in some places where there is not a lot of parking, but the places in Norman where parking is limited are the most attractive and active and the City can build parking lots where a fee is charged giving more value to the area. He does not want the City to be the one responsible if there is a giant parking lot, but if a giant parking lot is needed, then there should be a good reason for that and the City should have best practices in place to reduce the impact of impervious surface.

Councilmember Peacock said this is a subject he has a lot of strong opinions on so he has been looking forward to this conversation for a long time. He said Staff is talking about maximums right now, but to him, the important switch is to get rid of the minimum requirements. He said the City should not be in the business of telling the market how to function and should not be telling developers they need to buy X amount of land for their building, X amount of land for the parking, or X amount of land for a stormwater solution to offset the parking required. He said right now the City is seeing a product of that by only attracting large corporations or large parcel projects because those are the only entities that can really build according to the ordinance. Not only is stormwater involved, there is also sales tax collection, walkability, urbanism, density, etc., so this topic really checks a lot of boxes. He thinks every day the City waits to amend this or make a change is only doing a disservice to itself. He knows Staff is talking about maximums, but the crux of the issue is the minimums so if the City could just change the required minimums to be recommended minimums, he believes that would be a great first step and gives the City the time to kind of tease out some of the variables for the maximums. He has a lot of parking lot graphics he would be happy to share and discuss if the Committee is interested, but does not want to dominate the conversation.

Councilmember Hall said she would like to see Councilmember Peacock's graphics and other members agreed.

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Councilmember Peacock brought up graphics of University North Park. He said the Committee can see Target and Crest Food where the parking footprint is literally three to one. He said not only is there a massive stormwater implication there, but sales tax collections as well. He said those retailers have spent all of their money on real estate and what they have given up for parking has no return on their investment. He said Ms. Hudson threw out a \$6,000 per spot cost figure so just look at the amount of money that was put into parking that really has no return. And not only that, there is a lot of distance created between the buildings so when talking about public infrastructure, such as roads, water, sewer, etc., just the amount of distance the City has to go to start connecting to other places is phenomenal. He said that is the crux of the issue for him and the City is the one responsible for maintaining that infrastructure, not private businesses so when looking 20 to 30 years down the road on replacement costs of every mile of water line, sewer line, and roadway has to be maintained by the City. That is something affecting the bottom line of the General Fund (GF) and there is a real financial argument to be made there.

He said another graphic basically shows what the City's current ordinance requires and what size building could actually be put in a space per the parking ordinance. He said there are a mix of offices, retail stores, restaurants, and bars and the thing that really stands out to him is that the City is basically setting things up to where its promoting drunk driving with this ordinance by saying the City requires 64 spaces around a 3,200 square foot bar. That right there is the most egregious requirement. He said to build a 10,000 square foot office, the developer has to have a 30,000 square foot lot, and that does not even account for the stormwater solution. He said this information is pretty straightforward, but he wants this to be a discussion so is interested in hearing everyone else's thoughts.

Chairman Holman said something he noticed recently on Tecumseh Road near the Healthplex is the Dental Depot next door to Wendy's. He picked up food at Wendy's and ate in the Dental Depot parking lot and does not know if the Dental Depot is closed or not, but there were not any cars in the parking lot and the entire building is surrounded by parking. He was kind of surprised because it is just all parking and he cannot imagine that Dental Depot would need that much parking. He said the Dental Depot on Main Street does not have that much parking, but that was an existing parcel that was reconfigured for the Dental Depot. He does not want to require more parking just because there may be greenfield that has endless space to build on compared to building in Central Norman. He agrees about the bar issue, because requiring a lot of parking at a bar does seem counter-intuitive. He said The Deli is on Campus Corner where there is little parking, but The Deli does have two parking spots in the front on White Street that are parallel and that is it. He said a person has to walk from their house in one of the neighborhoods nearby or has to come by taxi/Uber/Lyft. He sees a lot of ride sharing on Campus Corner or people walking from nearby neighborhoods. He has also seen people try to parallel park in the spaces available for The Deli and they just cannot do the parallel parking. He has seen so many people over the years making the attempt and they will stop, sort of back up, and then quickly realize they will not be able to do it and go on. He would not want to be incentivizing or requiring a small building be completely surrounded by a parking lot, unless that applicant made some sort of case for why they needed that much. He said the Committee may want a follow-up meeting next month with some

Item 2, continued:

possible regulations that other college towns have created that the Committee can review and provide input to Staff.

Councilmember Hall said she has been really looking forward to this agenda item and there has been a lot of discussion on this topic as outlined in the staff report. She can remember the conversations the City had a few years ago about LID and all the things Councilmember Peacock just outlined regarding excess parking that everyone recognizes and drives by all the time. She is in support of addressing these issues which the City is certainly in the middle of and working with a consultant on the Engineering Design Standards.

Councilmember Hall said the other interesting aspect of all of this is just the shifting attitudes of what people are looking for and what they want. She said Council has talked in many meetings over the last few years about place making, being a walkable city, walk scores, multi-modal transportation, regional transit, etc. She said looking forward over the next 10 years, the way people use cars and the need for the kind of parking offered today is really going to change dramatically. She said Chairman Holman raised a really good point about college students and how comfortable they are with ride shares and not having a car or calling to get rides home when they have been out late or been at a bar. She said the way people move themselves around is definitely changing and the City needs to be in transition too so she fully supports continuing this conversation.

Councilmember Hall said when considering how to reduce the number of parking places, which she thinks everyone is interested in and in support of, the City has a very interesting conundrum with Center City Form-Based Code (CCFBC) in core Norman. She said the City has struggled to hit the sweet spot on the number of parking spaces required for the kind of single housing type that is being constructed. She said the City wants less parking with a walkable core yet is requiring developers to basically cover their lots with impervious surfaces to make room for cars and at the same time wants people to park their vehicle once and walk to their destination. She wants to be mindful of the changes the City makes and how that is going to impact this peculiar boundary in core Norman and what those parking minimums and maximums are going to look like. It also leads into the discussion of off-street parking and the need for parking structures in core Norman, which has been recognized for years.

Councilmember Hall said Cleveland County will probably be coming forward with a parking structure fairly soon and there has been some discussion about a parking authority that can maybe create a partnership for the parking structures the City needs in the urban core that would also reduce the impervious surface and number of parking spaces at the ground level. She said these are all the kinds of things she is thinking about as well and the ultimate goal would be to reduce the number of parking spaces required. She knows the City is in the middle of a pretty big study and Council receives updates from time to time, but it may be useful to have an update from the consultant regrading where they are in Phase I and Phase II and maybe some of the things they are discovering could be shared with Council, which might help Council define how the City should move forward.

Item 2, continued:

Chairman Holman agreed, especially about Center City. He said one of the major topics of Center City in the beginning was trying to reduce the number of parking lots between Campus Corner and Main Street, and encourage people that owned those parking lots to, over time, build some type of structure on them, such as apartments, homes, retail commercial storefronts, etc. He said First Baptist Church has the biggest parking lot that was talked about during the charrette process. He said, like Councilmember Peacock pointed out in his slide, parking creates massive distances between buildings. He said what the City talked about in Center City years ago was how to get people walking from Campus Corner to Main Street, which was not particularly enticing to a lot of people, even though it was only six blocks. He said it is only a five to ten-minute walk, but the area is not particularly well-lit in between buildings and there are several empty parking lots. He said the consultants talked about how people were not going to walk from Campus Corner to Main Street down Asp when there are three or four very large, dark, empty parking lots in between with no activity. There are no storefronts or stoops from apartments or houses so getting those parking lots reduced and filled with useable space, such as buildings and activity, is definitely a goal of Center City. It is also relevant in suburban parts of the City which one of the major problems with suburban development over the last 50-60 years has been spreading everything out.

Chairman Holman said a whole building will be built for one business and will have a whole bunch of parking around it, then there will be another building built for one business with a whole bunch of parking around it instead of having a complete line of buildings similar to what is on Main Street or Campus Corner. On Main Street, buildings go from one block to the other and there are several different storefronts that are connected. He said in places like UNP, people do not generally walk from Target over to any other store. If they go to Target or anywhere else in the UNP, they are going to get back in their car and drive because the distance is so vast. He said the perception of distance is very far in areas like that because the buildings are set back from the street with massive parking lots that separate the street from the building. He thinks urban and suburban parking issues are similar in a lot of ways and have their own issues in a lot of ways too so he definitely would like for the Committee to continue this discussion next month and requested Staff to find other examples on policy, if possible. He encouraged other committee members to give Staff suggestions for a policy that they could put together and present to the Committee next month or whenever Staff might be ready.

Ms. Hudson said, just as an example, the City's office parking requirements are actually less than what she is seeing as a national average when reading articles on the subject. She wants to clarify if one of the ideas is to cut the parking requirement that is currently in the zoning ordinance. Is Council looking at cutting it in half because the maximum Staff is recommending just means it is the maximum the City would allow for this project. Is Council wanting to see the requirements actually cut in half?

Chairman Holman said not necessarily in half, but he definitely wants to make sure the City is not encouraging building more than is needed. If the City says a person can build up to a maximum amount and people just say okay I will build up to that maximum amount, but not necessarily need that amount it may be just as problematic as what is currently being done.



Item 2, continued:

Councilmember Peacock said his vision is a little different in that no required minimum. On the maximum, he would like that to have a hard cap and every space built over that hard cap would require a luxury fee and that luxury fee would go toward stormwater issues or some other community fund. He said there is obviously offsetting mechanisms to that, such as installing bike spaces or electric vehicle charging stations. There are ways to offset the maximum cap, but that hard maximum is to keep from seeing what is being done in UNP, such as Target's 1,000 spaces. He said businesses generally have a corporate policy that states how many spaces they need to make that development work and they will build however much the City allows them to build, which is kind of an infinite amount right now.

Councilmember Peacock said further to that point, stores and churches are usually designed for that worst case scenario, whether that is Black Friday in terms of retail or Christmas Day in terms of a church. He said they will build their lot to accommodate that one day a year and the rest of the year is at 50% to 75% capacity. He said minimums are recommended, but he would like to throttle those minimums to bring them down quite a bit, because parking lots are still overbuilt. He said according to the Staff report there are 3.5 parking spaces for every car in America, so that means the businesses are 3.5 times overbuilt in parking infrastructure.

Councilmember Peacock said there is a myth out there that if you do not provide enough parking people will not come to your establishment, and he thinks that is the furthest thing from the truth. He believes if the businesses draw is enough of a draw, people will find a way to park and walk there. He said OU football game days are a perfect example of this. He said there are no massive parking lots around the stadium, but the stadiums still find a way to draw 100,000 people. He said, in terms of Ed Noble Parkway or Sooner Mall, once you repeal these required minimums, that will open up all of that parking space for redevelopment. So when thinking about Sooner Mall, which is struggling and dying right now, if they were able to infuse the perimeter around the Mall with multi-family or some other use that essentially doubles the useable square footage of that area then that would be a really good approach to kind of saving the Mall. Ed Noble Parkway is the same way, if they are able to take all that wasted parking and put some other use in there, once those minimums are no longer required it just opens up a whole other redevelopment opportunity. And as Councilmember Hall mentioned, the future of the car and self car ownership is changing and he thinks with the rise of autonomous vehicles and electric vehicles, the City is going to see single car ownership plummet over the next decade or two and the need to build parking lots to the scale currently being built will be a thing of the past.

Chairman Holman agreed and said he wants to get away from the minimums and policies geared toward encouraging maximums. He said when it comes to minimum parking and being able to evaluate projects individually, maybe a building does not even need the minimum amount. He knows there are issues when an area does not have enough parking, but the best places are always the places that do not have it available everywhere. He knows for a fact that a building in a location generates a lot more revenue and activity than a parking lot does. He would like to see the City focused on no minimums, not necessarily maximums. He said if someone wants to go over that maximum, he would agree with that as well, with a valid reason and perhaps a fee that would have to be paid in order to be able to go over whatever the maximum may be.

Item 2, continued:

Councilmember Peacock said Council really needs to have a lot of community or developer buy-in so Council does not create a condition that incentivizes people from wanting to come here and start a business. The idea is to lower the barrier to entry, so the City is able to draw in more small developers or small local entrepreneurs to build buildings, not just in the core area.

Chairman Holman said Councilmembers are probably familiar with Strong Towns; every Black Friday someone does a photo series where they go around the nation and set up a lawn chair in a parking lot of a big box retail store and take pictures of how empty it is, even on Black Friday. That is just a fun thing they do every year to show that there is over-built parking in the United States; even on the busiest day of the year, there are parking lots that are so massive they never get full or even close to full.

Councilmember Hall said she fully supports the direction that all of this is going and really likes the idea of the incentives being tied to green infrastructure and LID. She said policy was actually built into some of the amendments for CCFBC and she definitely likes that direction as far as incentivizing. She said there is an urban legend that Campus Corner has no place to park, but the City invested in a City parking lot a couple of years ago, which is very convenient, and people do not have to walk any farther than driving up to a business, but it is not very heavily utilized. She said the parking lot is a great asset to have on Campus Corner, but people still have that mental idea that it is really hard to park on Campus Corner and it really is not. She said development in Center City is completely counter to what the City is trying to accomplish in increasing density and having that active sidewalk. She said there are developers tearing down structures to put in a parking lot next to a three-story unit and this is happening again and again so this is a really good time to recognize the way the City is doing things right now is not actually getting the results wanted.

Chairman Holman said he feels some real regret about Council's recent decision to build a new parking lot at Legacy Park. At the time, he felt that Legacy Park needed American with Disabilities Act (ADA) parking, but every time he sees people post or complain about a lack of parking at Legacy Park it just really drives him crazy, because outside of the Lloyd Noble Center, there is nowhere else in the City of Norman that has more parking around it than Legacy Park. He said Legacy park is less than a two-minute walk from the parking lot in front of Academy Sports. He said the park had limited green space and the City had to take some of that greenspace to add a new parking lot with several ADA spaces, which again the City did need, but there are also a lot regular parking spaces put in so people could park an extra few feet closer to the park. He did vote for it, but he regrets it every time he drives down the Interstate and hardly ever sees anyone parked there. He wants to get away from the perception that the City has to have a whole lot of parking or that parking has to be right in front of wherever people are trying to go.

Mayor Clark said she really appreciates the conversation and likes Councilmember Peacock's suggestions. She is sure there will be some pushback, so obtaining public buy-in is going to be very important. The only thing she would add would be that once the city begins opening up from

Item 2, continued:

the pandemic, it will be a different world because many new services are available. Councilmembers have touched on share rides and autonomous vehicles, but people also like curbside pickup. She said people are going to continue to want the convenience, so that is another reason to be forward thinking in how parking is offered. She understands the City has always operated a certain way, but things are just different now and the next generation expects it to be different so she is excited to see the continued conversation on this subject.

Councilmember Peacock said Downtown Oklahoma City just opened their streetcars and the idea was not really to get cars off the street, the idea was that when people visit Oklahoma City, they park their car once, get onto a streetcar, and spend their sales tax dollars in Downtown Oklahoma City until they are ready to get back to your vehicle to leave. To him the long-term vision is that the City of Norman incentivizes people to not drive their car, but to walk from place to place or use ride share and stay in the community spending tax dollars in the community, not driving north to Oklahoma City.

Chairman Holman said Mayor Clark made a good point about curbside pickup because curbside services are a quick in and out that has become extremely popular. He said as far as ride share on Campus Corner, there have been some real issues with increased ride share, which is a good thing, but it can be a little bit chaotic because Uber and Lift just stop right in the middle of the road, put their hazards on, and wait there while cars pile up behind them honking at them. He said there is no designated places for ride share vehicles to wait on customers.

Councilmember Peacock said Main Streets are so attractive because they were built before the automobile was really a thing, at least before massive car ownership was a thing. He said the buildings on Main Streets literally share bricks and are built on top of each other. There is no space in between and that is the kind of walkable, healthy, active sidewalk environment that he is looking to create all across the City, not just the core area.

Councilmember Hall said to add to Councilmember Holman's comments regarding ride share on Campus Corner, there have actually been several different plans considered and to her knowledge, they have not been implemented yet. One of those ideas was using the City's parking lot as the drop-off and pick-up point, but that would take funding from the Campus Corner merchants. She agrees with Mayor Clark that the City is entering into a whole new world and the way that people are going to go to work and play is being altered dramatically. She said Council needs to really be mindful of that when talking about ride share services, driverless cars, and all of the things that are coming. She said there will definitely be a transition and the Council needs to be looking forward to ensure those transitions are made as easily as possible.

Councilmember Nash asked how parking regulations vary with situations where there are businesses next door to each other that might share a parking spot. Does that have any affect on the maximum or does every business in that strip have to have its individual maximum? Councilmember Peacock said it absolutely factors into the equation since the goal is less parking

Item 2, continued:

spaces. He said he wants shared parking for all businesses, by incentivizing, or maybe disincentivizing is a better word, businesses from building massive lots and actually finding a way to be cooperative with neighbors.

Councilmember Nash asked if there is language in the ordinances that lend to those scenarios and Ms. Hudson said no, not in the standard parking regulations. She said within the mixed use zoning ordinance there is a chart for shared parking, but as it stands right now, if someone has a strip mall, the City is looking at the uses within that strip mall and whether or not there is enough parking to accommodate those uses.

Chairman Holman said Campus Corner and Main Street are good examples of areas where new buildings are being built three to four stories taller than the building that was there before, but there still is only one business that operates in that building. He said because it is a commercial building, it did not require any additional parking. The developer/owner did not have to build more parking on Campus Corner or a parking lot and they did not have to contribute to any type of parking fee or system. He said they could basically build a Devon Tower in the middle of Campus Corner without adding any additional parking, as long as it was a commercial building. He said if someone wanted to build a strip mall on greenspace they would have to build enough parking for each individual storefront.

Ms. Hudson said Campus Corner, Main Street, and some of the areas on Gray Street as well as some of the side streets are all zoned C-3, Intense Commercial District, and within the zoning ordinance these districts do not have a parking requirement because of the on-street parking that has historically been in place.

Councilmember Hall said many Councilmembers recently attended the groundbreaking for The Noun Hotel, which is going to be a 92-room hotel with a restaurant, and that property will have zero parking places so that is a great example of shared parking. She said to make that work the hotel signed a long-term lease with the First Presbyterian Church to share their parking lot and the Church really only needs their parking lot on Sundays and for smaller meetings held during the week, so the hotel is completely dependent on shared parking.

Chairman Holman said he would like to continue this discussion with some potential policy change suggestions that Councilmembers may want to forward to Staff in advance of the next meeting so Staff can research. He said after the next meeting the Committee can move some suggestions to the full Council for review and further suggestions.

Mayor Clark said one quick note is that some universities do not allow freshmen to bring cars and she just wanted to share that in case anyone did not know that.

Chairman Holman said part of the history of Campus Corner and why it even exists is because in the early days, a lot of families did not have multiple cars and students were not allowed to have cars since a lot of the student housing, such as fraternities and sororities, were located at Campus

Item 2, continued:

Corner. He said Campus Corner developed into an entertainment district because no one had cars and parking was not an issue.

Chairman Holman said he hopes Council has given Staff some good direction and the Committee can hopefully continue this conversation next month or wait for Staff if Staff feels like they need more time to gather information based on comments tonight.

Items submitted for the record

1. Memorandum dated March 22, 2021, from Jane Hudson, Director, Planning and Community Development, to Council Community Planning and Transportation Committee Members, with Exhibit A, Chapter 22, Section 431.5 – Off-Street Parking Requirements of the Zoning Ordinances

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Item 3, being:

MISCELLANEOUS COMMENTS.

None

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The meeting adjourned at 5:11 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

## CITY COUNCIL SPECIAL SESSION MINUTES

May 4, 2021

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual Special Session at 5:30 p.m. hosted in the City Council Chambers on the 4th day of May, 2021, 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 Bierman, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

**ABSENT:** None

Item 1, being:

**DISCUSSION REGARDING THE PROPOSED FYE 2022 CITY OF NORMAN CAPITAL BUDGET AND THE CAPITAL IMPROVEMENTS FINANCIAL PLAN FOR FYE 2023 THROUGH 2026.**

Mr. Jacob Huckabaa, Budget Technician, provided an overview of funds included in the Capital Budget and well as the sources of revenue for the Fund. He also highlighted expenses by purpose for all funds supporting capital projects. Mr. Anthony Francisco, Director of Finance, said tonight Council will be updated on funded projects and Council priorities. He said discussion on proposed new projects will take place February 16, 2021, with final review of the proposed FYE 2022 plan on May 4, 2021.

The CIP is to support services of municipal governments and projects are identified in Long Range Master Plans that are reviewed by citizens and adopted by Council (land use, transportation, parks, water, wastewater, greenways, stormwater, etc.). Priorities are set for short range and long range and short range needs go into a one-year adopted Capital Budget and long range needs go into a Five-Year CIP along with proposed schedules of implementation and available funding sources. The CIP and other budgets are adopted annually, but only the one-year budget allows appropriation of funds so emergencies and high priority unanticipated project needs can be added.

Mr. Francisco highlighted the significant projects underway in FYE 21:

- Transit/Parks/Emergency Vehicle Maintenance Facility - \$8.6 million;
- TMDL Compliance and Monitoring Plan Implementation, Year Five - \$300,000;
- Lake Thunderbird TMDL Data Analysis and Plan Update, Years One through Five - \$207,160;
- Engineering Design Criteria and Green Stormwater Infrastructure Review, Phase I - \$125,000;
- Fire Station 9 (finishing miscellaneous small items);
- Fire Administration Building Renovation – 85% complete;
- East Interstate Drive, Main Street to Robinson Street - \$915,412;
- 24th Avenue East Bond Project - \$14,938,870;
- Porter Avenue and Acres Street Intersection - \$3,675,000;
- Engineering Design Criteria Update and Green Stormwater Infrastructure Review, Phase II - \$150,000; and
- Comprehensive Plan Update.

Projects under construction in FYE 20/21 include:

- Municipal Complex Renovations - \$9,971,465;
- Legacy Trail Extension along 24th Avenue N.E. and 36th Avenue N.W. - \$980,500;
- 36th Avenue N.W. Utility Relocation - \$17,950,000;
- I-35 and Robinson Street West Side - \$5,300,000;
- Classen Boulevard Sidewalks - \$229,296;
- Flood Avenue Sidewalks, Gray Street to Acres Street - \$250,000;
- Porter Avenue Streetscape Utility Relocation - \$2,471,000; and
- Jenkins Avenue Bond Project Utility Relocation - \$9,600,000.

Item 1, continued

Mr. Francisco said CIP Sidewalks under construction include Cruce Street, Pickard Avenue to Flood Avenue; Berry Road, Boyd Street to Brooks Street; Main Street, North Side of Berry Road to Park Avenue; and Brooks Street, Jenkins Avenue to Classen Boulevard.

Mr. Francisco highlighted the FYE 2016-2021 Street Maintenance G.O. Bond Program totaling \$25 million.

Mr. Francisco said the 2012 Transportation/Stormwater Bond Program and their actual costs include Cedar Lane Road: 12th Avenue S.E. to one-half mile east of 24th Avenue S.E. - \$10,048,310; Lindsey Street: 24th Avenue S.W. to Berry Road - \$42,135,770; Franklin Road Bridge: one-half mile west of 12th Avenue N.W. - \$4,219,680; 12th Avenue S.E.: State Highway 9 to Cedar Lane Road - \$3,393,780; Main Street Bridge: one-half mile west of 36th Avenue S.W. - \$7,038,000; 24th Avenue East: Lindsey Street to Robinson Street - \$14,938,870; 36th Avenue N.W.: Tecumseh Road to Indian Hills Road – amount of be determined; Alameda Street: one-half mile east of 24th Avenue S.E. – amount to be determined. He said the total bond budget is \$89,502,700 with estimated actual costs to date of \$66,835,540.

The 2019 Transportation Bond Projects for FYE 2021-2022 consists of Porter Avenue and Acres Street Intersection Improvements - \$3,675,000; Porter Avenue Streetscape - \$5,280,074; James Garner Avenue, Phase Three: Acres Street to Duffy Street - \$4,853,440; Jenkins Avenue: Imhoff Road to Lindsey Street - \$9,601,000; and Constitution Street: Jenkins Avenue to Classen Boulevard - \$2,643,260.

In the City Vehicle Replacement Program, the City replaced 35 units in FYE 2017 - \$3,046,969; 27 units in FYE 2018 - \$2,383,036; 29 units in FYE 2019 - \$2,045,471; 36 units in FYE 20 - \$1,991,083; and 27 units in FYE 21 - \$2,150,365.

Upcoming Capital Project Fund recurring sidewalk projects in FYE 2022 includes Sidewalk Program for Schools and Arterials - \$80,000; Sidewalk Accessibility Projects - \$30,000; Citywide Sidewalk Projects (50/50 repairs) - \$50,000; Downtown Area Sidewalk Project - \$50,000; Sidewalks and Trails - \$120,000; and Horizontal Saw Cut Program - \$50,000 for total expenditures of \$370,000.

Recurring proposed CIP in FYE 2022 includes Capital Outlay - \$3,769,409; Street Maintenance - \$2,305,377; Maintenance of Existing Facilities - \$338,586; Stormwater Draining Maintenance - \$2,628,600; Personnel - \$1,413,8501; Oklahoma Department of Transportation (ODOT) Audit Adjustments - \$100,000; Americans with Disabilities Act (ADA) Sidewalk Compliance and Repair - \$300,000; Bridge Maintenance - \$500,000; Driveway Repairs - \$10,000; Street Striping - \$100,000; Traffic Calming - \$50,000; Community/Neighborhood Improvements - \$100,000; Building Maintenance Mechanical/Electrical - \$75,000; and Campus Corner sidewalks/street lights (estimate) \$200,000 for total expenditures of \$11,890,822.

Public Safety Sales Tax Fund Projects underway in FYE 2020-2021 includes Emergency Radio Communication – final acceptance and cleanup - \$12,055,986 (\$1,148,568 remaining in budget); Fire Apparatus Replacement, Year Four - \$800,000; and Emergency Operations Center (EOC) – design complete – Budget \$6,451,500 – full cost to “Build it Right” \$16 million – shortfall of \$9.55 million.

Mr. Francisco highlighted the remaining NORMAN FORWARD Projects to be completed. He said the Capital Fund will end with a negative fund balance so any projects Council chooses to add at this time will require removal of an existing project.

Councilmember Bierman asked if there is a list of completed projects that have balances and have not been closed. Mr. Francisco said staff provided a special list of project closeouts when Council was looking for funds for the Transit Facility and we could prepare that again.

Councilmember Bierman said she was concerned about the City paying for a stormwater project in the Vineyard Addition, but not providing help for projects in other neighborhoods.

Item 1, continued:

Councilmember Peacock asked about the status of the Two-Way Gray Street Project. Mr. Shawn O'Leary, Director of Public Works, said it is budgeted in the FYE 2022 Capital Budget.

Councilmember Foreman asked for an update on the City's fleet inventory.

\* \* \* \* \*

Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 §307(B)(4) TO DISCUSS PENDING LITIGATION IN THE CASE OF FRATERNAL ORDER OF POLICE, LODGE NO. 122, VS. CITY OF NORMAN, CASE NO. CJ-2020-661 AND SUPREME COURT CASE SC-119296.

Councilmember Holman moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss pending litigation in the case of Fraternal Order of Police, Lodge No. 122, vs. City of Norman, Case No. CJ-2020-661 and Supreme Court Case SC-119296, which motion was duly seconded by Councilmember Foreman; and the question being upon adjourning out of the Special Session and convening into an Executive Session in order to discuss pending litigation as described above, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Foreman,  
Hall, Holman, Nash, Peacock, Petrone,  
Mayor Clark

NAYES: None

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into in order to discuss pending litigation as stated above.

The City Council convened into Executive Session at 6:15 p.m. Mr. Darrel Pyle, City Manager; Mr. Kathryn Walker, City Attorney; and Mr. Rickey Knighton, Assistant City Attorney, were in attendance at the Executive Session.

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

YEAS: Councilmembers Bierman, Foreman,  
Hall, Holman, Nash, Peacock, Petrone,  
Mayor Clark

NAYES: None

The Mayor declared the motion carried and the Special Session was reconvened at 7:25 p.m.

The Mayor said pending litigation in the case of Fraternal Order of Police, Lodge No. 122, vs. City of Norman, Case No. CJ-2020-661 and Supreme Court Case SC-119296 was discussed in Executive Session. No action was taken and no votes were cast.

\* \* \* \* \*

ADJOURNMENT

The Mayor adjourned the meeting at 7:26 p.m.

\* \* \* \* \*

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor





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## MINUTES

*It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.*

### CALL TO ORDER

#### PRESENT

Mayor Breea Clark  
Councilmember Ward 1 Brandi Studley  
Councilmember Ward 2 Lauren Schueler  
Councilmember Ward 3 Kelly Lynn  
Councilmember Ward 4 Lee Hall  
Councilmember Ward 5 Rarchar Tortorello  
Councilmember Ward 6 Elizabeth Foreman  
Councilmember Ward 7 Stephen Holman  
Councilmember Ward 8 Matthew Peacock

### PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Clark

### AGENDA ITEMS

1. PRESENTATION BY BOB THOMPSON, CHAIRMAN OF THE CHARTER REVIEW COMMISSION, OF THE CHARTER REVIEW COMMISSION'S RECOMMENDATIONS FOR PROPOSED CHARTER AMENDMENTS FOLLOWING THEIR REVIEW OF THE NORMAN CITY CHARTER AS DIRECTED IN RESOLUTION R-1819-66.

Items submitted for the record

1. City of Norman Charter Review Commission Final Report
2. Charter Review Commission minutes of July 8, 2019
3. Charter Review Commission minutes of August 12, 2019
4. Charter Review Commission minutes of September 9, 2019
5. Charter Review Commission minutes of October 14, 2019
6. Charter Review Commission minutes of November 4, 2019

Item 1, continued

- 7. Charter Review Commission minutes of December 2, 2019
- 8. Charter Review Commission Public Hearing minutes of January 6, 2020
- 9. Charter Review Commission minutes of January 13, 2020
- 10. Charter Review Commission minutes of February 10, 2020
- 11. Charter Review Commission minutes of March 9, 2020
- 12. Charter Review Commission minutes of August 10, 2020
- 13. Charter Review Commission minutes of September 14, 2020
- 14. Charter Review Commission Public Hearing minutes of October 12, 2020
- 15. Charter Review Commission minutes of November 12, 2020
- 16. Charter Review Commission minutes of April 19, 2021
- 17. Charter Review Commission minutes of May 17, 2021
- 18. Charter Review Commission minutes of June 14, 2021

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney
- 2. Mr. Bob Thompson, Chairman of Charter Commission

\* \* \* \* \*

- 2. REVIEW OF ARTICLE VII, SECTION 2, TO CONSIDER WHETHER THE CITY ATTORNEY SHOULD BE APPOINTED AND SUBJECT TO REMOVAL BY THE CITY COUNCIL. CRC vote 8-3.

The proposal was approved to move forward to a ballot.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn, Councilmember Ward 5 Tortorello

Items submitted for the record

- 1. Article VII, Section 2 - Appointment and Removal of City Attorney by City Council
- 2. Pertinent excerpts from Charter Review Commission minutes of September 9 and October 14, 2019

\* \* \* \* \*

- 3. REVIEW OF ARTICLE II, SECTION 1 TO CONSIDER INCREASING THE MONTHLY STIPEND PROVIDED FOR THE MAYOR AND COUNCILMEMBERS.

Language recommended that would provide an initial increase in annual stipend and provide for a Compensation Commission that would determine additional increases every three years. CRC vote unanimous.

The proposal was approved to move forward to a ballot.

Item 3, continued

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items submitted for the record

- 1. Article VII, Section 1 - Stipend increase for Mayor and City Council
- 2. Pertinent excerpts from Charter Review Commission minutes of August 12, September 9 and October 14, 2019

Participants in discussion

- 1. Mr. Dan Munson, Ward 6, made comments
- 2. Ms. Kathryn Walker, City Attorney

\* \* \* \* \*

- 4. REVIEW OF ARTICLE II, SECTIONS 2, 5, 6 AND 14 TO CONSIDER WHETHER THE TERM OF OFFICE FOR COUNCILMEMBERS SHOULD BE CHANGED FROM TWO TO THREE YEARS, AND WHETHER THE TERM OF OFFICE FOR MAYOR BE CHANGED FROM THREE TO FOUR YEARS.

Language recommended to provide for three year terms for all ward representatives. No changes to the term of office for the Mayor recommended by the Charter Review Commission. CRC vote unanimous

The proposal was approved to move forward to a ballot.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items submitted for the record

- 1. Article II, Sections 2, 5, 6, 14 - Mayor and Councilmember's Term Expiration.
- 2. Pertinent excerpts from Charter Review Commission minutes of August 12, and November 4, 2019, and June 14, 2021

Participants in discussion

- 1. Mr. Dan Munson, Ward 6, made comments

\* \* \* \* \*

- 5. REVIEW OF ARTICLE II, SECTION 2, TO CONSIDER WHETHER THE TERM OF OFFICE FOR COUNCILMEMBERS AND MAYOR SHOULD EXPIRE ON THE LAST TUESDAY OF THE MONTH IN WHICH A RUNOFF ELECTION IS HELD OR SCHEDULED TO BE HELD.

Language recommended to change the beginning and end date of terms such that a new term would begin (and the prior term end) on the first Tuesday following certification of the election results for the new term. CRC vote unanimous

The proposal was rejected as written and held back for further review by Council.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Councilmember Ward 3 Lynn

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

- 1. Article II, Sections 2, 5, 6, 14 - Mayor and Councilmember's Term Expiration
- 2. Pertinent excerpts from Charter Review Commission minutes of August 12 and November 4, 2019

Participants in discussion

- 1. Ms. Cynthia Rogers, Ward 4, asked questions
- 2. Ms. Kathryn Walker, City Attorney

\* \* \* \* \*

- 6. REVIEW OF ARTICLE II, SECTION 22 TO CONSIDER ALLOWING THE OUTGOING COUNCILMEMBER CREATING THE VACANCY TO APPOINT HIS OR HER SUCCESSOR, UNLESS SUCH VACANCY HAS BEEN CREATED DUE TO REMOVAL FROM OFFICE AS A RESULT OF PROCEEDINGS BY A COURT OF COMPETENT JURISDICTION, OR WHETHER TO DELETE LANGUAGE ALLOWING COUNCIL TO APPOINT A SUCCESSOR AND INSTEAD REQUIRE A SPECIAL ELECTION TO BE CALLED FOR THE PURPOSE OF FILLING SUCH VACANCY.

Language recommended to clarify that Council can either appoint someone to fill the vacancy or call a special election. Language also recommended to eliminate confusion about appointments being for the remainder of the term. CRC vote unanimous

The proposal was rejected as written and held back for further review by Council.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

## Item 6, continued

## Items submitted for the record

1. Article II, Section 22 - Filling Vacant Council Positions.
2. Pertinent excerpts from Charter Review Commission minutes of August 12 and September 9, 2019

## Participants in discussion

1. Ms. Cynthia Rogers, Ward 4, proponent
2. Mr. Dan Munson, Ward 6, made comments
3. Ms. Kathryn Walker, City Attorney
4. Mr. Bob Thompson, Charter Review Commission Chairman

\* \* \* \* \*

7. ARTICLE XVI, SECTION 2 OF THE CHARTER TO REQUIRE THE CITY COUNCIL TO CONSIDER A RESOLUTION CALLING FOR A VOTE OF THE ELECTORATE TO INCREASE CITY UTILITY RATES UNDER CERTAIN CONDITIONS.

Language recommended to require Staff to prepare a rate study for each utility annually and requiring Council to submit a rate increase for one or more utilities at the next Council election, and making provision for situations where an additional rate increase may be needed to meet an unexpected need. CRC vote unanimous

The proposal was rejected as written and held back for further review by Council.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Councilmember Ward 5 Tortorello

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

## Items submitted for the record

1. Article XVI - Municipally Owned Utilities
2. Pertinent excerpts from Charter Review Commission minutes of August 10 and September 14, 2020

## Participants in discussion

1. Ms. Kathryn Walker, City Attorney

\* \* \* \* \*

8. ARTICLE VI, SECTION 1 OF THE CHARTER TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD OF NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN MEMBERS.

Language recommended to increase the number of board members from 9 to 11, provided that at least 9 of the members are Norman residents. CRC vote unanimous

The proposal was approved to move forward to a ballot.

Item 8, continued

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 6 Foreman

Items submitted for the record

- 1. Article IX - Hospital
- 2. Pertinent excerpts from Charter Review Commission minutes of March 9 and August 10, 2020

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney
- 2. Mr. Doug Cubberley, Chairman of Norman Regional Hospital Authority

\* \* \* \* \*

9. ARTICLE XIII, RECALL OF ELECTIVE OFFICERS TO CONSIDER WHETHER THE LANGUAGE SHOULD BE MODIFIED.

The Charter Review Commission recommended changes to Article XIII to address potential timing conflicts with existing elections, ensuring the Clerk has adequate time to review signed petitions, and incorporating state law where appropriate in light of *In re: Petition to Recall Ward Three City Comm'r Ezzell*, 2021 OK 5. CRC vote unanimous

The proposal was rejected as written and held back for further review by Council.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Councilmember Ward 2 Schueler, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 6 Foreman

Items submitted for the record

- 1. Article XIII - Recall of Elected Officers to consider whether the language should be modified.
- 2. Pertinent excerpts from Charter Review Commission minutes of April 19 and May 1, 2021

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney
- 2. Ms. Brenda Hall, City Clerk

\* \* \* \* \*

10. ARTICLE II, SECTION 2 OF THE CHARTER TO REQUIRE A CANDIDATE FOR CITY COUNCIL TO RESIDE IN THE WARD IN WHICH HE OR SHE SEEKS ELECTION FOR A MINIMUM OF SIX MONTHS PRIOR TO FILING FOR SAID OFFICE.

Language recommended to require residency within the ward for 6 months prior to filing for elective office with provisions made for cases where ward boundaries have changed. CRC vote unanimous

The proposal was approved to move forward to a ballot.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items submitted for the record

- 1. Article II, Section 2 - Requiring a person to reside in a ward for a minimum of six month in order to be an eligible candidate for a Councilmember position.
- 2. Pertinent excerpts from Charter Review Commission minutes of August 12 and September 9, 2019

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney

\* \* \* \* \*

11. RESOLUTION AS FOR REVIEW TO CONSIDER ADDING LANGUAGE TO THE CHARTER TO REQUIRE A VOTE OF THE ELECTORATE FOR APPROVAL OF A TAX INCREMENT FINANCE DISTRICT OVER \$5,000,000.

The motion voted on was to recommend the electorate vote on all Sales Tax Increment Finance Districts. CRC vote 5-5

The proposal was rejected as written and held back for further review by Council.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Councilmember Ward 6 Foreman

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 11, continued

Items submitted for the record

1. Voter approval required for Tax Increment Finance Districts over \$5,000,000
2. Tax Increment Finance District Approval Comparative Table
3. Voter approval required for Tax Increment Finance Districts over \$5,000,000 dated January 13, 2020
4. Pertinent excerpts from Charter Review Commission minutes of December 2, 2019, and January 13, 2020

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Ms. Cynthia Rogers, Ward 4, made comments

\* \* \* \* \*

**ADJOURNMENT**

The meeting was adjourned at 8:01 p.m.





# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Tuesday, August 10, 2021 at 6:30 PM

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## MINUTES

### City Council, Norman Utilities Authority, Norman Municipal Authority, And Norman Tax Increment Finance Authority

*It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.*

### CALL TO ORDER

The meeting was called to order at 6:30 p.m.

### ROLL CALL

#### PRESENT

- Mayor Breea Clark
- Councilmember Ward 1 Brandi Studley
- Councilmember Ward 2 Lauren Schueler
- Councilmember Ward 3 Kelly Lynn
- Councilmember Ward 4 Lee Hall
- Councilmember Ward 5 Rarchar Tortorello
- Councilmember Ward 6 Elizabeth Foreman
- Councilmember Ward 7 Stephen Holman
- Councilmember Ward 8 Matthew Peacock

### PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Clark.

## COUNCIL ANNOUNCEMENTS

Imhoff Road Bridge. Councilmember Schueler said she knows a lot of people are concerned about the damage to Imhoff Road Bridge. She said the City was already under contract for maintenance of this bridge when the bridge issues were discovered. She said repairs began today and the City is months ahead of where we could have been. She said she knows it is an inconvenience but the problems should be repaired soon.

\*

Move In at OU. Councilmember Schueler said move in at the University of Oklahoma (OU) is taking place right now. She said this is quite a change since students have not been here during the pandemic. She said the next two weeks, students will be moving in and classes start on August 23rd. She asked for grace during this transition because there will be more traffic, more people at restaurants, etc.

Councilmember Holman said most of the OU campus is in Ward 7 and he lives in the South Greek area, so his neighborhood is full of cars now and there are many pedestrians. He said everyone needs to be aware of this because these areas are also high traffic areas.

\*

Military Duty. Councilmember Lynn said he will be gone from August 23rd through September 4th and will be unavailable due to military duty.

\*

City Council Oversight Committee Meeting. Councilmember Hall announced that the City Council Oversight Committee will be meeting Thursday, August 12th, at 4:00 p.m. to continue the review of Boards and Commissions. She said this began in October of 2019, continued on March 12, 2020, and most recently on April 8, 2021. She said the discussion will continue.

\*

Town Hall Meeting for Ward 5. Councilmember Tortorello announced that the next Ward 5 Town Hall Meeting will be Saturday, August 28th, at Little Axe Community Center at 10:00 a.m. He said they will be discussing a well water issue and County Commissioner Darry Stacy will be describing some projects that the City and County are working on together.

\*

Thanks to County Commissioners. Councilmember Tortorello thanked the County Commissioners for the work they have done in Norman and commended Darry Stacy, County Commissioner for work done in Ward 5.

\*

**Council Announcements, continued:**

Street Projects. Councilmember Foreman said she learned that our City street projects can be viewed at [www.normanstreets.com](http://www.normanstreets.com) and urged citizens to look at the projects and leave feedback for our City staff.

\*

Neighborhood Meeting for Ward 7. Councilmember Holman announced that he is hosting a Neighborhood Meeting on Sunday, 4:00 p.m. at Cobblestone Creek. He said there has been a suggestion that the group meet at the location on Sawgrass Drive where some modifications will be done.

\*

City Council CPT Meeting. Councilmember Holman said the next City Council Community Planning and Transportation Meeting will be Thursday, August 26th, at 4:00 p.m. He said they will receive an update on public transit and transportation bonds.

\*

City Council BACA Meeting. Councilmember Peacock encouraged everyone that was not able to watch the City Council Business and Community Affairs (BACA) Meeting on YouTube, to go back and watch it online. He said there has been a robust discussion about how the City could address some of the vacant store fronts downtown.

\*

City Council Finance Committee Meeting. Mayor Clark said she chairs the City Council Finance Committee meetings which is Thursday, August 19th, at 4:00 p.m. She said she will be out of town that day and Councilmember Foreman would be chairing the meeting. She said the discussion will be the Hotel/Motel Tax and changes that are being made.

\*

Second Friday Art Walk. Mayor Clark said Friday, August 13th is the Second Friday Art Walk. She said it will be fun so please go.

\*

Norman Public Schools. Mayor Clark said Norman Public Schools will start on Thursday, August 19th so please watch out for little ones walking and biking to school. She asked everyone to be cognizant of the school crossings.

\*

Summer Breeze. Mayor Clark said Summer Breeze will be Sunday, August 22nd, at Lion's Park. She said it might be the last one this summer.

\*

**Council Announcements, continued:**

Vaccinations. Mayor Clark urged everyone to get vaccinated.

\* \* \* \* \*

**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 1 through Item 16 be placed on the consent docket.

Item 1 through Item 16 were placed on the Consent Docket.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Consent Docket was Approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

\* \* \* \* \*

**APPROVAL OF MINUTES**

- 1. CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 17, 2020
- CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 22, 2021
- CITY COUNCIL MINUTES OF JULY 27, 2021
- NORMAN UTILITIES AUTHORITY MINUTES OF JULY 27, 2021
- NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 27, 2021
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 27, 2021

The Minutes were approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 1, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Special Session minutes of November 17, 2020
2. City Council Special Session minutes of June 22, 2021
3. City Council minutes of July 27, 2021
4. Norman Utilities Authority minutes of July 27, 2021
5. Norman Municipal Authority minutes of July 27, 2021
6. Norman Tax Increment Finance Authority minutes of July 27, 2021

\* \* \* \* \*

**First Reading Ordinance**

2. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-2 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 GRANT SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT THREE (3), IN BLOCK ONE (1), OF PRAIRIE CREEK ADDITION, SECTION 5, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD 2331 36TH AVENUE N.W.)

The Ordinance was adopted upon First Reading by Title.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Brenda Hall, City Clerk
2. City Council Special Session minutes of June 22, 2021
3. City Council Special Session minutes of November 7, 2020
4. City Council minutes of July 27, 2021
5. Norman Utilities Authority minutes of July 27, 2021
6. Norman Municipal Authority minutes of July 27, 2021
7. Norman Tax Increment Finance Authority minutes of July 27, 2021

\* \* \* \* \*

**Appointments**

3. CONSIDERATION OF CONFIRMATION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

ADA CITIZENS ADVISORY COMMITTEE

TERM: 08-10-21 TO 05-28-23: MARY PHARISS, WARD 1  
TERM: 08-10-21 TO 05-28-23: MADISON PIERCE, WARD 2

BOARD OF ADJUSTMENT

TERM: 08-10-21 TO 12-22-21: PATRICK SCHRANK, WARD 6  
TERM: 08-10-21 TO 12-22-22: JAMES HOWARD, WARD 3

GREENBELT COMMISSION

TERM: 08-10-21 TO 07-13-22: BRYAN BLOOM, WARD 4  
TERM: 07-13-21 TO 07-13-24: GEORGE DOTSON, WARD 5  
TERM: 07-13-21 TO 07-13-24 RACHEL SWANSON, WARD 8

BOARD OF PARKS COMMISSIONERS

TERM: 08-10-21 TO 01-01-23: BILLY DAVISON, WARD 5

PUBLIC ART BOARD

TERM: 06-30-21 TO 06-30-24: AMY JOHNSON, WARD 4

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 08-10-21 TO 02-10-22: KYLE HURLEY, AT-LARGE

The appointments were confirmed.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Brenda Hall, City Clerk

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**Reports/Communications**

4. SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Receipt of the Report was Acknowledged.

Item 4, continued:

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. Memorandum dated June 15, 2021, from Chris Mattingly, P.E., Director of Utilities, to Darrel Pyle, City Manager
2. Change Order No. One to Contract K-1920-1

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### **Acceptance of Funds**

5. CONSIDERATION OF SUBMISSION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A NOTICE OF INTENT TO APPLY FOR EMERGENCY SOLUTIONS GRANT CORONA RELIEF 2 FUNDING IN THE AMOUNT OF \$400,000 FROM THE OKLAHOMA DEPARTMENT OF COMMERCE FOR THE OPERATION OF THE CITY OF NORMAN EMERGENCY SHELTER.

The Application will be Submitted.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Lisa Krieg, CDBG Grants Manager

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6. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONSENT TO ENCROACH EN-2021-11: FOR LOT 3, BLOCK 1, SMOKING OAK 2 ADDITION, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. (1715 SMOKING OAK DRIVE)

The Encroachment was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Beth Muckala, Assistant City Attorney
2. Consent to Encroachment EN-2021-11
3. Memorandum dated June 30, 2021, from Brenda Hall, City Clerk, to Kathryn Walker, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Chris Mattingly, Director of Utilities; and Jane Hudson, Director of Planning and Community Development
4. Email of request dated June 17, 2021, from Mark Krittenbrink, AIA, President, Principal Architect, to Brenda Hall, City Clerk
5. Hudgins Residence Addition/Remodel
6. Location map for encroachment
7. Memorandum dated July 27, 2021, from Jane Hudson, Director of Planning and Community Development to Brenda Hall, City Clerk
8. Memorandum dated July 23, 2021, from Ken Danner, Subdivision Development Manager, to Beth Muckala, Assistant City Attorney
9. Letter of No Objection dated July 6, 2021, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas & Electric Company, to Ken Danner, Public Works Department
10. Letter of No Objection dated July 2, 2021, from Matthew Sonnier, Land Use and Compliance Agent, Cox Communications, Inc., to Ken Danner
11. Email of No Objection dated July 2, 2021, from Wesley White, Manager of Field Design, Oklahoma Electric Cooperative, to Ken Danner
12. Memorandum dated July 6, 2021, from Rachel Croft, Staff Engineer, to Brenda Hall, City Clerk, with attached Map of Water and Sewer Infrastructure and Proposed Encroachment and As-Built for Smoking Oaks No. 2 Addition, Water and Sewer

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**Certificate of Plat Correction**

- 7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-1718-2 FOR BYRD ACRES, A VARIANCE IN THE PRIVATE ROAD REQUIREMENTS FOR TRACTS ONE AND TWO FROM 20-FEET TO 12-FEET, AND EASEMENTS E-2122-5, E-2122-6, AND E-2122-14. (LOCATED NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 48TH AVENUE S.E.)

Norman Rural Certificate of Survey for Byrd Acres was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Norman Rural Certificate of Survey COS-1718-2
- 4. Easement E-2122-5
- 5. Easement E-2122-6
- 6. Easement E-2122-14
- 7. Letter Requesting Waiver dated February 22, 2018, from Kent Mace, P.E., P.L.S., MacBax & Associates, to City of Norman Planning Commission and City of Norman Staff Members
- 8. Greenbelt Comments dated February 19, 2018
- 9. Planning Commission Staff Report dated March 8, 2018
- 10. Pertinent excerpts from Planning Commission minutes of March 8, 2018

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- 8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2021-15 FOR JOHN DALTON RIDGE AND EASEMENTS E-2122-10, E-2122-11 AND E-2021-12. (LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF POST OAK ROAD AND 60TH AVENUE S.E.)

Norman Rural Certificate of Survey for John Dalton Ridge was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 8, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Ken Danner, Subdivision Development Manager
2. Location map
3. Norman Rural Certificate of Survey COS-2021-15
4. Easement E-2122-10
5. Easement E-2122-11
6. Easement E-2122-12
7. Greenbelt Comments
8. Planning Commission Staff Report dated June 10, 2021
9. Pertinent excerpts from Planning Commission minutes of June 10, 2021

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9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2021-16 FOR IMHOFF ACRES WITH A VARIANCE IN THE MINIMUM ACREAGE REQUIREMENT FOR TRACT 1 AND 2 FROM 10 ACRES TO 9.752 ACRES AND EASEMENT E-2122-7.

Norman Rural Certificate of Survey for Imhoff Acres was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Ken Danner, Subdivision Development Manager
2. Location map
3. Norman Rural Certificate of Survey COS-2021-16
4. Easement E-2122-7
5. Letter Requesting Waiver dated May 12, 2021, from Kent Mace, P.E., P.L.S., MacBax & Associates, to City of Norman Planning Commission and City of Norman Staff Members
6. Greenbelt Comments
7. Planning Commission Staff Report dated June 10, 2021
8. Pertinent excerpts from Planning Commission minutes of June 10, 2021

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10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2122-1 FOR COTTONWOOD FLATS WITH A VARIANCE IN THE PRIVATE ROAD WIDTH FROM 20 FEET TO 12 FEET SERVING TWO TRACTS; VARIANCE IN THE MINIMUM ACREAGE REQUIREMENT FOR TRACT 1 FROM 10 ACRES TO 9.963 ACRES AND TRACT 2 FROM 10 ACRES TO 9.968 ACRES; AND A VARIANCE IN THE FRONT BUILDING SETBACK WIDTH FOR TRACT 1 FROM 330 FEET TO 328.15 FEET AND EASEMENTS E-2122-8 AND E-2122-9. (GENERALLY LOCATED ONE-HALF MILE WEST OF 24TH AVENUE N.E. ON THE NORTH SIDE OF TECUMSEH ROAD)

Norman Rural Certificate of Survey for Cottonwood Flats was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Norman Rural Certificate of Survey COS-2122-1
- 4. Easement E-2122-8
- 5. Easement E-2122-9
- 6. Letter Requesting Waiver dated May 27, 2021, from Timothy G. Pollard, PLS, Pollard & Whited Surveying, Inc., to City of Norman Planning Commission and City of Norman Staff Members
- 7. Planning Commission Staff Report dated July 8, 2021
- 8. Greenbelt Comments
- 9. Pertinent excerpts from Planning Commission minutes of July 8, 2021

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**Contracts**

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. ONE TO CONTRACT K-1920-111: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SHAZ INVESTMENT GROUP, LLC AUTHORIZING COLLECTION OF A MONTHLY LIFT STATION FEE FROM DEVELOPED LOTS IN THE TURTLE CROSSING DEVELOPMENT FOR THE OPERATION, MAINTENANCE AND REPLACEMENT OF THE SUMMIT VALLEY LIFT STATION.

Acting as the Norman Utilities Authority, Amendment No. One to Contract K-1920-111 was approved.

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 7 Holman.

Voting Yea: Chairman Clark, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Nathan Madenwald, Utilities Engineer
- 2. Amendment No. One to Contract K-1920-111 with Exhibit A, Lift Station, Operation, Maintenance, and Replacement Cost Estimate, Summit Valley, Bellatona, East Ridge, Stone Lake, Sienna Springs, Terra Verde, Turtle Crossing, and Varena Landing, and Exhibit B, location map

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- 12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. 7 CONTRACT K-1415-34: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., EXTENDING ENGINEERING, MAINTENANCE, REPAIR, INSTALLATION AND REPORTING SERVICES ASSOCIATED WITH PERMANENT WASTEWATER FLOW METERING EQUIPMENT AT EIGHTEEN (18) LOCATIONS THROUGHOUT NORMAN THROUGH AUGUST 31, 2022.

Acting as the Norman Utilities Authority, Amendment No. Seven to Contract K-1415-34 was approved.

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 7 Holman.

Voting Yea: Chairman Clark, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Nathan Madenwald, Utilities Engineer
- 2. Amendment No. Seven to Contract K-1415-34 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation

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13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-41: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND W.E.B. CONSTRUCTION, INC., FOR THE 36TH AVENUE N.W. PHASE 1 WATER LINE RELOCATION PROJECT LOCATED BETWEEN TECUMSEH ROAD AND FRANKLIN ROAD, FINAL ACCEPTANCE OF THE PROJECT AND FINAL PAYMENT IN THE AMOUNT OF \$16,494.09.

Change Order No. One to Contract K-2021-41 and Final Acceptance were approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Paul D’Andrea, Capital Projects Engineer
- 2. Change Order No. One to Contract K-2021-41
- 3. Project location map

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14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2122-35: A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN REGIONAL HOSPITAL AUTHORITY FOR THE DEVELOPMENT OF THE PORTER HEALTH VILLAGE AND CONVEYANCE OF PROPERTY.

Contract K-2122-35 was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Kathryn Walker, City Attorney
- 2. Contract K-2122-35 with Exhibit A, Preliminary Site Plan, and Exhibit B, Existing Ownership

Item 14, continued:

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Mr. Darrel Pyle, City Manager
3. Mr. Fred Pope, Ward 5, made comments

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**Resolutions**

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN MUNICIPAL AUTHORITY TRANSFERRING \$3,265,232 FROM THE JAMES GARNER PHASE 1 PROJECT TO BE USED FOR THE JAMES GARNER PHASE II PROJECT.

Acting as the Norman Municipal Authority, Resolution R-2122-25 was adopted.

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 7 Holman.

Voting Yea: Chairman Clark, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Paul D'Andrea, Capital Projects Engineer
2. Project location map
2. Resolution R-2122-2

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16. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-26: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN ACCEPTING THE AWARD OF \$679,700 THROUGH THE FEDERAL TRANSIT ADMINISTRATION'S FISCAL YEAR 2021 LOW- OR NO-EMISSION VEHICLE PROGRAM AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT, EXECUTE, AND FILE AN APPLICATION ON BEHALF OF THE CITY OF NORMAN WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO FORMALLY PROGRAM THE PROJECT AWARD.

Resolution R-2122-26 was adopted.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 16, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Taylor Johnson, Public Transit Program Manager
- 2. Resolution R-2122-26

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**Authorization for Purchase**

17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AN AUTHORIZATION TO PURCHASE ONE (1) 35-FOOT ELECTRIC TRANSIT BUS FROM GILLIG IN THE AMOUNT OF \$914,242 UTILIZING THE COMMONWEALTH OF VIRGINIA CONTRACT NUMBER E194-81688 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

The Purchase of One 35-foot Electric Transit Bus was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items Submitted for the Record

- 1. City Council Staff Report dated August 10, 2021, from Taylor Johnson, Public Transit Program Manager
- 2. Quote Letter dated July 27, 2021, in the amount of \$914,242 from Joe Saldana, Regional Sales Manager, Gillig, L.L.C.,
- 3. Commonwealth of Virginia Contract Number E194-81688 from Joseph Policarpio, Vice-President, Gillig, L.L.C., and Dennis M. Donahue, Contract Manager, Commonwealth of Virginia Division of Purchases and Supply
- 4. Photograph of Electric Bus

Participants in discussion

- 1. Mr. Taylor Johnson, Public Transit Program Manager
- 2. Mr. Fred Pope, Ward 5, made comments

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**NON-CONSENT ITEMS**

18. PUBLIC HEARING REGARDING ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$26,226 TO THE CITY OF NORMAN AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$23,603 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR PURCHASING A FARO 3D CRIMES SCENE SCANNER, APPROVAL OF CONTRACT K-2122-30, AND BUDGET APPROPRIATION FROM THE GRANT REVENUE ACCOUNT AS OUTLINED IN THE STAFF REPORT.

The Public Hearing was conducted.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Kevin Foster, Chief of Police
2. 2020 Oklahoma JAG Allocations
3. Letter dated September 18, 2020, from Katharine T. Sullivan, Principal Deputy Assistant Attorney, Office of Justice Programs, Department of Justice, to the Honorable Breea Clark, City of Norman
4. Letter dated September 18, 2020, from Michael L. Alston, Director, Office of Justice Programs and Office of Civil Rights, Department of Justice, to the Honorable Breea Clark, City of Norman
5. Contract K-2122-30, Grant Agreement
6. Quotation No. 20410406 dated June 29, 2021, in the amount of \$23,718.98 from Faro Technologies, Inc.
7. Interlocal Agreement between the City of Norman and Cleveland County, 2020 Justice Assistance Grant (JAG) Program Award dated October 5, 2020
8. Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Fiscal Year 2020 Local Formula Solicitation

Participants in discussion

1. Mr. Kevin Foster, Chief of Police
2. Mr. Dan Munson, Ward 6

The Public Hearing was closed.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.



Item 18, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2122-30 was approved.

Motion made by Councilmember Ward 6 Holman, Seconded by Councilmember Ward 4 Foreman

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

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19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A PRELIMINARY PLAT FOR THE UPLANDS ADDITION. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF 36TH AVENUE N.W. AND WEST INDIAN HILLS ROAD)

The Preliminary Plat for the Uplands Addition was approved.

Motion made by Councilmember Ward 4 Hall, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. City Council Staff Report dated August 10, 2021, from Ken Danner, Subdivision Development Manager
2. Location map
3. Preliminary Plat
4. Oil Well Site Plan
5. Preliminary Site Plan
6. Planning Commission Staff Report dated July 8, 2021
7. City of Norman Development Review Form, Transportation Impacts, dated June 14, 2021, reviewed by David R. Riesland, P.E., City Transportation Engineer
8. City of Norman Predevelopment Summary PD21-17 dated June 24, 2021, from Uplands Development, L.L.C., for property located at the northwest corner of Indian Hills Road and 36th Avenue N.W.
9. Greenbelt Comments

Item 19, continued:

Participants in discussion

1. Mr. Chris Anderson, SMC Consulting Engineers, PC, 815 West Main Street, Oklahoma City, engineer representing the applicant

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20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2021-115: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTH HALF OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, AND PART OF THE SOUTHEAST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE FUTURE URBAN SERVICE AREA DESIGNATION AND PLACE THE SAME IN THE CURRENT URBAN SERVICE AREA DESIGNATION. (1/2 MILE SOUTH OF CEDAR LANE ROAD ON THE EAST SIDE OF JENKINS AVENUE AND EXTENDING SOUTHEAST TO 12TH AVENUE S.E.)

Motion to adopt by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Items Submitted for the Record

1. Staff Report dated July 13, 2021, from Lora Hoggatt, Planning Services Manager
2. Planning Commission Staff Report dated May 13, 2021
3. Resolution R-2021-115
4. Location map
5. City of Norman Predevelopment Summary PD21-14 dated April 22, 2021, for Shaz Investments, L.L.C., for property located west of 12th Avenue S.E. approximately 3/4-mile south of Cedar Lane Road
6. Pertinent excerpts from Planning Commission minutes of May 13, 2021

Participants in discussion

1. Mr. Sean Rieger, The Rieger Law Group, 136 Thompson Drive, attorney representing the applicant
2. Ms. Carrie Evenson, Stormwater Program Manager
3. Mr. Scott Sturtz, City Engineer
4. Mr. Darrel Pyle, City Manager
5. Ms. Kathryn Walker, City Attorney
6. Mr. Kendall Dillon, Crafton Tull, 300 Pointe Parkway Boulevard, Yukon, engineer representing the applicant
7. Mr. Shawn O'Leary, Director of Public Works

Item 20, continued:

Motion to postpone until September 14, 2021 was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Participants in discussion

1. Mr. Alex Hatton Ward 7, proponent
2. Mr. Derek Rosendahl, Ward 7, proponent
3. Mr. David Burget, Ward 4, proponent
4. Mr. Darrel Pyle, City Manager

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21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-44 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), IN CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND SO AS TO REMOVE A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), IN CLEVELAND COUNTY, OKLAHOMA, FROM THE A-1, GENERAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF CEDAR LANE ROAD ON THE EAST SIDE OF JENKINS AVENUE AND EXTENDING SOUTHEAST TO 12TH AVENUE S.E.)

Motion to postpone until September 14, 2021 was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 21, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items Submitted for the Record

1. Staff Report dated July 13, 2021, from Lora Hoggatt, Planning Services Manager
2. Planning Commission Staff Report dated May 13, 2021
3. Ordinance O-2021-44
4. Location map
5. Protest Map dated June 28, 2021, containing 56.4% Protest Within Notification Area
6. Letter of protest filed June 14, 2021, from William L. Baskett to City of Norman City Council
7. Letter of protest filed June 14, 2021, from Walter E. Vanderburg to City of Norman City Clerk
8. Protest Map dated May 12, 2021, containing 40.4% protest
9. Letter of protest filed April 23, 2021, from Douglas E. and Linda M. McClure to City of Norman Planning Commission with site plan
10. Objection and Protest to the Request for Amendment and Rezoning and Letter of protest filed May 10, 2021, from Alexander Hatton
11. Letter of protest filed May 10, 2021, from Michael and Tamara Eilts to City Norman Planning Commission
12. Letter of protest filed May 10, 2021, from David E. Burget, Hartzog Conger Cason, on behalf of Kevin John Potts, to Norman Planning Commission with attached photographs (16) of debris
13. Letter of protest filed May 10, 2021, from Allyson L. Wilson to Norman Planning Commission
14. Letter of protest filed May 10, 2021, from Sandra Potts and Allyson Wilson to Norman Planning Commission with attached Statutory Power of Attorney
15. Letter of protest filed May 10, 2021, from Kevin J. Potts to City of Norman Planning Commission with attached photographs (2) of debris and Memorandums of Trust, the John D. Potts Living Trust, dated July 18, 2016, and December 11, 2013
16. Letter of protest filed May 10, 2021, from Sonja A. Potts to City of Norman Planning Commission with attached photographs (3) of debris and Memorandum of Trust dated December 11, 2013
17. Pertinent excerpts from Planning Commission minutes of May 13, 2021

\* \* \* \* \*

22. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A PRELIMINARY PLAT FOR EAGLE CLIFF WEST ADDITION FOR APPROXIMATELY 41.46 ACRES OF PROPERTY GENERALLY LOCATED 1/2 MILE SOUTH OF CEDAR LANE ROAD BETWEEN JENKINS AVENUE AND 12TH AVENUE S.E.

Motion to postpone until September 14, 2021 was approved.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items Submitted for the Record

- 1. Staff Report dated July 13, 2021, from Lora Hoggatt, Planning Services Manager
- 2. Planning Commission Staff Report dated May 13, 2021
- 3. Location map
- 4. Revised/Amended Preliminary Plat for Eagle Cliff West Addition
- 5. Original Preliminary plat
- 6. Letter requesting Variance dated April 27, 2021, from Kendall Dillon, Senior Vice-President, Crafton Tull, to Ken Danner
- 7. City of Norman Development Review Form for Transportation Impacts dated April 20, 2021, reviewed by David R. Riesland, P.E., City Transportation Engineer
- 8. City of Norman Predevelopment Summary PD21-14 dated April 22, 2021, for Shaz Investments, L.L.C., for property located west of 12th Avenue S.E. approximately 3/4-mile south of Cedar Lane Road
- 9. Pertinent excerpts from Planning Commission minutes of May 13, 2021

\* \* \* \* \*

23. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-17 A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SHAZ INVESTMENT GROUP, LLC AUTHORIZING COLLECTION OF A MONTHLY LIFT STATION FEE FROM DEVELOPED LOTS IN THE EAGLE CLIFF WEST DEVELOPMENT FOR THE OPERATION, MAINTENANCE AND REPLACEMENT OF THE EAGLE CLIFF LIFT STATION.

Acting as the Norman Utilities Authority, Contract K-2122-17 was postponed until September 14, 2021.

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 6 Foreman.

Item 23, continued:

Voting Yea: Chairman Clark, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Voting Nay: Trustee Ward 3 Lynn

Items Submitted for the Record

1. Staff Report dated August 10, 2021, from Nathan Madenwald, Utilities Engineer
2. Contract K-2122-17 with Exhibit A, Lift Station, Operation, Maintenance, and Replacement Cost Estimate, Eagle Cliff West, Eagle Cliff South, Section 2 through 7, and Cobblestone West, Section 2, Eagle Cliff Updated Lift Station Service Area

\* \* \* \* \*

24. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 8-504 OF THE CITY CODE TO ADD AN EXEMPTION FROM THE TRANSIENT GUEST ROOM TAX ORDINANCE FOR TRIBAL NATIONS AND CLARIFYING THAT EXEMPTIONS SHOULD ONLY BE GRANTED IF EXEMPTED ENTITY IS PAYING FOR THE GUEST ROOM; AND PROVIDING FOR THE SEVERABILITY THEREOF.

The Ordinance was adopted on Second Reading Section by Section.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items Submitted for the Record

1. Staff Report dated July 27, 2021, from Kathryn Walker, City Attorney
2. Legislatively notated copy of Ordinance O-2122-11
3. Ordinance O-2122-11

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Mr. Dan Munson, Ward 6, proponent
3. Ms. Cricket Rhoades Conneywerdy, Kiowa Tribe, proponent
4. Mr. Jacob Tsoitigh, District 7 Legislator for the Kiowa Tribe, proponent

The Ordinance was adopted on Final Reading as a whole.

Item 24, continued:

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

\* \* \* \* \*

**MISCELLANEOUS COMMENTS**

Rezoning. Ms. Susan Meyer, Ward 4, said a developer wants to build a strip mall at the northeast corner of Lindsey Street and Berry Road, currently zoned R-1, Single Family Attached Dwelling District, and circumvent the traffic controls the City has installed on Lindsey Street. She said this is a slap in the face to existing business owners that have to live with that restricted access. She said Berry Road is a two-lane roadway and the City did not allow the service station, the existing shopping center, and the pediatric center located on Boyd Street to have egress or ingress on Berry Road. She said Berry Street is a safety corridor so when these types of items come before Council, please think about emergency services, fire ratings, existing businesses, residents along Berry Road, etc.

Mr. Alexander Hatton said traffic at Lindsey Street and Berry Road is already challenging and asked Council to think about the traffic issue this type of development will bring, i.e. an additional 200 vehicles per day. Imagine if that were happening where you live. He said there has been very little discussion about addressing that additional traffic in this proposal.

\*

Hotel Tax. Mr. Dan Munson said he spoke earlier in the evening about the low occupancy rate in Norman for hotels. He said Enid will generate \$1.2 million in hotel tax (8% tax) revenue and its population is 50,000. He said Enid recently broke ground on a \$12 million soccer complex that will be a 60-acre facility with a 24,000 square foot clubhouse and that facility will augment the current 15 soccer fields. He said Lawton will generate \$1.5 million in hotel tax revenue and recently increased their hotel tax from 5.5% to 7%. He said Lawton has the largest soccer complex in southern Oklahoma with 30 large fields and ten small fields. These two cities have vibrant youth sports programs and although he is encouraged by NORMAN FORWARD projects, there is still a lot more to do and children need a sports outlet, particularly during this pandemic. He urged Council to think long-term for youth sports, not only from a revenue perspective, but a mental health perspective for children.

\* \* \* \* \*

**ADJOURNMENT**

the meeting was adjourned at 9:19 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**File Attachments for Item:**

2. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2122-3: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, AUGUST 26, 2021, AS WOMEN'S EQUALITY DAY IN THE CITY OF NORMAN





## CITY OF NORMAN, OK STAFF REPORT

## Item 2

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**MEETING DATE:** 08/24/2021

**REQUESTER:** Cinthya Allen

**PRESENTER:** Cinthya Allen, Chief Equity and Diversity Officer

**ITEM TITLE:** CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2122-3: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, AUGUST 26, 2021, AS WOMEN'S EQUALITY DAY IN THE CITY OF NORMAN

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## Proclamation

P-2122-3

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, AUGUST 26, 2021, AS WOMEN'S EQUALITY DAY IN THE CITY OF NORMAN.

- § 1. WHEREAS, the United States Congress designated August 26<sup>th</sup> as Women's Equality Day in 1973 to commemorate the 1920 certification of the 19<sup>th</sup> Amendment to the Constitution, granting women the right to vote; and
- § 2. WHEREAS, this designation was the culmination of a massive, peaceful civil rights movement by women which had its formal beginnings in 1848 at the world's first women's civil right convention in Seneca Falls, New York; and
- § 3. WHEREAS, the observance of Women's Equality Day not only commemorates the passage of the 19<sup>th</sup> Amendment but also brings awareness to women's continuing efforts toward full equality; and
- § 4. WHEREAS, the City of Norman recognizes that women play a vital role in every aspect of community life in the City of Norman, including, but not limited to, government, employment, education, medicine, business, law, religion, sports, entertainment, family life, and the arts; and
- § 5. WHEREAS, the City of Norman celebrates the sacrifices and accomplishments of the suffragists and civil rights leaders of the past while still recognizing the ongoing challenges in providing women with equal opportunities in education, employment, entertainment, sports, and other aspects of society.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 6. Do hereby proclaim Thursday, August 26, 2021, as Women's Equality Day in the City of Norman and invite all citizens to join me in celebrating the contributions and accomplishments of women in our community while continuing to strive towards full equality.

PASSED AND APPROVED this 24<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**File Attachments for Item:**

3. CONSIDERATION OF CONFIRMATION, REJECTION, AMENDMENT, AND/OR  
POSTPONEMENT OF THE 2021-2022 CITY OF NORMAN YOUTH COUNCIL  
NOMINATIONS



## CITY OF NORMAN, OK STAFF REPORT

## Item 3

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**MEETING DATE:** 08/24/2021

**REQUESTER:** Jeanne Snider

**PRESENTER:** Jeanne Snider, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF CONFIRMATION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE 2021-2022 CITY OF NORMAN YOUTH COUNCIL NOMINATIONS

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### **BACKGROUND:**

On February 9, 2010, City Council adopted Resolution R-0910-92 creating the Norman Youth Council to promote civic engagement among youth, give youth a formal role in local decision-making, and offer real world experiences with elected and advisory bodies.

### **DISCUSSION:**

The recommendations of the following nominations to the Norman Youth Council for 2021-2022 are Jackson Baden, Aubrey Baker, Noah Bui, Daniel Dobson, Destiney Hopkins, Jaxon Horn, William Nichols, Aspen Osgood, Harrison Powers, Aimee Ringer, Irie Rogers, and Jaxton Voto.

### **RECOMMENDATION:**

Staff recommends the above nominations be appointed to the 2021-2022 Norman Youth Council.

**File Attachments for Item:**

4.

CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AND/OR  
POSTPONEMENT OF THE MAYOR' APPOINTMENTS AS FOLLOWS:

HUMAN RIGHTS COMMISSION

TERM: 08-24-21 TO 07-13-24: MICHAEL KIHEGA, WARD 6

NORMAN HOUSING AUTHORITY

TERM: 08-24-21 TO 11-21-22: LEE LAWRENCE, WARD 8

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 08-24-21 TO 02-10-24: GREGORY GILKEY, WARD 3

TERM: 08-24-21 TO 02-10-23: RUSSELL RICE, WARD 2

REAPPORTIONMENT COMMISSION

KATHERINE LEIDY, WARD 3



## CITY OF NORMAN, OK STAFF REPORT

## Item 4

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**MEETING DATE:** 08/24/2021

**REQUESTER:** Brenda Hall, City Clerk

**PRESENTER:** Brenda Hall, City Clerk

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF THE MAYOR' APPOINTMENTS AS FOLLOWS:

**HUMAN RIGHTS COMMISSION**

TERM: 08-24-21 TO 07-13-24: MICHAEL KIHEGA, WARD 6

**NORMAN HOUSING AUTHORITY**

TERM: 08-24-21 TO 11-21-22: LEE LAWRENCE, WARD 8

**PUBLIC SAFETY OVERSIGHT COMMITTEE**

TERM: 08-24-21 TO 02-10-24: GREGORY GILKEY, WARD 3

TERM: 08-24-21 TO 02-10-23: RUSSELL RICE, WARD 2

**REAPPORTIONMENT COMMISSION**

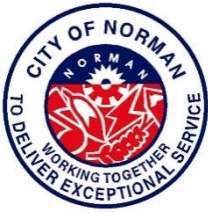
KATHERINE LEIDY, WARD 3

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**DISCUSSION:** Michael Kihega will replace Sage Mauldin who no longer wishes to serve; Lee Lawrence will fill the vacancy left by Jan Hunter who passed away. Gregory Gilkey will replace Joan Goth who no longer wishes to serve; and Russell Rice will fill the unexpired term of Jared Garner who has resigned. Katherine Leidy will replace Peo Kirby who no longer lives in Ward 3.

**File Attachments for Item:**

5. SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2021, AND DIRECTING THE FILING THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

## Item 5

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**MEETING DATE:** 08/24/2021

**REQUESTER:** Anthony Francisco, Finance Director

**PRESENTER:** Anthony Francisco, Finance Director

**ITEM TITLE:** SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2021, AND DIRECTING THE FILING THEREOF.

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DATE: August 6, 2021  
 TO: City Council  
 FROM: Anthony Francisco, Director of Finance  
 REVIEWED BY: Clint Mercer, Chief Accountant  
 PREPARED BY: Debbie Whitaker, Municipal Accountant III  
 SUBJECT: Breakdown of Interest Earnings by Fund

FUND	MONTHLY COMPARISON					ANNUAL COMPARISON				
	MONTHLY BUDGETED INTEREST EARNINGS FYE22	MONTHLY INTEREST EARNINGS July 2021	MONTHLY % INCREASE (DECREASE)	MONTHLY INTEREST % OF PORTFOLIO HOLDINGS	MONTH-END BALANCE July 2021	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE20-YTD	INTEREST EARNINGS YTD FYE22	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	\$15,476	\$1,746.58	-88.71%	2.70%	5,174,123	1.79%	\$15,173	\$1,747	-88.49%	2.73%
NET REVENUE STABILIZATION	\$4,167	\$1,627	-60.96%	2.52%	4,126,214	1.43%	\$4,167	\$1,627	-60.96%	2.54%
PUBLIC SAFETY SALES TAX FUND	\$4,167	\$65	-98.45%	0.10%	9,113,007	3.16%	\$4,167	\$0	-100.00%	0.00%
HOUSING	N/A	\$1	100.00%	0.00%	2,531,800	0.88%	N/A	\$1	100.00%	0.00%
SPECIAL GRANTS FUND	N/A	\$473	100.00%	0.73%	13,247,421	4.59%	N/A	\$473	100.00%	0.74%
ROOM TAX FUND	\$208	\$122	-41.59%	0.19%	333,869	0.12%	\$208	\$122	-41.59%	0.19%
SEIZURES	\$42	\$370	788.62%	0.57%	1,081,700	0.37%	\$42	\$370	788.62%	0.58%
CLEET FUND	N/A	\$0	100.00%	0.00%	(5,477)	0.00%	N/A	\$0	100.00%	0.00%
TRANSIT & PARKING FUND	\$0	\$0	0.00%	0.00%	(1,234,327)	-0.43%	\$0	\$0	0.00%	0.00%
ART IN PUBLIC PLACES FUND	N/A	\$1	100.00%	0.00%	1,375	0.00%	N/A	\$1	100.00%	0.00%
WESTWOOD FUND	\$625	\$112	-82.05%	0.17%	1,816,988	0.63%	\$625	\$106	-82.97%	0.17%
WATER FUND	\$10,000	\$13,400	34.00%	20.74%	40,497,712	14.03%	\$10,000	\$13,355	33.55%	20.84%
WASTEWATER FUND	\$4,167	\$4,021	-3.50%	6.22%	10,632,163	3.68%	\$4,167	\$4,021	-3.50%	6.27%
SEWER MAINTENANCE FUND	N/A	\$4,632	100.00%	7.17%	11,545,189	4.00%	N/A	\$4,632	100.00%	7.23%
DEVELOPMENT EXCISE	\$5,833	\$2,830	-51.49%	4.38%	7,197,459	2.49%	\$5,833	\$2,829	-51.50%	4.41%
SANITATION FUND	\$25,000	\$6,744	-73.03%	10.44%	17,012,668	5.89%	\$25,000	\$6,744	-73.02%	10.52%
RISK MANAGEMENT FUND	N/A	\$1,400	100.00%	2.17%	2,164,482	0.75%	N/A	\$1,400	100.00%	2.18%
CAPITAL PROJECTS FUND	\$58,333	\$11,890	-79.62%	18.41%	79,370,840	27.49%	\$33,333	\$11,874	-64.38%	18.53%
NORMAN FORWARD SALES TAX	\$1,250	\$12,105	868.40%	18.74%	67,780,521	23.48%	\$1,250	\$11,852	848.18%	18.49%
PARKLAND FUND	\$833	\$420	-49.57%	0.65%	1,065,310	0.37%	\$833	\$420	-49.57%	0.66%
UNP TAX INCREMENT DISTRICT	\$2,000	\$123	-93.84%	0.19%	8,881,254	3.08%	\$40,000	\$0	100.00%	0.00%
CENTER CITY TAX INCREMENT DIST	N/A	\$179	0.00%	0.28%	450,094	0.16%	N/A	\$179	100.00%	0.28%
SINKING FUND	\$2,083	\$1,945	-6.63%	3.01%	4,930,828	1.71%	\$2,083	\$1,945	-6.63%	3.04%
SITE IMPROVEMENT FUND	N/A	\$20	100.00%	0.03%	51,771	0.02%	N/A	\$20	100.00%	0.03%
TRUST & AGENCY FUNDS	N/A	\$4	100.00%	0.01%	9,973	0.00%	N/A	\$4	100.00%	0.01%
ARTERIAL ROAD FUND	N/A	\$365	100.00%	0.57%	926,723	0.32%	N/A	\$365	100.00%	0.57%
	<b>\$134,184</b>	<b>\$64,597</b>	<b>-51.86%</b>	<b>100.00%</b>	<b>288,703,679</b>	<b>100.00%</b>	<b>\$148,881</b>	<b>\$64,087</b>	<b>-56.37%</b>	<b>100.00%</b>

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 \$288.70 million as of 07/31/21 are represented by working capital cash balances of all City funds of approximately \$112.70 million, outstanding encumbrances of \$52.60 million, General Obligation Bond proceeds of \$53.31 million, NUA revenue bond proceeds of \$7.17 million, NMA bond proceeds of \$49.86 million, and UNP TIF reserve amounts of \$13.06 million.

INVESTMENT BY TYPE

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	July 31, 2021		
					EARNED INTEREST	COST	MARKET
<b>**Checking</b>							
BANK OF OKLAHOMA	GEN'L DEP.			0.04%	\$866.90	\$32,334,143.58	\$32,334,143.58
BANK OF OKLAHOMA	WARRANTS PAYABLE					(\$700,421.13)	(\$700,421.13)
BANK OF OKLAHOMA	PAYROLL					(\$3,361,253.47)	(\$3,361,253.47)
BANK OF OKLAHOMA	COURT BOND REFUNDS					\$138,252.54	\$138,252.54
BANK OF OKLAHOMA	INSURANCE CLAIMS					\$291,152.18	\$291,152.18
BANK OF OKLAHOMA	LOCK BOX					\$1,698,468.61	\$1,698,468.61
BANK OF OKLAHOMA	RETURN CHECKS					(\$2,985.27)	(\$2,985.27)
BANK OF OKLAHOMA	PARKS					\$0.00	\$0.00
BANK OF OKLAHOMA	FLEXIBLE SPENDING					\$8,205.44	\$8,205.44
BANK OF OKLAHOMA	CDBG-CV			0.05%	\$0.68	(\$24,740.00)	(\$24,740.00)
<b>**Subtotal</b>					<b>\$867.58</b>	<b>\$30,374,822.48</b>	<b>\$30,374,822.48</b>
<b>**Money Market</b>							
BANCFIRST-NUA	MONEY MKT.			0.37%	\$0.00	\$1,089.63	\$1,089.63
BANCFIRST-NMA Golf	MONEY MKT.			0.06%	\$5.76	\$210,452.01	\$210,452.01
BANCFIRST-NUA Water	MONEY MKT.			0.37%	\$45.64	\$7,077,010.37	\$7,077,010.37
BANCFIRST-NUA Clean Water	MONEY MKT.			0.06%	\$0.97	\$94,797.75	\$94,797.75
BANCFIRST-NMA PSST	MONEY MKT.			0.37%	\$64.51	\$9,959,442.38	\$9,959,442.38
BANCFIRST-NMA Norman Forward	MONEY MKT.			0.37%	\$252.84	\$37,778,063.49	\$37,778,063.49
BANCFIRST-NMA ERP Financing	MONEY MKT.			0.37%	\$16.06	\$1,911,798.28	\$1,911,798.28
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	\$123.27	\$13,058,082.47	\$13,058,082.47
BANK OF OKLAHOMA ARPA	MONEY MKT.			0.05%	\$472.36	\$11,123,898.55	\$11,123,898.55
BANK OF OKLAHOMA-Westwood	MONEY MKT.			0.05%	\$108.41	\$0.00	\$0.00
BANK OF OKLAHOMA-CW	MONEY MKT.			0.04%	\$7.63	\$12,420.48	\$12,420.48
BANK OF OKLAHOMA	MONEY MKT.			0.04%	\$0.67	\$20,469.30	\$20,469.30
BANK OF OKLAHOMA	MONEY MKT.			0.04%	\$5.00	\$162,110.85	\$162,110.85
BANK OF OKLAHOMA-SW	MONEY MKT.			0.04%	\$0.00	\$6.77	\$6.77
BANK OF OKLAHOMA-2015	MONEY MKT.			0.04%	\$88.70	\$2,872,622.58	\$2,872,622.58
BANK OF OKLAHOMA-2019A	MONEY MKT.			0.04%	\$280.80	\$9,291,149.33	\$9,291,149.33
BANK OF OKLAHOMA-2019B	MONEY MKT.			0.04%	\$537.27	\$17,072,827.04	\$17,072,827.04
BANK OF OKLAHOMA-2020A	MONEY MKT.			0.05%	\$448.43	\$10,423,934.35	\$10,423,934.35
BANK OF OKLAHOMA-2021	MONEY MKT.			0.05%	\$579.55	\$13,648,010.56	\$13,648,010.56
<b>**Subtotal</b>					<b>\$3,035.87</b>	<b>\$134,718,184.13</b>	<b>\$134,718,184.13</b>
<b>**Sweep/Oversight</b>							
BANK OF OKLAHOMA	ICS ACCT			0.03%	\$822.42	\$32,319,206.38	\$32,319,206.38
BANK OF OKLAHOMA PORTFOLIO	SHORT TERM			0.01%	\$108.43	\$23,686,465.54	\$23,686,465.54
<b>**Certificate of Deposit</b>							
FIRST FIDELITY BANK	CD	03/30/21	09/30/21	0.75%	\$31.25	\$250,000.00	\$250,000.00
GREAT NATIONS BANK	CD	09/30/20	09/30/21	0.55%	\$114.58	\$250,000.00	\$250,000.00
VALLIANCE BANK	CD	11/30/20	11/30/21	0.15%	\$31.25	\$250,000.00	\$250,000.00
FIRST NATIONAL BANK	CD	12/28/20	12/28/21	0.25%	\$52.08	\$250,000.00	\$250,000.00
<b>**Subtotal</b>					<b>\$229.16</b>	<b>\$1,000,000.00</b>	<b>\$1,000,000.00</b>
<b>**U.S. Treasury Securities/Agency Securities</b>							
FHLB	3130A8QS5	12/29/17	07/14/21	2.04%	5,034.52		
FFCB	3133EHSR5	05/29/19	07/26/21	2.16%	1,546.82		
US T-Bills	912796C58	01/29/21	07/29/21	0.07%	427.84		
US T-Note	9128284W7	12/24/18	08/15/21	2.65%	6,526.93	2,500,000.00	\$2,502,450.00
FHLB	313383ZU8	10/31/18	09/10/21	2.93%	7,322.90	3,000,000.00	\$3,009,240.00
US T-Note	9128285L0	04/30/19	11/15/21	2.27%	9,504.17	5,000,000.00	\$5,040,350.00
FFCB	3133EH2T9	12/31/19	12/13/21	1.58%	658.07	500,000.00	\$503,710.00
FFCB	3133EMNU2	01/29/21	04/27/22	0.06%	521.90	7,500,000.00	\$7,500,375.00
US T-Note	912828XR6	05/31/19	05/31/22	2.04%	5,077.68	3,000,000.00	\$3,041,610.00
FHLB	313381BR5	12/31/19	12/09/22	1.61%	10,879.27	8,100,000.00	\$8,292,456.00
FHLMC	3134GXGQ1	01/29/21	12/15/22	0.06%	897.61	8,000,000.00	\$8,004,640.00
FFCB	3133EMKU5	01/29/21	12/14/22	0.11%	453.10	5,005,000.00	\$5,006,151.15
US T-Note	9128284X5	08/29/21	08/31/23	2.75%	1,492.47	8,500,000.00	\$8,951,265.00
FHLB	3130A3VC5	12/31/19	12/08/23	1.62%	8,824.50	6,500,000.00	\$6,801,925.00
US T-Note	91282CBND	06/30/21	12/28/23	0.13%	1,367.70	9,000,000.00	\$8,999,820.00
<b>**Subtotal</b>					<b>59,535.28</b>	<b>66,605,000.00</b>	<b>\$67,653,992.15</b>
<b>**TOTAL**</b>					<b>64,596.74</b>	<b>288,703,878.53</b>	<b>\$287,433,464.30</b>

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.

**File Attachments for Item:**

6. SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2021, AND DIRECTING THE FILING THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

## Item 6

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**MEETING DATE:** 08/24/2021

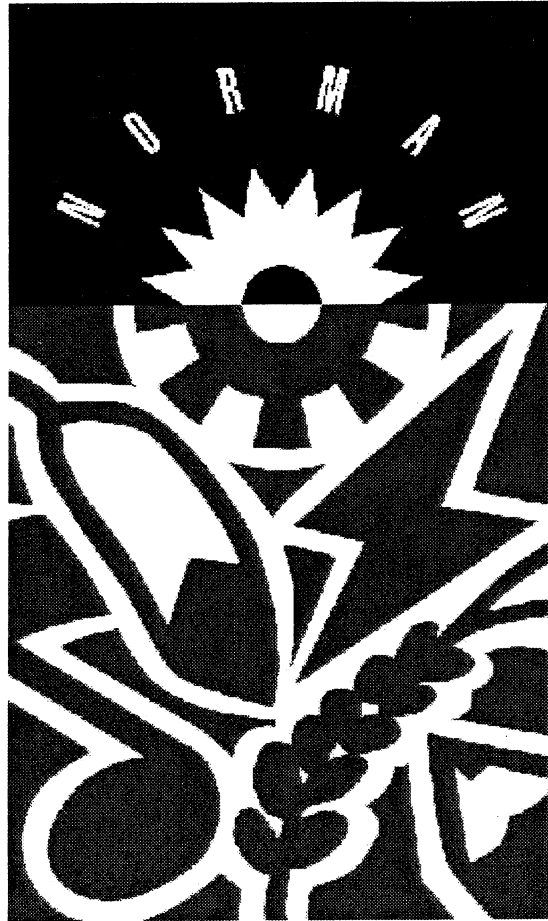
**REQUESTER:** Stacey Parker, Executive Assistant

**PRESENTER:** Stacey Parker, Executive Assistant

**ITEM TITLE:** SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2021, AND DIRECTING THE FILING THEREOF.

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# City of Norman



## Monthly Departmental Report

**July 2021**

## MONTHLY PROGRESS

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**CITY CLERK      1**



**CITY CLERK**

<b>MONTHLY PROGRESS REPORT</b>
<b>July 2021</b>

<b>ACTION CENTER</b>				
<b>DEPARTMENT</b>	<b>CALLS</b>	<b>CALLS YTD</b>	<b>ADDITIONAL CONTACTS</b>	<b>ADDITIONAL CONTACTS YTD</b>
Animal Welfare	5	5	2	2
Bus Service	0	0	0	0
CDBG	5	5	0	0
City Clerk	142	142	44	44
City Manager/Mayor	6	6	1	1
City Wide Garage Sale	41	41	0	0
Code Enforcement	62	62	7	7
Finance	29	29	0	0
Fire/Civil Defense	1	1	1	1
Human Resources	3	3	0	0
I.T.	0	0	0	0
Legal	6	6	0	0
Line Maintenance	23	23	0	0
Municipal Court	5	5	0	0
Noise Complaint	0	0	0	0
Norman Forward Questions	0	0	0	0
Parks & Recreation	22	22	3	3
Permits/Inspections	42	42	3	3
Planning	3	3	0	0
Police/Parking	15	15	9	9
Public Works	6	6	1	1
Recycling	0	0	0	0
Sanitation	41	41	3	3
Sidewalks	2	2	0	0
Storm Debris	0	0	0	0
Storm Water	16	16	0	0
Streets	28	28	2	2
Street Lights	9	9	0	0
Traffic	12	12	1	1
Utilities	6	6	1	1
WC Questions	0	0	0	0
WC Violations	0	0	0	0
<b>July Total: 608</b>	<b>530</b>	<b>530</b>	<b>78</b>	<b>78</b>

**LICENSES**

**29** New licenses and **1** renewal were issued during the month of July. Following is a list of each license type and the number issued for that specific type:

LICENSE TYPE	NUMBER	FYE	LICENSE TYPE	NUMBER	FYE
	ISSUED	YTD		ISSUED	YTD
Bee Keeper	0	0	Retail Beer	5	5
Brewer	0	0	Retail Spirits Store	0	0
Coin-Operated Devices	0	0	Retail Wine	5	5
Distiller	0	0	Salvage Yard	0	0
Food	8	8	Sidewalk Dining	0	0
Game Machines	0	0	Solicitor/Peddler (30 day)	1	1
Impoundment Yard	0	0	Solicitor/Peddler (60 day)	2	2
Kennel	0	0	Solicitor/Peddler (one day)	0	0
Medical Marijuana Dispensary	1	1	Special Event	0	0
Medical Marijuana Grower	3	3	Strong Beer & Wine/Winemaker	1	1
Medical Marijuana Processor	1	1	Taxi/Motorbus/Limousine	0	0
Medical Marijuana Testing Laboratory	0	0		0	0
Mixed Beverage	0	0	Temp Food (one day)	2	2
Mixed Beverage/Caterer	0	0	Temp Food (30 day)	1	1
Pawnbroker	0	0	Temp Food (180 day)	0	0
Pedicab	0	0	Transient Amusement	0	0
<b>YTD License Total: 30</b>	<b>13</b>	<b>13</b>		<b>17</b>	<b>17</b>

NEW ESTABLISHMENT LICENSES		
NAME	ADDRESS	LICENSE TYPE(S)
Casey's #4056 (previously Circle K)	2320 W Main Street	Food Service
Casey's #4057	2316 W Lindsey Street	Food Service
Casey's #4058	800 W Main Street	Food Service
Casey's #4059	3024 Classen Blvd	Food Service
Casey's #4060	3300 W Main Street	Food Service
Casey's #4056	2320 W Main Street	Retail Beer
Casey's #4057	2316 W Lindsey Street	Retail Beer
Casey's #4058	800 W Main Street	Retail Beer
Casey's #4059	3024 Classen Blvd	Retail Beer
Casey's #4060	3300 W Main Street	Retail Beer
Casey's #4056	2320 W Main Street	Retail Wine
Casey's #4057	2316 W Lindsey Street	Retail Wine
Casey's #4058	800 W Main Street	Retail Wine
Casey's #4059	3024 Classen Blvd	Retail Wine
Casey's #4060	3300 W Main Street	Retail Wine
Dancing Crab	149 12 <sup>th</sup> Ave SE , Suite C	Food Service
Fue Her	1401 Don Ray Road	Medical Marijuana Grower
Peoples Plants	9970 E Tecumseh Road	Medical Marijuana Grower
Scooter's Coffee	105 12 <sup>th</sup> Ave SE	Food Service
Smoky Mountain Medicine	3221 Bart Conner Dr, Suite A	Medical Marijuana Processor
Volcano's Cantina and Grill	1400 12 <sup>th</sup> Ave, SE, Suite 348	Strong Beer & Wine/Winemaker
Volcano's Cantina and Grill	1400 12 <sup>th</sup> Ave SE, Suite 348	Food Service
Burly Botanicals	4520 E Franklin Road	Medical Marijuana Grower

SOLICITOR/PEDDLER LICENSE		
60 DAY	30 DAY	1 DAY
Alliance Construction Services	Southwestern Advantage	
777 Roofing & Construction		

TEMPORARY FOOD PERMITS		
180 DAY	30 DAY	1 DAY
	Riko's Tacos	Lil Snowie (8/28 – Reaves Park)
		Stacey and Seeds Slappin Soulfood

**CLAIMS FILED**

DATE FILED	NAME	JUSTIFICATION	AMOUNT
07/02/2021	Richard Wolcott III (via attorney Kurt Goodwin)	Claim for medical and property damage that allegedly occurred on July 9, 2020. Claimant states that he was stopped at a red light at the intersection of 24 <sup>th</sup> Ave SE and Robinson when an employee in a City vehicle struck his vehicle from behind.	\$26, 054.63
07/01/2021	OG&E	Claim for a damaged cable line that allegedly occurred while a City crew was working in the area of 2501 Jenkins Avenue on June 18, 2021.	Amount Undetermined
07/20/2021	Casey Halabi	Claimant states that on March 19, 2021 he stopped behind a City fire truck that was stopped in the middle of the roadway at 180 <sup>th</sup> Street. The fire truck allegedly backed up and struck the front of his vehicle causing significant damage.	\$3,843.91
07/21/2021	Brandon Williamson	Claim for property damage to a fence allegedly caused by a City crew that was mowing on Rock Creek Road on July 7, 2021.	\$400.00

**SPECIAL SESSION**

On July 27, 2021, the City Council met for Special Session and discussed the Southeast Lift Station; adjourned into Executive Session to discuss negotiations regarding employees and representatives of employee groups; Thompson vs. Norman Regional Hospital, CIV-19-113-SLP; purchase of property located at 207 East Gray Street.

**STUDY SESSION**

On July 20, 2021, the City Council Study Session met and discussed proposed amendments to the small cell facilities; potential changes in minimum parking requirements.

**FACILITY MAINTENANCE 1A**

**City of Norman Facility Maintenance  
July 2021 Monthly Hourly Materials Cost Report**

Location	Labor Hrs	Labor Cost	Materials Cost	Total
Misc	0.00	\$0.00	\$300.94	\$300.94
<b>Total</b>	<b>0.00</b>	<b>\$0.00</b>	<b>\$300.94</b>	<b>\$300.94</b>
<b>Electrical</b>				
Facility Maint	8.50	\$273.42	\$297.03	\$570.45
City Hall	11.00	\$355.78	\$241.39	\$597.17
Bldg A	1.00	\$32.69	\$23.05	\$55.74
Bldg B	6.00	\$191.06	\$0.00	\$191.06
Bldg C	8.00	\$258.98	\$0.00	\$258.98
Library	64.50	\$2,074.85	\$60.55	\$2,135.40
Animal Welfare	3.00	\$94.26	\$0.00	\$94.26
Shooting Range	1.00	\$31.42	\$0.00	\$31.42
Special Ops	7.00	\$228.83	\$0.00	\$228.83
Fire Stations	49.00	\$1,561.17	\$147.36	\$1,708.53
Parks	59.00	\$1,887.13	\$101.83	\$1,988.96
Rec Centers	9.00	\$286.59	\$0.00	\$286.59
Senior Center	7.00	\$225.02	\$0.00	\$225.02
WW Golf	1.00	\$32.69	\$0.00	\$32.69
WW Tennis	1.00	\$31.42	\$0.00	\$31.42
Traffic	28.00	\$879.76	\$0.00	\$879.76
Sanitation	31.00	\$991.80	\$63.66	\$1,055.46
Fleet	9.00	\$252.63	\$5.23	\$257.86
Streets	3.00	\$95.53	\$0.00	\$95.53
WTP	5.00	\$163.45	\$0.00	\$163.45
WRF	8.00	\$253.90	\$0.00	\$253.90
<b>Total</b>	<b>320.00</b>	<b>\$10,202.38</b>	<b>\$940.10</b>	<b>\$11,142.48</b>

**City of Norman Facility Maintenance  
July 2021 Monthly Hourly Materials Cost Report**

**HVAC**

Facility Maint	4.00	\$116.12	\$172.00	\$288.12
City Hall	12.00	\$377.64	\$27,836.84	\$28,214.48
Bldg A	6.00	\$174.18	\$0.00	\$174.18
Bldg B	13.00	\$421.31	\$0.00	\$421.31
Bldg C	9.00	\$275.91	\$0.00	\$275.91
Library	15.00	\$435.45	\$395.00	\$830.45
NIC	21.00	\$668.19	\$5,691.52	\$6,359.71
Shooting Range	2.00	\$58.06	\$0.00	\$58.06
Radio Towers	28.00	\$915.32	\$256.63	\$1,171.95
Fire Admin	6.00	\$188.82	\$0.00	\$188.82
Fire Stations	22.00	\$675.26	\$0.00	\$675.26
Parks	18.00	\$551.82	\$377.81	\$929.63
Rec Centers	24.00	\$740.64	\$400.68	\$1,141.32
Senior Center	4.00	\$116.12	\$0.00	\$116.12
Sooner Theater	5.50	\$159.67	\$0.00	\$159.67
Historical House	1.50	\$43.54	\$0.00	\$43.54
WW Golf	6.50	\$199.68	\$11.11	\$210.79
WW Tennis	3.50	\$101.61	\$0.00	\$101.61
Traffic	7.00	\$221.51	\$0.00	\$221.51
Sanitation	5.00	\$148.81	\$0.00	\$148.81
Fleet	5.00	\$148.81	\$61.52	\$210.33
Line Maintenance	4.00	\$119.78	\$0.00	\$119.78
Streets	15.50	\$539.25	\$58.35	\$597.60
Stormwater	5.50	\$159.67	\$0.00	\$159.67
WTP	28.00	\$827.48	\$0.00	\$827.48
WRF	24.00	\$755.28	\$1,083.24	\$1,838.52
<b>Total</b>	<b>295.00</b>	<b>\$9,139.93</b>	<b>\$36,344.70</b>	<b>\$45,484.63</b>

**City of Norman Facility Maintenance  
July 2021 Monthly Hourly Materials Cost Report**

**Plumbing**

Facility Maint	4.00	\$133.88	\$18.24	\$152.12
City Hall	2.00	\$66.94	\$0.00	\$66.94
Bldg A	2.00	\$66.94	\$0.00	\$66.94
Bldg B	9.00	\$301.23	\$0.00	\$301.23
Bldg C	8.00	\$267.76	\$0.00	\$267.76
Bldg D	2.00	\$66.94	\$0.00	\$66.94
Library	20.00	\$669.40	\$37.79	\$707.19
Animal Welfare	8.00	\$267.76	\$0.00	\$267.76
NIC	3.00	\$100.41	\$5.96	\$106.37
Special Ops	15.00	\$502.05	\$271.68	\$773.73
Fire Stations	9.00	\$301.23	\$0.00	\$301.23
Parks	20.00	\$669.40	\$27.46	\$696.86
Park Maint.	1.00	\$33.47	\$0.00	\$33.47
Rec Centers	7.00	\$234.94	\$17.35	\$251.64
Senior Center	2.00	\$66.94	\$0.00	\$66.94
WW Golf	5.00	\$167.35	\$0.00	\$167.35
WW Pool	1.00	\$33.47	\$0.00	\$33.47
Sanitation	5.00	\$167.35	\$0.00	\$167.35
Fleet	2.00	\$66.94	\$95.25	\$162.19
Streets	11.00	\$368.17	\$19.54	\$567.71
WTP	3.00	\$100.41	\$0.00	\$100.41
WRF	1.00	\$33.47	\$14.81	\$48.28
<b>Total</b>	<b>140.00</b>	<b>\$4,685.80</b>	<b>\$688.08</b>	<b>\$5,373.88</b>

**City of Norman Facility Maintenance  
July 2021 Monthly Hourly Materials Cost Report**

<b>Custodial</b>					
	<b>City Hall</b>	<b>102.00</b>	<b>\$1,829.98</b>	<b>\$231.74</b>	<b>\$2,061.72</b>
	<b>Bldg A</b>	<b>103.00</b>	<b>\$1,854.47</b>	<b>\$231.74</b>	<b>\$2,086.21</b>
	<b>Bldg B</b>	<b>133.00</b>	<b>\$2,292.77</b>	<b>\$152.99</b>	<b>\$2,445.76</b>
	<b>Bldg C</b>	<b>103.00</b>	<b>\$1,854.47</b>	<b>\$231.74</b>	<b>\$2,086.21</b>
	<b>Fire Stations</b>	<b>16.00</b>	<b>\$391.84</b>	<b>\$350.61</b>	<b>\$742.45</b>
	<b>Library</b>	<b>8.00</b>	<b>\$195.92</b>	<b>\$0.00</b>	<b>\$195.92</b>
	<b>Total</b>	<b>465.00</b>	<b>\$8,419.45</b>	<b>\$1,198.82</b>	<b>\$9,618.27</b>
	<b>Total</b>	<b>1220.00</b>	<b>\$32,447.56</b>	<b>\$39,472.64</b>	<b>\$71,920.20</b>



**CITY MANAGER            2**

**NORMAN FORWARD 2A**



# Memorandum

**To:** Jason Olsen, The City of Norman Parks and Recreation

**From:** Randy Hill, ADG

**ADG Project Number:** 16-003

**ADG Project Name:** Norman FORWARD

**Date:** 08.02.2021

**Re:** July 2021 Monthly Report

**REPORT PERIOD:** July 1 through July 31, 2021

## WORK THIS MONTH

1. Thursday, July 01, 2021 | 9:30 a.m. | Municipal Complex Development Center OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
2. Thursday, July 01, 2021 | 11:00 a.m. | North Base Maintenance Complex Insulation Site Walk
  - a. Walked the project with Silvercote to verify condition of Fleet Insulation
3. Monday, July 05, 2021 | 10:00 a.m. | Weekly N.F. Program Manager Mtg
  - a. Weekly discussion of project schedules, budgets, and critical issues
4. Tuesday, July 06, 2021 | 10:00 a.m. | Ruby Grant Park OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
5. Wednesday, July 07, 2021 | 10:30 a.m. | YFAC Marketing Meeting
  - a. Bi-Weekly discussion of YFAC marketing materials and groundbreaking
6. Wednesday, July 07, 2021 | 11:30 a.m. | Ruby Grant Park Schedule Meeting
  - a. Discussion of project schedules, budgets, and critical issues
7. Monday, July 12, 2021 | 9:30 a.m. | North Base Maintenance Complex Update Call
  - a. Weekly discussion of project schedule, budgets, and critical issues
8. Monday, July 12, 2021 | 10:00 a.m. | Weekly N.F. Program Manager Mtg
  - a. Weekly discussion of project schedules, budgets, and critical issues
9. Monday, July 12, 2021 | 11:00 a.m. | YFAC Monthly Update Mtg
  - a. Monthly discussion Young Family of project.
10. Monday, July 12, 2021 | 3:00 a.m. | YFAC Plat Review Mtg
  - a. Discussion of YFAC Plat with CON Public Works and Planning
11. Tuesday, July 13, 2021 | 10:00 a.m. | Griffin Park OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
12. Tuesday, July 13, 2021 | 10:00 a.m. | Santa Fe Family Life Center Tour
  - a. Toured existing SFFLC to review their facility and operations
13. Tuesday, July 13, 2021 | 11:00 a.m. | North Base Maintenance Complex Insulation Inspection
  - a. Walked the project with Silvercote to inspect Fleet Insulation
14. Wednesday, July 14, 2021 | 9:00 a.m. | Central Library Bi-Weekly ADA Update Mtg
  - a. Discussion and verification of ADA / punch list items
15. Wednesday, July 14, 2021 | 9:30 a.m. | North Base Maintenance Complex Update Call
  - a. Weekly discussion of project schedule, budgets, and critical issues

Memorandum

To: Jason Gilsen, The City of Norman Parks and Recreation  
 Re: July 2021 Monthly Report

08.02.2021

Page 2 of 4

ADG Project No. 16-003

16. Wednesday, July 14, 2021 | 10:00 a.m. | YFAC Groundbreaking Meeting
  - a. Weekly discussion of YFAC marketing materials and groundbreaking
17. Thursday, July 15, 2021 | 9:30 a.m. | Municipal Complex Development Center OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
18. Thursday, July 15, 2021 | 1:00 p.m. | YFAC Programming Mtg
  - a. Weekly discussion of design progress, programming questions and considerations
19. Monday, July 19, 2021 | 9:30 a.m. | North Base Maintenance Complex Update Call
  - a. Weekly discussion of project schedule, budgets, and critical issues
20. Monday, July 19, 2021 | 10:30 a.m. | Weekly N.F. Program Manager Mtg
  - a. Weekly discussion of project schedules, budgets, and critical issues
21. Monday, July 19, 2021 | 1:30 p.m. | CFOB Meeting
  - a. Presented ADG Graphic Report
22. Monday, July 19, 2021 | 3:30 p.m. | FSB/ADG Coordination Mtg
  - a. Meeting to discuss and review upcoming items for YFAC and Senior Wellness Center
23. Tuesday, July 20, 2021 | 10:00 a.m. | Ruby Grant Park OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
24. Wednesday, July 21, 2021 | 10:00 a.m. | YFAC Groundbreaking
  - a. YFAC Groundbreaking at the site
25. Thursday, July 22, 2021 | 1:00 p.m. | YFAC Programming Mtg
  - a. Weekly discussion of design progress, programming questions and considerations
26. Thursday, July 22, 2021 | 2:30 p.m. | Senior Wellness Center Programming Mtg
  - a. Bi-weekly discussion of design progress, programming questions and considerations
27. Friday, July 23, 2021 | 9:30 a.m. | YFAC Room by Room Walk Through Mtg
  - a. Discussion on programming with SFFLC, FSB and CON
28. Monday, July 26, 2021 | 10:30 a.m. | Weekly N.F. Program Manager Mtg
  - a. Weekly discussion of project schedules, budgets, and critical issues
29. Tuesday, July 27, 2021 | 8:00 a.m. | North Base Maintenance Complex Update Call
  - a. Weekly discussion of project schedule, budgets, and critical issues
30. Tuesday, July 27, 2021 | 8:30 a.m. | North Base Maintenance Project Team Discussion
  - a. Discussion with CON about project team
31. Tuesday, July 27, 2021 | 10:00 a.m. | Griffin Park OAC Mtg
  - a. Bi-weekly discussion of project schedules, budgets, and critical issues
32. Tuesday, July 27, 2021 | 1:00 p.m. | North Base Maintenance FF&E Discussion
  - a. Discussion with CON about FF&E options
33. Tuesday, July 27, 2021 | 2:00 p.m. | YFAC Budget Discussion
  - a. Discussion with FSB and GEJ about DDs estimate
34. Tuesday, July 27, 2021 | 3:00 p.m. | North Base Maintenance Complex Insulation Inspection
  - a. Walked the project with Silvercote to inspect Parks Maintenance Insulation
35. Tuesday, July 27, 2021 | 3:30 p.m. | YFAC Budget Discussion
  - a. Discussion with Parks and Rec Director and GEJ about DDs estimate
36. Wednesday, July 28, 2021 | 9:00 a.m. | Central Library Bi-Weekly ADA Update Mtg
  - a. Discussion and verification of ADA / punch list items
37. Wednesday, July 28, 2021 | 9:30 a.m. | North Base Maintenance Complex Update Call
  - a. Weekly discussion of project schedule, budgets, and critical issues
38. Wednesday, July 28, 2021 | 11:00 a.m. | North Base Maintenance Complex OAC Mtg
  - a. Monthly discussion of project schedules, budgets, and critical issues
39. Wednesday, July 28, 2021 | 1:00 p.m. | North Base Interior Finishes Phase Plan Mtg
  - a. Meeting with Flintco Trade Partners to discuss interiors finishes schedule
40. Thursday, July 29, 2021 | 2:00 p.m. | Reaves Park Bid Opening
  - a. Opening Bids for Construction

Memorandum

08.02.2021

To: Jason Olsen, The City of Norman Parks and Recreation

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Re: July 2021 Monthly Report

ADG Project No. 16-003

41. Thursday, July 29, 2021 | 2:30 p.m. | Senior Wellness Center Alternate Kitchen and Front Desk Layout
  - a. Discussion of programming for Kitchen and Front Desk
42. Friday, July 30, 2021 | 10:00 a.m. | Ruby Grant Punch Walk
  - a. Walking the site to verify punch list items

## Construction Observation Site Visits:

- a. Griffin, Phase 4: 10
- b. Municipal Complex, Development Center: 8
- c. North Base: 10
- d. Ruby Grant: 10

**WORK ANTICIPATED THE UPCOMING MONTH (August 2021)**

- Griffin Park Ph. 4
  - OAC Meetings on 8.10.2021, 8.24.2021 at 10:00 a.m.
  - Sprigging grow in period
- Central Library
  - Contractor working on open warranty items and leaks.
- Reaves Park
  - Prepare GMP for Council and Construction Schedule
- Ruby Grant Park
  - OAC Meetings 8.3.2021, 8.17.2021, and 8.31.2021 at 10:00 a.m.
  - Finishing restroom interior finishes and siding punch list completion
  - Southeast parking lot construction finishing.
- North Base Complex
  - Insulation repair work, site work for parking lots underway, interior trades starting
  - On-site interviews for Davis Bacon compliance
- Indoor Aquatic and Multi-Sport Facility
  - Design development estimates evaluated
  - Recurring weekly programming meetings underway
- Senior Wellness Center
  - Design development submittal 8.02.21
  - Recurring bi-weekly programming meetings underway
- Municipal Complex
  - Development Center: Construction underway
  - Municipal Courts: CD's underway
  - Building 201: CD's underway
  - FF&E inventory, selection and layout underway
- Continued Development of Standardized Contracts for Use with Architectural, Design, and Construction Consultants

**PROJECT STATUS**

- East Library
  - a. Schedule: Opening Celebration on July 20, 2018
  - b. Budget: Within budget
  - c. In operation
- Central Library
  - a. Schedule: Warranty work in progress
  - b. Budget: Within budget

Memorandum

08.02.2021

To: Jason Olsen, The City of Norman Parks and Recreation

Page 4 of 4

Re: July 2021 Monthly Report

ADG Project No. 16-003

- c. In operation
- Westwood Family Aquatic Center
  - a. Schedule: Opening Celebration on May 26, 2018
  - b. Budget: Final Pay App approved on July 24, 2018
  - c. In operation
- Griffin Park
  - a. Schedule: Phase V upcoming
  - b. Budget: Within budget
  - a. Issues: No known issues
- Reaves Park Phase I
  - a. Schedule: Construction Schedule updated
  - b. Budget: Within budget
  - c. Issues: No known issues
- Westwood Indoor Tennis Facility
  - a. Schedule: Opening Celebration on May 24, 2019
  - b. Budget: Within budget
  - c. In operation: Court paint warranty extended another 12 months from 9.22.2021
- Ruby Grant
  - a. Schedule: Phase 2 punch list completion
  - b. Budget: In budget
  - c. Issues: No known issues
- Indoor Aquatic and Multi-Sport Facility
  - a. Schedule: CDs in progress, Design Development Budget in review
  - b. Budget: Design Development estimate in progress
  - c. Issues: No known issues
- Senior Wellness Center
  - a. Schedule: Design development submittal 8.02.21
  - b. Budget: Budget alignment in progress
  - c. Issues: NRHS Porter Campus Master Plan
- Norman Forward Program Management
  - a. Schedule: Proceeding per Implementation Plan
  - b. Budget: Proceeding per Implementation Plan
  - c. Implementation Plan: Revised/Updated September 30, 2019
  - d. Issues: None

SUBMITTED BY: ADG – Randy W. Hill

**FINANCE 3**

CITY OF NORMAN

Department of Finance  
Monthly Report – July 2021

Statistics on outputs from the various divisions of the Department of Finance (DOF) are presented on the following pages. Major projects which were completed or initiated by the DOF in July are discussed below:

Treasury Division:

In the month of July, the Treasury Division processed 39,798 payments in person and over the phone, a decrease of -7.95% from last month. Paymentus (the City's 3<sup>rd</sup> party processor of online and automated telephone payments) processed 15,183 payments in July, a decrease of -8.4% from last month.

Utility Services Division:

The Meter Reading Division read 41,644 meters. Out of 77 meter reading routes, 48 (62%) were read within the targeted 30-day reading cycle. 65 routes (84%) were read by the 32nd day, and all routes were read by the 35th day. Twenty-two routes were estimated in July.

General Fund Revenues & Expenditures:

When comparing General Fund revenue sources versus budgeted levels, revenues are below target for the month of July by -18%. Revenues from the City's largest single source of revenue, sales tax, are above target by 16.7% for the year to date and 20.7% above last fiscal year. Following is a summary table regarding General Fund revenues and expenditures to-date.

	FYE 22 Budget To Date	FYE 22 Actual To Date	FYE 21 Actual To Date	FYE 20 Actual To Date
Sales Tax Revenue	\$3,846,476	\$4,489,960	\$3,718,474	\$3,536,698
General Fund Revenue	\$7,391,197	\$6,064,055	\$5,952,005	\$5,497,435
General Fund Expenses	\$7,346,934	\$7,247,746	\$5,976,812	\$10,890,786

*Finance Department  
July Monthly Report  
Page 1 of 1*



## Administration Division

	FYE 22		FYE 21	
	July	YTD	July	YTD
<b>PERSONNEL HOURS - FULL TIME</b>				
Total Regular Hours Available	320.00	320.00	320.00	320.00
Total Comp Time Available	4.75	4.75	3.75	3.75
Total Overtime Hours	0.25	0.25	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>325.00</b>	<b>325.00</b>	<b>323.75</b>	<b>323.75</b>
Benefit Hours Taken	50.00	50.00	76.00	76.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>275.00</b>	<b>275.00</b>	<b>247.75</b>	<b>247.75</b>
 <b>PERMANENT PART-TIME</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Benefit Hours Taken	0.00	0.00	0.00	0.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
 <b>TEMPORARY</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**ACCOUNTING 3A**

## Accounting Division

	FYE 22		FYE 21	
	July	YTD	July	YTD
Total Regular Hours Available	960.00	960.00	960.00	960.00
Total Comp Time Available	2.00	2.00	3.00	3.00
Total Overtime Hours	39.25	39.25	6.00	6.00
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>1,001.25</b>	<b>1,001.25</b>	<b>969.00</b>	<b>969.00</b>
Benefit Hours Taken	164.00	164.00	110.75	110.75
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>837.25</b>	<b>837.25</b>	<b>858.25</b>	<b>858.25</b>
PERMANENT PART-TIME				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Benefit Hours Taken	0.00	0.00	0.00	0.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
TEMPORARY				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**CITY REVENUE REPORTS**

**3B**

## City Revenue Report

	FYE 22 July	FYE 21 June	
Total Revenue Received (\$)	\$4,412,613	\$5,373,670	(\$961,057)
Utility Payments - Office (#)	39,798	43,236	(3,438)
Utility Payments - Office (\$)	\$3,991,032	\$4,799,942	(\$808,910)
Lockbox (#)	11,724	12,089	(365)
Lockbox (\$)	\$1,055,561	\$1,159,822	(\$104,261)
IVR Credit Card (#)	0	0	0
IVR Credit Card (\$)	\$0	\$0	\$0
Click to Gov (#)	0	0	0
Click to Gov (\$)	\$0	\$0	\$0
Paymentus (#)	\$15,183	\$16,571	(\$1,388)
Paymentus (\$)	\$1,675,033	\$1,826,360	(\$151,327)
UT Credit Card Payments (#)	0	0	0
UT Credit Card Payments (\$)	\$0	\$0	\$0
Art Donations (#)	0	0	0
Art Donations (\$)	\$0	\$0	\$0
Bank Draft Payments (#)	10,077	10,412	(335)
Bank Draft Payments (\$)	\$953,999	\$960,278	(6,279)
Utility Deposits (#)	0	0	0
Utility Deposits (\$)	\$0	\$0	\$0
Fix Payments (#)	0	0	0
Fix Payments (\$)	\$0	\$0	\$0
Processed Return Checks (#)	90	80	10
Processed Return Checks (\$)	(\$8,873)	(\$8,600)	(\$273)
Other Revenue Transactions (#)	0	0	0
Other Revenue Received (\$)	\$0	\$0	\$0
Accounts Receivable Payments (\$)	\$45,660	\$362,097	(\$316,437)
Accounts Receivable - Credit Card #	0	0	0
Accounts Receivable - Credit Card \$	\$0	\$0	\$0
Municipal Court - Fines/Bonds (\$)	\$131,087	\$166,617	(\$35,530)
Municipal Court - Credit Card (#)	329	417	(88)
Municipal Court - Credit Card (\$)	\$66,826	\$92,597	(\$25,771)
Municipal Court - C2G (#)	0	0	0
Municipal Court - C2G (\$)	\$0	\$0	\$0
Building Permits Cash Report (\$)	\$271,085	\$392,505	(\$121,420)
Building Permits Credit Card (#)	313	393	(80)
Building Permits Credit Card (\$)	\$190,981	\$220,264	(\$29,283)
Building Permits C2G (#)	0	0	0
Building Permits C2G (\$)	\$0	\$0	\$0
Occupational License - Bldg Insp. (\$)	\$3,861	\$6,713	(\$2,852)
Occupational License - Bldg Insp. CC (#)	16	26	(10)
Occupational License - Bldg Insp. CC (\$)	\$2,736	\$4,713	(\$1,977)
Business License - City Clerk (\$)	\$14,315	\$7,115	\$7,200
Business License - City Clerk CR CD (#)	0	0	0
Business License - City Clerk CR CD (\$)	\$0	\$0	\$0
Convenience Fees - All Payments (#)	0	0	0
Convenience Fees - All Payments (\$)	\$0	\$0	\$0
Bank Drafts Billed (#)	0	0	0
Bank Drafts Billed (\$)	\$0	\$0	\$0
Interdepartmental Billing (#)	0	0	0
Interdepartmental Billing (\$)	\$0	\$0	\$0
Accounts Receivable Billed (\$)	\$145,995	\$563,895	(\$417,900)

## Budget Services Division

	FYE 22		FYE 21	
	July	YTD	July	YTD
<b>PERSONNEL HOURS - FULL TIME</b>				
Total Regular Hours Available	320.00	320.00	320.00	320.00
Total Comp Time Available	2.75	2.75	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>322.75</b>	<b>322.75</b>	<b>320.00</b>	<b>320.00</b>
Benefit Hours Taken	88.00	88.00	16.00	16.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>234.75</b>	<b>234.75</b>	<b>304.00</b>	<b>304.00</b>
 <b>PERMANENT PART-TIME</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Benefit Hours Taken	0.00	0.00	0.00	0.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
 <b>TEMPORARY</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## Treasury Division

	FYE 22		FYE 21	
	July	YTD	July	YTD
<b>PERSONNEL HOURS - FULL TIME</b>				
Total Regular Hours Available	800.00	800.00	800.00	800.00
Total Comp Time Available	25.50	25.50	14.00	14.00
Total Overtime Hours	25.00	25.00	15.75	15.75
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>850.50</b>	<b>850.50</b>	<b>829.75</b>	<b>829.75</b>
Benefit Hours Taken	226.25	226.25	179.50	179.50
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>624.25</b>	<b>624.25</b>	<b>650.25</b>	<b>650.25</b>
 <b>PERMANENT PART-TIME</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Benefit Hours Taken	0.00	0.00	0.00	0.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
 <b>TEMPORARY</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**UTILITY      3C**



## Utility Division

	FYE 22		FYE 21	
	July	YTD	July	YTD
PERSONNEL HOURS - FULL TIME				
Total Regular Hours Available	2,400.00	2,400.00	2,720.00	2,720.00
Total Comp Time Available	25.75	25.75	23.25	23.25
Total Overtime Hours	111.00	111.00	30.75	30.75
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	2,536.75	2,536.75	2,774.00	2,774.00
Benefit Hours Taken	561.00	561.00	610.25	610.25
TOTAL ACCOUNTABLE STAFF HOURS	1,975.75	1,975.75	2,163.75	2,163.75
PERMANENT PART-TIME				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00
Benefit Hours Taken	0.00	0.00	0.00	0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00

## Office Services

	FYE 22		FYE 21	
	July	YTD	July	YTD
<b>PERSONNEL HOURS - FULL TIME</b>				
Total Regular Hours Available	320.00	320.00	320.00	320.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	42.00	42.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>362.00</b>	<b>362.00</b>	<b>320.00</b>	<b>320.00</b>
Benefit Hours Taken	56.00	56.00	16.00	16.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>306.00</b>	<b>306.00</b>	<b>304.00</b>	<b>304.00</b>
 <b>PERMANENT PART-TIME</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Benefit Hours Taken	0.00	0.00	0.00	0.00
<b>TOTAL ACCOUNTABLE STAFF HOURS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
 <b>TEMPORARY</b>				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
<b>TOTAL HOURS AVAILABLE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## Drive-up Window and Mail Payments

	FYE 21	FYE 22
	June	July
Mail Payments - Lockbox	16,571	15,183
Mail Payments - Office	19	38
<b>Mail Payments - Subtotal</b>	<b>16,590</b>	<b>15,221</b>
Night Deposit	150	147
Click-to-Gov Payments	0	0
Paymentus Payments	12,089	11,724
IVR Payments	0	0
<b>Without assistance payments - Subtotal</b>	<b>12,239</b>	<b>11,871</b>
Drive-up window & inside counter	2,678	2,427
Credit Card machine payments (swipe)	0	0
Credit Card machine payments (phone)	0	0
<b>With assistance payments - Subtotal</b>	<b>2,678</b>	<b>2,427</b>
<b>Total Payments Processed - Subtotal</b>	<b>31,507</b>	<b>29,519</b>
Bank Draft (ACH) Payments	10,412	10,077
<b>Total Payments (Utility)</b>	<b>41,919</b>	<b>39,596</b>
Total Convenience Fees - all Payments	0	0
<b>Grand Total Payments</b>	<b>41,919</b>	<b>39,596</b>

## Traffic Counter at Drive-up Facility

Night Drop *	0	0
8-5 Drive-up Window Customers *	0	0
<b>Total Traffic Counter</b>	<b>0</b>	<b>0</b>

\* These figures are included in the above Total Customer Contact Payments.

### Meter Reading Division

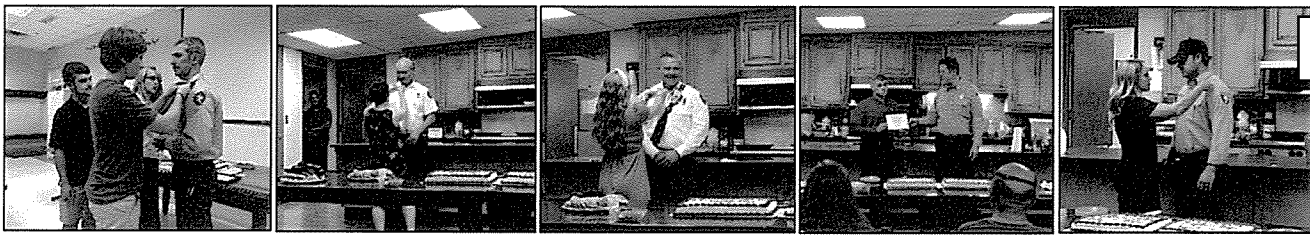
	FYE 22		FYE 21	
	July	YTD	July	YTD
Number of Meters Read	38,632	38,632	33,843	33,843
New Service	926	926	1,152	1,152
Request for Termination	914	914	1,090	1,090
Delinquent On(s)	157	157	1	1
Delinquent Offs	159	159	0	0
Collect Deposit Tags Hung	0	0	17	17
Collect Deposit Cut Offs	0	0	12	12
Blue Tags	0	0	20	20
Number of Meters Re-read	768	768	634	634
Meters Cleaned	60	60	113	113
Customer Assists	0	0	137	137
Meters Pulled	3	3	0	0
Meters Re-set	0	0	0	0
Meter Exchanges	25	25	77	77
TOTAL	41,644	41,644	37,096	37,096

### Utility Division Activity Report

	FYE 22		FYE 21	
	July	YTD	July	YTD
STATUS REPORT				
Regular Utility Accounts Billed	43,721	43,721	43,178	43,178
New Ons	929	929	1,459	1,459
Final Accounts Billed	834	834	997	997
TOTAL ACCOUNTS BILLED	45,484	45,484	45,634	45,634

**FIRE DEPARTMENT**

**4**



## NFD Monthly Progress Report

July 2021

### Incident Response Type Summary

Incident Type	Total	% of Total
1 - Fire	23	1.54%
2 - Overpressure Rupture, explosion, Overheat - No Fire	0	0.00%
3 - Rescue & emergency	949	63.48%
4 - Hazardous Conditions (No Fire)	29	1.94%
5 - Service Call	134	8.96%
6 - Good Intent Call	259	17.32%
7 - False Alarm & False Call	82	5.48%
8 - Severe Weather & Natural Disaster	2	0.13%
9 - Special Incident Type	2	0.13%
Incomplete Reports	15	1.00%
<b>Total Incident Count (Unique Calls)</b>	<b>1495</b>	<b>100.00%</b>
<b>Number of Total Unit Responses</b>	<b>1784</b>	

Total Fire Loss \$336,050.00

	Number of First-In Calls	Average Time/Seconds	Average Time/Minutes
Station #1	304	301	0:05:01
Station #2	225	301	0:05:01
Station #3	229	350	0:05:50
Station #4	184	342	0:05:42
Station #5	64	545	0:09:05
Station #6	54	578	0:09:38
Station #7	129	392	0:06:32
Station #8	94	328	0:05:28
Station #9	207	341	0:05:41

### Community Outreach

Tours and Special Events	16	Safety Town, Parades, Fireworks/Community Event Support, Tours
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### Burn Permits

Burn Permits Issued	272	Total of 24 burn days
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### Training

Total Personnel Training Hours	2506	Mgmt/Supvsr, Hazmat, Wildland, Special Healthcare, etc.
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## NFD Monthly Progress Report July 2021

### Total Calls By Unit

	Total Number of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
Chief 301	11	1	4					3	2	1
Chief 302	20	3	4	4	1		1	3	3	1
Chief 303	12	4	2		3		1	2		
Chief 304	11	1	1				2	4	2	1
Chief 402	1						1			
Chief 403	1		1							
Chief 404	7		2			2	1			2
Engine 1	326	303	2	5	1		2	7		6
Brush 1	6	3					2			1
Ladder 1	13	3	3	1	1			1	3	1
Engine 2	237	2	222		7		1	3	1	1
Brush 2	2		2							
Ladder 2	12	1	5	1	1			2	1	1
Engine 3	235		2	227						6
Brush 3	3		1	2						
Engine 4	198		9		185			3	1	
Engine 5	16					13	3			
Brush 5	68					65	3			
Engine 6	29	1					25			3
Brush 6	58	1					55			2
Squad 7	172	13	10	2	3			127	8	9
Brush 7	1									1
Engine 8	106		1		5			6	94	
Tanker 8	1								1	
Engine 9	218	7	2	2		1	2	2		202
Brush 9	5	1				1	1			2
Tanker 9	5					1	3			1
EMS1	3		1	1						1
Fire Marshal 2	2		1			1				
Fire Marshal 4	2	1					1			
Fire Marshal 5	1	1								
	<b>1782</b>	<b>346</b>	<b>275</b>	<b>245</b>	<b>207</b>	<b>84</b>	<b>104</b>	<b>163</b>	<b>116</b>	<b>242</b>



**NORMAN FIRE DEPARTMENT  
MONTHLY PROGRESS REPORT  
July 2021**

**FIRE PREVENTION DIVISION ACTIVITIES**

<b>Inspections/Plan Review</b>			
<b>Activites</b>	<b>Notes</b>	<b>Number</b>	<b>Staff Hours</b>
Inspections		86	75.5
Re-Inspections		20	25.5
<b>Total Inspections</b>		<b>106</b>	<b>101</b>

<b>Smoke Detector Program</b>			
<b>Activites</b>	<b>Notes</b>	<b>Units</b>	<b>Staff Hours</b>
Smoke Detector Batteries			
Smoke Detectors Installed		21	17

<b>Training/Public Education Education</b>			
<b>Activites</b>	<b>Notes</b>	<b>Events</b>	<b>Staff Hours</b>
Training (hours)		28	30
Fire Education Classes		6	13

<b>Code Issues/Investigation</b>			
<b>Activites</b>	<b>Notes</b>	<b>Number</b>	<b>Staff Hours</b>
Request for Service (Plan review unscheduled, site inspection burn sites, special events, citizen complaints)			
Code Violation Complaints		52	67
Investigations		7	22
Investigative Activities		8	26
Miscellaneous/Special			

## EMERGENCY MANAGEMENT DIVISION ACTIVITIES

Emergency Management Discipline	Comments: July 2021
<b>Mitigation:</b>	
N/A	
<b>Preparedness:</b>	
Amateur Radio Testing	07-01
Amateur "ELMER" night	Each Tuesday night of the month. This allows dedicated for the public and HAM operators to bring projects to work with the more experienced in completing the projects
State Communication Testing	Each Wednesday morning
Norman Volunteer Team meeting	Second Thursday of each month
Assisted an Eagle Scout Candidate in a project to obtain his Eagle accreditation	Completed the construction on auxiliary antennas for NOAA weather radios in order to receive a better signal
Support Bike Ride supporting the JD McCarty Center	7-10, 2 volunteers at 4 hours
Public Safety Meeting	07-15
Meeting with Envision Success	07-16, discussion on involving social work and mental health counseling in disaster response operations
Medical Reserve CORPS Wellness call	07-20
FEMA 6 call on future of CERT	
Envision Success meeting on Café	07-27
OK Homeland Security meeting	07-29 Regional Advisory Council
Envision Success meeting student practicum and grant	07-30
<b>Response:</b>	
N/A	
<b>Recovery:</b>	
DR-4575 submitted	\$5,172,692.74 submitted for reimbursement. Working issues with FEMA they have requested more information on

**NORMAN FIRE DEPARTMENT  
MONTHLY PROGRESS REPORT  
July 2021**

**Fire Review Coordinator Activities**

<b>Activites</b>	<b>Notes</b>	<b>Number</b>	<b>Staff Hours</b>
Building Permits/Development Review Team		24	45
Inspections		19	24
Citizen Calls for Information		7	6
Training		12	26
Meetings		10	12
<b>Totals</b>		<b>72</b>	<b>113</b>

**HUMAN RESOURCES 5**

**HUMAN RESOURCES**  
**Monthly Report**  
**July 2021**

**ADMINISTRATION**

**A. Administrative Support**

- Processed Monthly Department Report
- Compiled and distributed July 2021 Employee Newsletter
- Processed invoices and reconciled expense accounts
- Attended/Summarized three (3) negotiation sessions
  - 1 – FOP
  - 1 – IAFF
  - 1 – AFSCME

**BENEFITS**

- Conducted six (6) new hire orientations
- Processed enrollment forms, terminations, and changes to health, life, and supplemental products for general health/dental changes
- Reconciliation of health, dental, and supplemental products
- Continued education of plan documents
- Fielded approximately 205 phone calls and one-on-one meetings to discuss benefits, claims, and 2021 Wellness Program surcharges
- Confirmed scheduled upcoming Flu Shot Clinics
- WebEx Meeting – Healthy Merits Report Review
- “No Surprises Act” Webinar

**PERSONNEL ACTIONS**

**New Hires – 14**

<b>Dept./Div.</b>	<b>Position</b>	<b>Number of Employees</b>
Public Works/Fleet	Fleet Service Technician	1
Public Works/Transit	Transit Service Technician	1
Utilities/Water Reclamation	Maintenance Worker I	1
Police/Staff Svs.	Police Records Clerk	1
City Clerk/Custodial Svs.	Custodian (PPT)	1
Parks/Park Maint.	Laborer (PT)	2
Parks/Westwood Golf	PT Golf Personnel (PT)	1
Parks/Westwood Pool	PT Pool Personnel (PT)	3
City Council	Councilmember (PT)	2
Planning	Oil and Gas Inspector (PT)	1

**Separations – 14**

<b>Dept./Div.</b>	<b>Position</b>	<b>Number of Employees</b>
Planning/Admin	Planner I	1
Finance/Utilites	Utility Billing Supervisor	1
Utilities/Water Treatment	Laboratory Technician	1
Police/Animal Welfare	Animal Welfare Technician	1
Police/Patrol	Police Sergeant	1

Public Works/Transit	Transit Support Tech (PPT)	1	Item 6.
Planning/Dev. Svs.	Building Inspector	1	
City Council	Councilmember (PT)	2	
Parks/Westwood Golf	PT Golf Personnel (PT)	1	
Parks/Westwood Pool	PT Pool Personnel (PT)	3	
Parks/Park Maintenance	Laborer (PT)	1	

**Promotions – 9**

Dept./Div.	Position	Number of Employees
Fire/Suppression	Fire Captain	2
Fire/Suppression	Fire Battalion Chief	3
Parks/Park Maintenance	Maintenance Worker I	2
Planning/Dev. Svs.	Associate Plans Examiner	1
Utilities/Sanitation	Sanitation Worker II	1

**SURVEYS**

No surveys conducted this month.

**RECRUITMENT**

**Accepted applications for the following positions:**

Department/Division	Position
City Clerk/Facility Maintenance	Custodian (PPT)
City Manager's Office	Chief Communications Officer
Finance/Utility Services	Meter Reader
Finance/Utility Services	Meter Service Representative
Parks & Recreation/Park Maintenance	Administrative Technician III
Parks & Recreation/Park Maintenance	Maintenance Worker I
Parks & Recreation/Park Maintenance	Temporary Laborer (PT)
Parks & Recreation/Recreation	Food and Beverage Technician I (PT)
Parks & Recreation/Recreation	Recreation Center Specialist (PT)
Parks & Recreation/Recreation	Recreation Manager
Parks & Recreation/Westwood Family Aquatic Center	Admissions Clerk I (PT)
Parks & Recreation/Westwood Family Aquatic Center	Admissions Clerk II (PT)
Parks & Recreation/Westwood Family Aquatic Center	Assistant Aquatic Manager (PT)
Parks & Recreation/Westwood Family Aquatic Center	Aquatics Facility Maintenance (PT)
Parks & Recreation/Westwood Family Aquatic Center	Concessions Cashier I (PT)
Parks & Recreation/Westwood Family Aquatic Center	Concessions Cashier II (PT)
Parks & Recreation/Westwood Family Aquatic Center	Head Lifeguard (PT)
Parks & Recreation/Westwood Family Aquatic Center	Lifeguard (PT)
Parks & Recreation/Westwood Family Aquatic Center	Slide & Gate Attendant (PT)
Parks & Recreation/Westwood Golf Course	Golf Course Attendant (PT)
Parks & Recreation/Westwood Golf Course	Temporary Laborer (PT)
Planning & Community Dev./CDBG	Emergency Shelter Case Manager (PT)
Planning & Community Dev./CDBG	Outreach Case Coordinator
Planning & Community Dev./CDBG	Outreach Housing Liaison
Planning & Community Dev./Permits	Associate Plans Examiner
Police/Animal Welfare	Animal Welfare Technician
Police/Animal Welfare	Registered Veterinary Technician

Police/Animal Welfare	Shelter Veterinarian	Item 6.
Police/Emergency Communications Bureau	Communications Officer I	
Police/Emergency Communications Bureau	Communications Officer II	
Police/Staff Services	Police Records Clerk	
Public Works/Engineering	Construction Manager	
Public Works/Fleet	EVT Specialist	
Public Works/Fleet	Maintenance Worker I	
Public Works/Streets	Maintenance Worker II	
Public Works/Traffic	Traffic Line Locator	
Utilities/Environmental Services	Environmental & Sustainability Manager	
Utilities/Line Maintenance	Utility Distribution Worker I	
Utilities/Sanitation	Sanitation Worker I	
Utilities/Sanitation	Sanitation Worker II	
Utilities/Sanitation	Temporary Laborer	
Utilities/Water Treatment Plant	Temporary Laborer (PT)	

### Recruitment & Hiring Statistics:

Contacts/Inquiries		Selection Process Elements	
In Person	415	Written Exams	0
Phone	480	Practical Testing/Assessment Center	1
Mail	335	Panel Board Interviews	9
Email	220	Promotions	6
Total Subscribers on E-mail Vacancy List	1717	Oral Interviews	5
Total Page Views for HR website	8701	Hiring/Promotion Board	0

### TRAINING AND DEVELOPMENT

Conducted training for six (6) new employees on the topics of Customer Service, Workplace Harassment, Workplace Violence, CON Code of Ethics and Conduct, Computer Networks and Communications, IT Acceptable Use and Social Media policies.

The Computer Training Lab was the site for ERP project management for IT and EAM training for various departments.

### SAFETY

- Safety material documents were sent to divisions each week
- Safety meetings were held for all departments covering Slips, Trips & Falls
- Conducted two (2) Return to Work Meetings for Sanitation
- Conducted three (3) Fitness for Duty Meetings for Fire (1) & Police (2)
- Conducted six (6) new employee orientations

### Recordable Injuries – 6

Dept./Division	Nature of the Injury	Activity	Prognosis
Fire/Suppression	Lower back strain	Injured lower back lifting large patient	Work restrictions
Fire/Suppression	Left shoulder strain	Injured shoulder lifting large patient	Work restrictions

Police/ Patrol	Right leg injury	During foot pursuit, fell while climbing fence injuring leg	Work restrictions	Item 6.
Police/ Patrol	Right pectoral strain	Strained right pectoral during training of ground fighting	Work restrictions	
Police/ Patrol	Left ankle & knee strain	Strained right ankle & knee after being assaulted by suspect	Work restrictions	
Police/ Patrol	Fractured 10 <sup>th</sup> rib	Injured rib during defensive tactics training	Work restrictions	

**Recordable Injuries per calendar year. CY 2021 is current year to date:**

<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
42	57	65	71	59	69

**Vehicle Collisions: 0**

<b>Division</b>	<b>Description of Collision</b>	<b>Status</b>



**INFORMATION TECHNOLOGY 6**

**CITY OF NORMAN**Information Technology Department  
Monthly Report – July 2021.

Working projects for the IT Department are as follows:

<b>Project</b>	<b>Description/improvement anticipated</b>	<b>Status</b>
ERP Replacement Project	Process improvements for finance, purchasing, AR/AP, Courts, HR, Payroll, Personnel, and Permits Management through newer technology, software, and business review processes.	In Progress –Project team has completed implementation work on Incode for Municipal Court, Munis for Financials, Advanced Utilities for utility billing, Munis for Payroll, and is currently in the implementation phase and Tyler EAM for Work Orders, as well as Intellitime for Time and Attendance. Munis for HR Module. CityView for Planning and Permits has begun May 2021.
Main Site data center upgrades	Necessary upgrades to current infrastructure are needed to enhance capabilities and continue with power saving and cooling efforts by reducing the amount of physical servers through virtualization.	Ongoing: FYE18 funding of new core switching has been approved and switches have been installed. IT Network staff are in implementation and testing of networking and security appliances Q1 of 2021.
Water tower and mono-pole contract negotiations.	Increased Revenue and compliance for water tower/cellular mono-pole leases. Repair requirements.	Ongoing

Fiber Optic Installation for redundant loop at WTP and EOC	IT and the Utilites Department will be using capital funds to connect a microwave antenna from Fire station 9 to the Water treatment plant and connect to the Emergency Operations Center once that building is complete. This will create a redundant loop for the WTP and EOC incase of lost service from the main connection.	Awaiting Approval possible launch in FYE22
New Building construction support.	The IT Department is involved in all new building construction planning and will be responsible to map our networking infrastructure, building air for network closets, power for equipment and batter backups, network drops, wireless network coverage, hardware installation, and physical moves of staffs computer systems in all building projects (Norman Forward Driven)	In Planning
Main Street Roadway Lighting and Signal Interconnect (Main at Santa Fe, Peters, Crawford, and Porter)	Increase the coverage of traffic signals and the IT Fiber infrastructure which will require IP addresses for viewing in Centrac	In Progress
IT Security training efforts for all network and email users at the City of Norman.	Increase the knowledge and stay current on all new and rapidly changing cyber-attack methods so that the CoN network is protected by every employee who uses the network and email.	Ongoing
Installation of fiber optic cable along 36th Avenue NW from Robinson Street to Main Street with switches at Brookhollow Road, Quail Drive, River Oaks Drive, and a new signal at Havenbrook Street.	Increase the coverage of traffic signals and the IT Fiber infrastructure--will require IP addresses	In Progress

Installation of fiber optic cable along 12th Avenue SE from Highway 9 to Cedar Lane Road with a switch at a new signal at Campus Crest Drive.	Increase the coverage of traffic signals and the IT Fiber infrastructure--will require IP addresses	Expected completion in Q1 or Q2 2019
Installation of fiber optic cable along 12th Avenue NE from Robinson Street to Alameda Street with switches at Main Street, Norman Public Schools Bus Barn, and Morren Drive.	Increase the coverage of traffic signals and the IT Fiber infrastructure--will require IP addresses	In Progress
Installation of fiber optic cable along 12th Avenue NE from Rock Creek Road to Robinson Street with switches at Rock Creek Road and a modified traffic signal at High Meadows Drive	Increase the coverage of traffic signals and the IT Fiber infrastructure--will require IP addresses	
Installation of fiber optic cable along Classen Boulevard from Highway 9 to Cedar Lane Road with switches at new signals at Ann Branden Boulevard, Renaissance Drive, and Southlake Boulevard.	Increase the coverage of traffic signals and the IT Fiber infrastructure--will require IP addresses	

### Support Tickets:

The IT department tracks work requests with a software package called Spiceworks. **IT Table 1** below represents the number of support tickets closed by the IT Support Staff and those remaining open at the end of July 2021.

### Mass Communications:

The following statistics represent email space and resource savings. In the attached table, you will see that 29 emails from the groups shown were sent from city servers using city resources – of those 50,231 were delivered to outside mailboxes for the month of July 2021. The city servers generated mass communications to Norman citizens of 50,231 messages from only 29 sent (see **IT Table 2**).

### Email Security Appliance:

The City of Norman's IT Department has an email filter that has enhanced reporting and filtering capabilities that protect the City's systems from malicious attacks from the outside. Email is one of the preferred methods of the delivery of malicious software and viruses. The IT department monitored 326,252 attempted incoming and 145,388 outgoing messages for the month of July 2021. Incoming messages totaling 150,383 were considered Spam or hazardous e-mails by our email-filtering appliance, and were quarantined or filtered (see **IT Table 3**). This number represents nearly 47% of our inbound mail. This percentage continues to be the norm for malicious email/spam. The IT Department has made the decision to block inbound traffic from known malicious countries and we continue to monitor and analyze the situation on a daily basis. Inbound email messages of this nature means increased vulnerabilities and attack vectors into the city. Without the email filter appliance, our email server would have received more mail, which increases the opportunity for entrance of a virus into the network. It also creates waste and decreases valuable storage space. Additionally, the email filter appliance kept city employees from bombardment of a significant amount of spam, phishing, and other types of potentially harmful emails.

### Web Site:

The City of Norman's web site is hosted, updated, and maintained by the IT Department. In the month of July 2021, the City of Norman's web site had 127,036 individual web sessions access the web site for 272,931 total page views. Of those sessions, 73,505 were identified as New Users to view content on the City web site (see **IT Table 4**). In July of 2019, the IT Department kicked off a project with Interpersonal Frequency to overhaul the City website. Since its completion in June 2020, the site has reduced and more relevant information as well as the ability to function seamlessly from mobile devices and tablets.

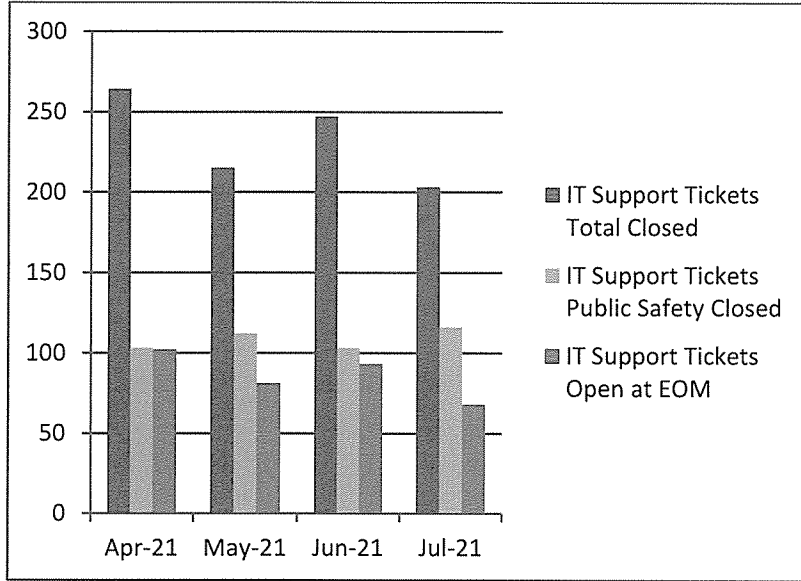
### ERP Project Implementation Progress:

The chart below shows the current progress of the ERP Implementation Project. The project began in January of 2018 and is expected to run through the second quarter of 2022. The City Council has approved approximately \$6 Million to replace the outdated software systems that run our daily business operations. Once complete the city will have enhanced automated services and web services for our

citizen base as well as the employees who use and track their daily work with these business systems. The IT Department has completed implementation of Parks and Rec software (Vermont Systems), Municipal Court software (Incode), Finance software (Munis), Utility Billing software (CIS Infinity), and Payroll (Munis). Human Resource Management (HRM), and EAM for Work Orders is our focus for the Months of Feb through July/August 2021. Daily work continues on these systems as well as additional training and configuration on the Utility Billing software. Server installation and configuration for Planning and Community Services (CityView) application began in May of 2021. The COVID-19 pandemic had an adverse effect on the completion of CIS Infinity and the starting of CityView because of vendor resource availability and travel restrictions in Canada (both companies are Harris owned and based in Canada). The final phase of our software upgrades, City View, is expected to be completed by the end of FYE22 or the start of FYE23.

		2018												2019												2020												2021													
Community /Phase	Legacy	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
City of Norman Implementation Plan																																																			
Parks & Rec: Vermont	Manual																																																		
Municipal Court: Tyler Incode	Custom																																																		
Phase 1: Financial Management	HTE																																																		
Utility Billing: Advanced Utilities	HTE																																																		
Phase 2: EAM: Facilities, Line Maint, Storm water	HTE																																																		
Planning and Community Dev.: Cityview	HTE																																																		
Phase 3: Human Resource Management	HTE																																																		
Time & Attendance: IntelliTime	Manual																																																		
Website Re-Design	Custom																																																		

**Table 1**



**Table 2**

<b>July 2021 LIST SERVER REPORT</b>			
<b>Group</b>	<b>Active Members</b>	<b>Mailings</b>	<b>Total Delivered</b>
Affirmative Action Group	16	2	32
Job Posting	1712	2	3424
Norman News	1871	25	46775
Westwood Golf	645		
Westwood Golf Members	24		
Westwood Men's Clinic	14		
Westwood Men's Golf Assoc.	54		
Westwood Women's Clinic	34		
Westwood Women's Golf Assoc.	2		
<b>Totals</b>	<b>4372</b>	<b>29</b>	<b>50231</b>



# Executive Summary

ironport.example.com

01 Jul 2021 00:00 to 31 Jul 2021 23:59 (GMT -05:00) Data in time range: 100.0 % complete

### Incoming Mail Graph

### Incoming Mail Summary

Message Category	%	Messages
Stopped by Reputation Filtering	40.6%	132,549
Stopped as Invalid Recipients	0.0%	102
Spam Detected	5.3%	17,379
Virus Detected	0.0%	64
Detected by Advanced Malware Protection	0.0%	1
Messages with Malicious URLs	0.0%	104
Stopped by Content Filter	0.1%	184
Stopped by DMARC	2.4%	7,982
S/MIME Verification/Decryption Failed	0.0%	0
<b>Total Threat Messages:</b>	<b>46.1%</b>	<b>150,383</b>
Marketing Messages	13.2%	43,063
Social Networking Messages	0.8%	2,743
Bulk Messages	8.9%	29,193
<b>Total Graymails:</b>	<b>23.0%</b>	<b>74,999</b>
S/MIME Verification/Decryption Successful	0.0%	0
Clean Messages	30.9%	100,870
<b>Total Attempted Messages:</b>		<b>326,252</b>

### Outgoing Mail Graph

### Outgoing Mail Summary

Message Processing	%	Messages
Spam Detected	0.0%	0
Virus Detected	0.0%	0
Detected by Advanced Malware Protection	0.0%	0
Messages with Malicious URLs	0.0%	0
Stopped by Content Filter	0.0%	66
Stopped by DLP	0.0%	0
Clean Messages	100.0%	145,350
<b>Total Messages Processed:</b>		<b>145,416</b>

Message Delivery	%	Messages
Hard Bounces	17.7%	25,800
Delivered	82.3%	119,588
<b>Total Messages Delivered:</b>		<b>145,388</b>

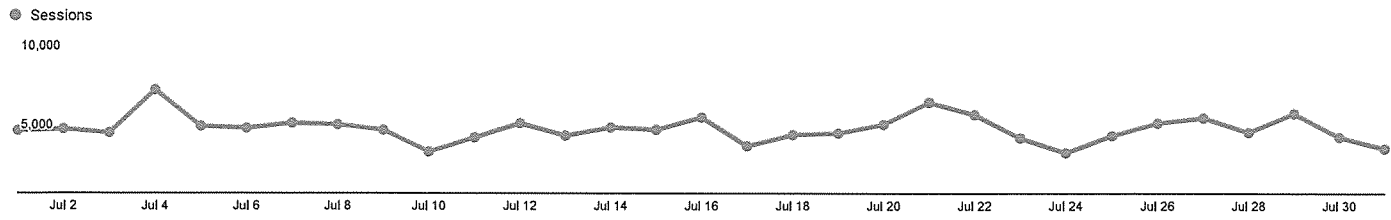


Site Traffic

Jul 1, 2021 - Jul 31, 2021

All Users  
100.00% Sessions

Report Tab



Day of the month	Sessions ↓	Pages / Session	Pageviews	Users	New Users	Bounce Rate	Avg. Time on Page
	<b>127,036</b> % of Total: 100.00% (127,036)	<b>2.15</b> Avg for View: 2.15 (0.00%)	<b>272,931</b> % of Total: 100.00% (272,931)	<b>84,858</b> % of Total: 100.00% (84,858)	<b>73,505</b> % of Total: 100.04% (73,472)	<b>46.45%</b> Avg for View: 46.45% (0.00%)	<b>00:01:25</b> Avg for View: 00:01:25 (0.00%)
1. 04	6,567 (5.17%)	1.65	10,862 (3.98%)	5,376 (4.83%)	3,821 (5.20%)	51.79%	00:02:04
2. 21	5,792 (4.56%)	2.07	12,002 (4.40%)	5,228 (4.70%)	3,912 (5.32%)	49.64%	00:01:14
3. 29	5,072 (3.99%)	2.20	11,176 (4.09%)	4,580 (4.12%)	3,268 (4.45%)	49.84%	00:01:12
4. 22	4,992 (3.93%)	2.12	10,593 (3.88%)	4,509 (4.05%)	3,295 (4.48%)	50.50%	00:01:14
5. 16	4,822 (3.80%)	2.00	9,628 (3.53%)	4,321 (3.88%)	3,018 (4.11%)	51.20%	00:01:25
6. 27	4,788 (3.77%)	2.78	13,317 (4.88%)	4,254 (3.82%)	3,011 (4.10%)	46.76%	00:00:54
7. 26	4,456 (3.51%)	2.15	9,585 (3.51%)	3,940 (3.54%)	2,691 (3.66%)	45.94%	00:01:32
8. 07	4,447 (3.50%)	2.22	9,862 (3.61%)	3,863 (3.47%)	2,323 (3.16%)	38.07%	00:01:35
9. 12	4,442 (3.50%)	2.32	10,323 (3.78%)	3,730 (3.35%)	2,301 (3.13%)	38.29%	00:01:23
10. 20	4,374 (3.44%)	2.10	9,201 (3.37%)	3,916 (3.52%)	2,691 (3.66%)	49.11%	00:01:21

Rows 1 - 10 of 31

**LEGAL 7**

**MONTHLY REPORT - LEGAL DEPARTMENT**  
**July 2021 Report**  
**(Submitted August 13, 2021)**

**MONTHLY HIGHLIGHTS:**

Ashton Grove, et al. v. City of Norman, CIV-10-1002 W (K)

This case is part of the litigation that involved the Ashton Grove development. It was administratively closed on January 24, 2011, and a Motion to Reopen was denied on April 19, 2011. Because this case has been dormant for more than ten (10) years, it will no longer appear on the Monthly Report.

Ashton Grove, et al. v. City of Norman, CJ-2012-262; CIV-12-234 W (K)

This case is part of the litigation that involved the Ashton Grove development. It was consolidated with CIV-10-1002 on March 27, 2012, and has been dormant for nine (9) years. Because this case has been dormant for more than nine (9) years, it will no longer appear on the Monthly Report.

City v. Harris, Paige Marie, CV-2021-1914

This case was filed on June 24, 2021. It arise out of horses seized by the City because of abuse or neglect. Ms. Harris agreed to relinquish the horses and they have been transferred to a rescue. Thus, this case will no longer appear on the Monthly Report.

Hinckley v. City of Norman, CV-2016-1828 JV (K)

This is an appeal of a board of adjustment decision denying Mr. Hinckley a variance that would have allowed him to exceed the 66% impervious surface limitation at 4504 Greystone Lane. On July 7, 2021, Mr. Hinckley dismissed the case without prejudice. Consequently, this case will no longer appear on the Monthly Report.

**LIST OF PENDING CASES:**

**UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK**

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, Case No. 05-MD-01720 (JG)(JO) (K)

**UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF OKLAHOMA**

Doughty v. CentralSquare Technologies LLC, et al., CJ-2020-451; CIV-2020-451 (K)

Thompson v. City of Norman, et al., CJ-2019-71; CIV-19-13 (K)

Harmon, Toby, Shane Dodson, Tammi Dodson v. City of Norman, Jeff Robertson, Case No. 18-6187; CIV-18-688-HE (K)

**OKLAHOMA SUPREME COURT / COURT OF CIVIL APPEALS**

AMF Development v. City of Norman, et al, CJ-2018-1134; SD 119,677 (K)

Fleske Holding Company LLC v. City of Norman, CV-2018-956; SD 119,649

Kevin Easley v. City of Norman, CV-2012-346; DF-115811 & SD-119536

Golden Tribe LLC v. City of Norman, CV-2018-1142, DF-119107

Magnum Energy, Inc. v. Board of Adjustment for the City of Norman, SD-117912 (M)

## COURT OF CRIMINAL APPEALS

None

## CLEVELAND COUNTY DISTRICT COURT

### A. *General Lawsuits*

Armstrong v. City of Norman, CJ-2012-1638 (K)  
City v. Haddock, CV-2010-357 TS (K, S)  
City v. IAFF; CV-2011-48 L; DF-109447 (K)  
City v. Komiske, Cobblestone Creek Management Company, et al, CV-2012-748 (K, W)  
City v. Stachmus, Aaron & Anglin, Bryson, CJ-2021-445  
Easley v. City of Norman, CJ-2015-304 T; Case No. 117292 (Convenience Fee) (K)  
FOP/IAFF/AFSCME v. Okla. Dept. of Labor and City of Norman, CJ-2005-1170 L (K)  
FOP v. City of Norman, CV-2011-876 L (K)  
Caleb Fulton v. Loyal Reich, Reich Dozer Services, LLC, City of Norman, Board of County Commissioners of Cleveland County, State of Oklahoma, CJ-2020-797 (K)  
Kevin Hahn v. Norman Police Department, City of Norman, CJ-2021-210 (K)  
Henderson, et al. v. City of Norman, et al., Case No. CJ-2016-610 (K)  
City v. Lonnie Hodges, CV-2020-2922  
The Norman Petition Initiative No. 2021-1, Case No. CV-2020-2384 (K)  
McCarver v. City of Norman, CJ-2013-128 TS (K)  
Remy v. Hall, et al., Case No. CV-2017-1853 (K, S)  
Walling v. Norman Regional Health System, et al, CJ-2014-874 (K)

### B. *Condemnation Proceedings*

City of Norman v Chastain Oil Company, a Corporation, et al., CV-2015-677 (M)  
City of Norman v. West Lindsey Center Investors, LLC, et al., CV-2015-671 (M)  
City of Norman v. Tietsort Revocable Trust, et al., CJ-2013-775 (M)  
City of Norman v Apex Properties, LLC, et al., CJ-2021-221 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.  
City of Norman v Ramchender Pulijala, et al., CJ-2021-222 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.  
City of Norman v. David W. Little, et al., CJ-2021-223 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.  
City of Norman v. Michael W. Griffith, et al., CJ-2021-224 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.  
City of Norman v. Bradley C. Conley, et al., CJ-2021-225 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.  
City of Norman v. CHC Land, LLC et al., CJ-2021-226 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.

City of Norman v. The Uplands Development Co., LLC, et al., CJ-2021-227 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.

City of Norman v. Hallbrooke Development Group One, LLC, et al., CJ-2021-228 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.

City of Norman v. Gregory Rushing, et al., CJ-2021-229 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.

City of Norman v. Ronald A. Ashley, et al., CJ-2021-337 (M): Commissioners' Report filed on July 22, 2021, and award funds deposited with Court on 8/3/21.

**C. *Lawsuits involving a City claim/interest in Property, Foreclosure Actions, and Applications to Vacate***

City of Norman v. Legacy Property Partners, LLC, CV-2018-249 (K, S)

Mortgage Clearing Corporation v. Ricky Joe Butler, et al., CJ-2016-219 (M)

Mortgage Clearing Corporation v. Doiron, et al., CJ-2014-1459 (M)

**D. *Municipal Court Appeals***

**E. *Small Claims Court***

Almost Home Investment, et al. v. City of Norman, SC-2014-3027 (K)

**F. *Board of Adjustment Appeals***

**LABOR / ADMINISTRATIVE PROCEEDINGS**

**A. *Grievance & Arbitration Proceedings (K)***

This office has assisted with the following grievances:

AFSCME Grievance FYE 21-02 - (COVID-19 Leave)

AFSCME Grievance FYE 21-05 – (Brooks & Stephens)

AFSCME Grievance FYE 21-06 – (Parks HEOs and MWIIs)

IAFF Grievance FYE 21 – (Smith – Improper Compensation)

IAFF Grievance FYE 22 – (Battalion Chief)

This grievance involves the selection process for newly created Battalion Chief positions in the Fire Department.

IAFF Grievance FYE 22 – (Intellitime)

This grievance involves the City's decision to use Intellitime software to keep track of employee time and attendance.

**B. *Equal Employment Opportunity Commission (EEOC)***

None

**C. Contested Unemployment Claims (OESC)**  
 None

**MUNICIPAL COURT PROSECUTIONS**

This chart represents the cases prosecuted by the City Attorney’s Office in the Municipal Criminal Court through July 2021. The chart does not represent those cases disposed of prior to Court through actions of the City Attorney and the Court.

Month	<u>ADULT CASES</u>			<u>JUVENILE CASES</u>			<u>COURT SESSIONS</u>		
	FYE 20	FYE 21	FYE 22	FYE 20	FYE 21	FYE 22	FYE 20	FYE 21	FYE 22
JULY	640	545	296	35	23	11	15	16	7
AUG	683	444		10	11		15	14	
SEPT	497	520		17	10		14	13	
OCT	581	325		23	4		18	7	
NOV	390	259		9	0		11	6	
DEC	444	279		25	6		12	7	
JAN	522	134		32	3		15	0	
FEB	597	178		22	1		13	0	
MAR	420	270		22	6		7	5	
APR	104	420		0	6		0	13	
MAY	137	507		2	10		0	13	
JUNE	528	422		25	0		9	11	
TOTALS / YTD	5,543	4,303	296	222	80	11	129	105	7

**WORKERS' COMPENSATION COURT**

The total number cases pending as of July 2021 are 14. During the month of July, there were no new workers compensation cases filed. Two settlements were approved by Council on July 13, 2021. The remaining cases are proceeding in active litigation in the Oklahoma Workers’ Compensation Commission. The current breakdown of pending Workers’ Compensation cases by work area have been reviewed and updated for accuracy is as follows:

DEPARTMENT	DIVISION	PENDING CASES	FYE 22 CASES	FYE21 CASES	FYE20 CASES	FYE19 CASES
Fire	Suppression	3		2	2	4
Parks/Rec.	Park Maintenance	1				1
Planning	Development Services					
Police	Animal Welfare	3		2	1	
Police	Patrol	4		1	2	1
Police	Administration					
Public Works	Street Maintenance	2		1	1	3
Public Works	Vehicle Maintenance					
Public Works	Storm Water					

DEPARTMENT	DIVISION	PENDING CASES	FYE 22 CASES	FYE21 CASES	FYE20 CASES	FYE19 CASES
Utilities	Line Maintenance	1			1	
Utilities	Sanitation					
<b>TOTALS</b>		<b>14</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>9</b>

***List of Pending Cases***

- Adams, Malia Jessie v. City of Norman, CM-2020-01069 Q  
 (Police, Animal Welfare, Animal Welfare Officer, R. Hip, Low Back with Radicular Symptoms, Mid-Back Consequential; + Thoracic Spine)
- Adams, Malia Jessie v. City of Norman, CM-2021-02000 A  
 (Police, Animal Welfare, Animal Welfare Officer, R. Ankle, Mid/Low Back)
- Amason, Amber v. City of Norman, WCC 2012-12306 K  
 (Police, Patrol, MPO, Intestinal/Parasite/Infection)
- Baskeyfield, Henry L. v. City of Norman, CM-2020-03971 A  
 (Police/Animal Control/AWO, Low Back)
- Clement, Stacey v. City of Norman, CM-2020-04580 R  
 (Police, Investigations/Captain, Head, Face, Neck, Back, Both Shoulders, Arms, Hands, Legs)
- Kizzia, Derrald v. City of Norman, WCC 2014-06995 K  
 (Parks & Rec, Park Maintenance, HEO, R. Knee/Reopen Request)
- Koscinski, Christopher v. City of Norman, CM-2020-06955 J  
 (Fire, Suppression, Firefighter, R. Shoulder, R. Arm)
- Landrum, Sean v. City of Norman, CM-2019-05618 L  
 (Utilities, Water Maintenance, Utility Distribution Worker II, Head, Headaches, Face, Jaw, Teeth, Tongue, Neck, and R. Shoulder)
- Mosley, Kent v. City of Norman, CM-2020-00585 X  
 (Police, Patrol, Sergeant (Mid & Low Back, Radicular Pain Down L. & R. Leg, R. Big Toe, R. & L. Buttocks)
- Pack, Robert v. City of Norman, CM 2017-06285 K***  
***(PW, Street Maintenance, HEO; Low Back/Reopen Request)***  
***A settlement in the above case was approved by Council on July 13, 2021 and will no longer appear on the monthly report.***
- Ragland, Leon v. City of Norman, CM-2020-07082 X***  
***(Fire, Suppression, Firefighter, R. Knee)***  
***A settlement in the above case was approved by Council on July 13, 2021 and will no longer appear on the monthly report.***
- Robertson, Kellee v. City of Norman, WCC 2010-13896 F  
 (Police, Narcotics, MPO, Respiratory System/Lungs, Circulatory System Organs of the Body and Whole Person)
- Wilkins, Levi v. City of Norman, CM-2019-05323 X  
 (Fire, Suppression, Fire Driver Engineer, BAW, Cancer)
- Younts, Jerry Wayne v. City of Norman, CM-2020-06911 F  
 (Public Works/Street Maintenance/HEO, L Shoulder, Neck)

**TORT CLAIMS**

The following is a breakdown of the Tort Claims activity through July 2021.

DEPARTMENT	FYE 22 Month	FYE 22 YTD	FYE 21	FYE 20	FYE 19
Animal Control			1		
Finance – IT			1		
Fire	1	1	1	4	
Legal			2		
Other	1	1	11	10	9
Parks	1	1	4	6	6
Planning					
Police			3	5	10
Public Works – other			2	3	
Public Works – Stormwater				2	
Public Works – Engineering			1	2	
Public Works – Streets	1	1	9	11	6
Utilities – Water	1	1	11	11	12
Utilities – Sanitation			12	12	10
Utilities – Sewer			5	5	3
<b>TOTAL CLAIMS</b>	<b>5</b>	<b>5</b>	<b>63</b>	<b>71</b>	<b>56</b>

CURRENT CLAIM STATUS	FYE 22 TO DATE	FYE 21	FYE 20	FYE 19
Claims Filed	5	63	71	56
Claims Open and Under Consideration	4	8	0	0
Claims Not Accepted Under Statute/Other	1	10	11	8
Claims Paid Administratively	0	10	13	10
Claims Paid Through Council Approval	0	4	14	12
Claims Resulting in a Lawsuit for FY	0	1	1	4
Claims Barred by Statute (No Further Action Allowed)	0	18	32	22
Claims in Denied Status (Still Subject to Lawsuit)	0	12	0	0



**MUNICIPAL COURT**

**8**

**MUNICIPAL COURT  
MONTHLY REPORT  
JULY - FY '22**

**CASES FILED**

	<u>JULY</u>	<u>FY22</u>	<u>Y-T-D</u>	<u>JULY</u>	<u>FY21</u>	<u>Y-T-D</u>
Traffic	338		338	695		695
Non-Traffic	147		147	421		421
SUB TOTAL	485		485	1,116		1,116
Parking	356		356	182		182
<b>GRAND TOTAL</b>	<b>841</b>		<b>841</b>	<b>1,298</b>		<b>1,298</b>

**CASES DISPOSED**

	<u>JULY</u>	<u>FY22</u>	<u>Y-T-D</u>	<u>JULY</u>	<u>FY21</u>	<u>Y-T-D</u>
Traffic	419		419	1059		1059
Non-Traffic	198		198	306		306
SUB TOTAL	617		617	1,365		1,365
Parking	414		414	120		120
<b>GRAND TOTAL</b>	<b>1,031</b>		<b>1,031</b>	<b>1,485</b>		<b>1,485</b>

**REVENUE**

	<u>JULY</u>	<u>FY22</u>	<u>Y-T-D</u>	<u>JULY</u>	<u>FY21</u>	<u>Y-T-D</u>
Traffic	\$ 56,303.53		\$ 56,303.53	\$ 97,013.54		\$ 97,013.54
Non-Traffic	\$ 25,349.83		\$ 25,349.83	\$ 26,877.23		\$ 26,877.23
SUB TOTAL	\$ 81,653.36		\$ 81,653.36	\$ 123,890.77		\$ 123,890.77
Parking	\$ 11,400.00		\$ 11,400.00	\$ 2,615.00		\$ 2,615.00
<b>GRAND TOTAL</b>	<b>\$ 93,053.36</b>		<b>\$ 93,053.36</b>	<b>\$ 126,505.77</b>		<b>\$ 126,505.77</b>

MUNICIPAL COURT - MONTHLY REPORT  
July 2021

JUVENILE COMMUNITY SERVICE PROGRAM

Due to a vacancy in program staff, juveniles located and worked community service projects on their own.

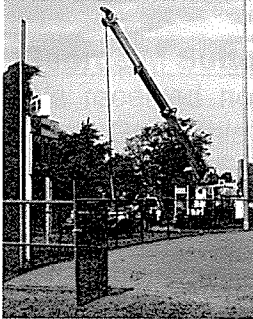
MEDIATION PROGRAM

The Early Settlement – Norman Mediation Program accepted 43 new cases and closed 40 cases during the month of July 2021. Two Mediations were held.

**PARKS AND RECREATION 9**

## Park Planning Activities July 2021

### **NORMAN FORWARD Reaves Park:**



Bids were opened on July 29, 2021, for the work on the Reaves Park NORMAN FORWARD project to build new ball fields and also renovate the park's existing sports fields and parking areas. After reviewing all bidders' materials, we will work with our Construction Manager (FLINTCO) and Program Manager (ADG) to bring forward a Guaranteed Maximum Price for the work and then plan to begin construction late summer/fall. The project will be timed to start when we are relocating our Park Maintenance operation and facilities to their new home at North Base. Both the North Base and the Reaves Park Projects are being done by FLINTCO, which will help us coordinate operations at both sites. We are also working on installing two new scoreboards at the existing youth baseball fields off Constitution Street. The new boards will include digital advertisement displays and be controlled with modern wireless technology. The scoreboards are provided for free, with a split in revenue for the advertising over the first several years of operation. We will continue to add boards to the existing fields and provide new scoreboards for the new fields being built as part of the project.

### **NORMAN FORWARD Ruby Grant Park:**



Crossland Construction held a punch list walk-thru on Friday, July 30, with our staff and ADG to create a list of items to finish as they conclude work to construct the new youth football practice fields and facilities in the northwest corner of this 153-acre park. The fields were mowed, aerated, had compost added, and were fertilized at the end of the month to be ready for use when teams start practicing in September. At that time, the restroom will be complete and open for daily use; the new walking trails around the fields will be honest, and the expanded parking area will be available. Crossland is also working to construct the parking lot expansion in the southeast corner of the dog park and disc golf areas. That work will continue through September, while we also make improvements to the dog park areas by placing several benches and a shade structure with seating in the northern section of the 3-section park.

### **NORMAN FORWARD Neighborhood Parks:**



B&B Sod installed sod in Sequoyah Trails Park in July as we finish that park renovation. The project included replacing all of the concrete park paths and re-grading the park for better drainage, installation of a new, larger basketball court, and installation of a new picnic shelter

and grill to replace the old gazebo, which had been vandalized to the point where it could no longer be repaired. A new park sign frame was also installed there, as well as at Vineyard and Chisholm’s Cattle Trail Parks—as we work to complete the sign replacement project at all of our parks. Our next neighborhood park renovations will be scheduled this year at Vineyard and Cherry Creek Parks, while we also work to make improvements city-wide to park furnishings and adding more picnic shelters, as budget allows.

**George M Sutton Wilderness:**

We received notice that the City of Norman is being awarded a Recreational Trails Grant this year to fund improvements at Sutton Wilderness. The grant was applied for in February and included a request for an 80% match for a project to build additional parking at the trailhead lot off of 12<sup>th</sup> Avenue NE, and repair the grading, and re-pave the trail spur that connects Sutton Wilderness to the trail in Griffin Park (south of Sutton). The improved trail will have a crushed granite finish to match the main trail in Sutton, which was improved several years ago with the help of another Recreational Trails Grant. We will plan for the work to occur this fiscal year, with the matching funds coming from our Room Tax and/or Community Park Fund(s). The total project cost was estimated at \$139,000. The grant will contribute \$111,200 towards this cost.

**Sooner Theatre:**

We are planning to do work in the sweet shop of the theatre next month to bring the service counter into compliance with ADA standards. There will also be work done to improve the circulation in the shop and provide a small seating area and a more efficient employee area behind the counter. Other work will include installing additional storage and removing unused furniture items upstairs and in the lobby and office to create a better user experience. The work is being scheduled now that the theatre has concluded its summer camp season with a spectacular production of the High School Edition of the Broadway classic, “CHICAGO.” The show ran July 29 - August 1 and featured students in grades 9-12.



JULY 2021  
RECREATION DIVISION  
MONTHLY REPORT

**Senior Center:** The Norman Senior Center saw a tremendous increase in August, with 925 in attendance. The Center was closed on Monday, July 5<sup>th</sup>, in observance of the Independence Day Holiday. The week of July 12<sup>th</sup> was busy with First Monday Birthdays on Monday, a day trip to the Skeletons: Museum of Osteology on Wednesday, July 14<sup>th</sup>, and Grill and Games Outdoor Event on Friday, July 16<sup>th</sup>. The trip to the museum drew nine participants, while the Grill and Games Outdoor Event at June Benson Park attracted approximately 60 senior adults. Coming up in August, the Norman Senior Center will host a day trip to the National Cowboy and Western Heritage Museum on Tuesday, August 10<sup>th</sup>, and host its third Grill and Games Outdoor Event on Friday, August 20<sup>th</sup> at 6 pm.

**Little Axe Community Center:** The Little Axe Community Center pantry distribution continued this month and serves families of the Little Axe Community. The Head Start program will resume in the Fall. The Little Axe Community Center is still offering library services and continues to see an increase in usage. Meals On Wheels is a huge success and continues to see rapid growth.

**12th Avenue Recreation Center:** The 12th Avenue Recreation Center had an average of 24 summer camp participants a day during July. The camp took field trips to the Westwood Family Aquatic Center, HeyDay Entertainment, Sam Noble Museum, and more family fun venues. The camp was closed from July 20<sup>th</sup> – July 23<sup>rd</sup> due to a symptomatic camper coming to camp. When the camper's symptoms were discovered, he was quarantined in a separate room and requested to be picked up by the parent. The supervisor was later informed that the camper did test positive for COVID-19 resulting in the camp's closure and quarantine of all campers that were in attendance that day. Two staff members and three campers later tested positive as well. Camp reopened on July 26<sup>th</sup>. The Center partnered with the Oklahoma Blood Institute to do a blood drive, and the drive took place on July 27<sup>th</sup> from 2:00-6:00 pm. The Center added a Sunday yoga class taught by Norman Resident Holly Jack. Classes meet every Sunday at noon for a fee of \$10 per class. There will no longer be a tai chi class meeting on Saturday mornings.

**Irving Recreation Center:** The Irving Explorer Camp for summer 2021 continued this month. Weekly there was an average of 28-30 campers. Participants enjoyed indoor & outdoor games, arts & crafts, sports & recreational activities, and field trips & educational activities throughout the camp week. Irving hosted a Parents' Night Out activity with 10 participants in attendance. In partnership with Create & Learn, a one-week Minecraft virtual coding class was offered for youth in grades 3<sup>rd</sup>-5<sup>th</sup>.

**Whittier Recreation Center:**

Registration remained open this month for the 2021 Summer Sports Camps, with the remainder of the Sports Camps taking place and concluded this month, holding two basketball camps for age ranges 5-14 and a volleyball camp for ages 8-14. There were around 150 kids enrolled in the camps combined, and all participants received a camp shirt. The Okie Stompers continued to meet at the Center twice a week on Tuesday and Thursday evenings from 6:00–8:00 pm. This month's showing of Aladdin, originally scheduled on June 11<sup>th</sup>, was shown instead on July 9<sup>th</sup> due to high winds and potential storms. The event was held with free activities such as balloon art, yard games, and art crafts held by the Firehouse Art Center and Bricks 4 Kidz. This month the campers visited the Sooner Bowling Alley, OKC science museum, and the Westwood Aquatic Center. Heart Studios allowed the participants to engage in sculpting, charcoal drawing, and creating vision boards. Junior Jammer Basketball fall 2021 league, a coed league for player's ages 5-13 years old, opened for registration this month. Teams will play games at the Whittier and Irving Recreational Centers once a week, beginning in October. Teams will have the opportunity to practice two weeks in advance of their game schedule. This league will have a post-season tournament and will end by Thanksgiving Break. Participants can enroll online at [www.juniorjammer.com](http://www.juniorjammer.com), call and/or visit the Whittier Recreation to register. There are scholarships available to those who qualify.

FACILITY ATTENDANCE:	Month	Year to Date
Senior Center (includes congregate meals)	925	925
Little Axe Community Center	75	75
12th Avenue Recreation Center	1,024	1,024
Irving Recreation Center	628	628
Whittier Recreation Center	500	500
Reaves Center	300	300
Tennis Center	3,844	3,844

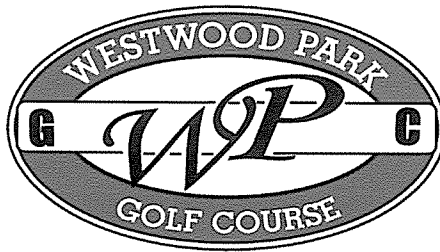
**JULY 2021  
PARK MAINTENANCE DIVISION**

Park Maintenance crews performed routine trash, landscape bed maintenance and mowing in city parks as well as cleared trails and inspected playground equipment.

<b>SAFETY REPORT</b>	<b>FYE-22MTD</b>	<b>FYE-22YTD</b>		<b>FYE-21MTD</b>	<b>FYE-21YTD</b>
On-The-Job Injuries	0	0		0	0
Vehicle Accidents	0	0		0	0
Employee responsible	0	0		0	0
<b>ROUTINE ACTIVITIES</b>	<b>Total Man</b>	<b>Hours YEAR-TO-DATE</b>		<b>Total Man</b>	<b>Hours YEAR-TO-DATE</b>
Mowing	145.50	145.50		100.00	100.00
Trim Mowing	941.00	941.00		610.00	610.00
Chemical Spraying	43.00	43.00		133.00	133.00
Fertilization	0.00	0.00		0.00	0.00
Tree Planting	0.00	0.00		8.00	8.00
Tree & Stump Removal	0.00	0.00		0.00	0.00
Tree Trimming/Limb Pick-Up	24.00	24.00		0.00	0.00
Restroom/Trash Maintenance	0.00	0.00		184.00	184.00
Play Equipment Maintenance	64.00	64.00		0.00	0.00
Sprinkler Maintenance	116.00	116.00		16.00	16.00
Watering	0.00	0.00		0.00	0.00
Grounds/Building Maintenance	0.00	0.00		16.00	16.00
Painting	0.00	0.00		0.00	0.00
Planning Design	19.00	19.00		0.00	0.00
Park Development	0.00	0.00		0.00	0.00
Special Projects	0.00	0.00		59.00	59.00
Nursery Maintenance	0.00	0.00		0.00	0.00
Flower/Shrub Bed Maintenance	93.00	93.00		203.00	203.00
Seeding/Sodding	8.00	8.00		0.00	0.00
Ballfield Maintenance/Marking	0.00	0.00		0.00	0.00
Fence Repairs	0.00	0.00		0.00	0.00
Equipment Repairs/Maintenance	8.00	8.00		101.25	101.25
Material Pick-Up	0.00	0.00		11.25	11.25
Miscellaneous	0.00	0.00		40.50	40.50
Shop Time	119.00	119.00		32.00	32.00
Snow/Ice Removal	27.50	27.50		0.00	0.00
Christmas Lights	0.00	0.00		0.00	0.00
Close to Home Fishing	0.00	0.00		0.00	0.00
Forestry	70.00	70.00		0.00	0.00
Graffiti Clean-Up	181.75	181.75		0.00	0.00
Water Fountains	32.00	32.00		0.00	0.00
Inground Trash	0.00	0.00		0.00	0.00
Vector Control	8.00	8.00		0.00	0.00



**WESTWOOD/NORMAN MUNICIPAL AUTHORITY 9A**



**JULY 2021**

**Westwood Golf Course Division Monthly Progress Report**

ACTIVITY	JULY FYE'22	JULY FYE'21
Regular Green Fees	1074	889
Senior Green Fees	429	435
Junior Fees	344	365
School Fees ( high school golf team players)	0	0
Advanced Fees (high school golf team pre-pay)	0	0
Annual Fees (Regular, Senior & Junior Members)	771	807
Employee Comp Rounds	421	396
Golf Passport Rounds	0	0
9-Hole Green Fee	226	338
2:00 Fees	177	156
4:00 Fees	314	203
Dusk Fees or 6:00 Fees	127	137
PGA Comp Rounds	6	4
*Rainchecks (not counted in total round count)	39	12
Misc Promo Fees (birthday, players cards, OU student)	448	884
Green Fee Adjustments (fee difference on rainchecks)	17	9
<b>Total Rounds</b> (*not included in total round count)	<b>4354</b>	<b>4623</b>
% change from FY '20	-5.82%	
<b>Range Tokens</b>	<b>4188</b>	<b>4461</b>
% change from FY '20	-6.12%	
18 - Hole Carts	164	146
9 - Hole Carts	60	73
½ / 18 - Hole Carts	1629	1650
½ / 9 - Hole Carts	536	579
<b>Total Carts</b>	<b>2389</b>	<b>2448</b>
% change from FY '20	-2.41%	
18 - Hole Trail Fees	2	0
9 - Hole Trail Fees	0	0
18 - Hole Senior Trail Fees	4	3
9-Hole Senior Trail Fees	3	0
<b>Total Trail Fees</b>	<b>9</b>	<b>3</b>
% change from FY '20	200.00%	
<b>TOTAL REVENUE</b>	<b>\$150,972.34</b>	<b>\$143,343.22</b>
% change from FY '20	5.32%	7.78%

**JULY 2021**  
**WESTWOOD GOLF DIVISION**  
**MONTHLY PROGRESS REPORT**

Item 6.

<b>SAFETY REPORT</b>	<b>FY 2022</b>	<b>FY 2022</b>	<b>FY 2021 MTD</b>	<b>FY 2021 YTD</b>
	<b>MTD</b>	<b>YTD</b>	<b>MTD</b>	<b>YTD</b>
Injuries On The Job	0	0	0	0
City Vehicles Damaged	0	0	0	0
Vehicle Accidents Reviewed	0	0	0	0

**FINANCIAL INFORMATION**

	<b>FYE 2022</b>	<b>FYE 2022</b>	<b>FY 2021</b>	<b>FYE 2022</b>
	<b>MTD</b>	<b>YTD</b>	<b>MTD</b>	<b>YTD</b>
Green Fees	\$72,215.44	\$72,215.44	\$66,809.66	\$66,809.66
Driving Range	\$14,749.83	\$14,749.83	\$16,817.57	\$16,817.57
Cart Rental	\$36,720.61	\$36,720.61	\$37,474.00	\$37,474.00
Restaurant	\$27,180.05	\$27,180.05	\$22,082.10	\$22,082.10
Insufficient Check Charge	\$0.00	\$0.00	\$0.00	\$0.00
Interest Earnings	\$106.41	\$106.41	\$159.89	\$159.89
<b>TOTAL INCOME</b>	<b>\$150,972.34</b>	<b>\$150,972.34</b>	<b>\$143,343.22</b>	<b>\$143,343.22</b>
Expenditures	\$112,497.41	\$112,497.41	\$116,940.15	\$116,940.15
Income vs Expenditures	<b>\$38,474.93</b>	<b>\$38,474.93</b>	<b>\$26,403.07</b>	<b>\$26,403.07</b>
Rounds of Golf	4093	4093	4623	4623

The following is a list of Tasks and goals that the staff and I have completed or presently working toward completion.

We continue to sand topdress greens weekly. We are slowly accomplishing a firmer, faster playing surface. Our seasonal help is reduced because of returning students and teachers. We are presently recruiting for help. The 2 buildings located in the center of the property are being cleaned out and evaluated for removal. The front entrance of the clubhouse landscaping is progressing toward a more asthetic and lower maintenance area. 24" Drainage pipe was installed at #7 back teeing area and we will continue drainage work on several other areas on the course. (#3, 4, 11, 14, 15, 17 )

JULY 2021  
WESTWOOD POOL  
MONTHLY REPORT

FINANCIAL INFORMATION

	FY2022 MTD	FY2022 YTD	FY2021 TOTAL
Swim Pool Passes	\$1,750.00	\$1,750.00	\$191,747.00
Swim Pool Gate Admission	\$148,873.00	\$148,873.00	\$284,993.00
Swim Lesson Fees	\$3,481.00	\$3,481.00	\$33,547.50
Pool Rental	\$18,303.00	\$18,303.00	\$28,128.00
Locker Fees	\$0.00	\$0.00	\$0.00
Pool Classes	\$910.00	\$910.00	\$6,495.22
Pool Merchandise Sales	\$0.00	\$0.00	\$0.00
Concessions	\$70,834.02	\$70,834.02	\$127,066.89
<b>TOTAL INCOME</b>	<b>\$244,151.02</b>	<b>\$244,151.02</b>	<b>\$671,977.61</b>
Expenditures	\$160,251.88	\$160,251.88	\$624,044.12
<b>Income versus Expenditures</b>	<b>\$83,899.14</b>	<b>\$83,899.14</b>	<b>\$84,856.65</b>

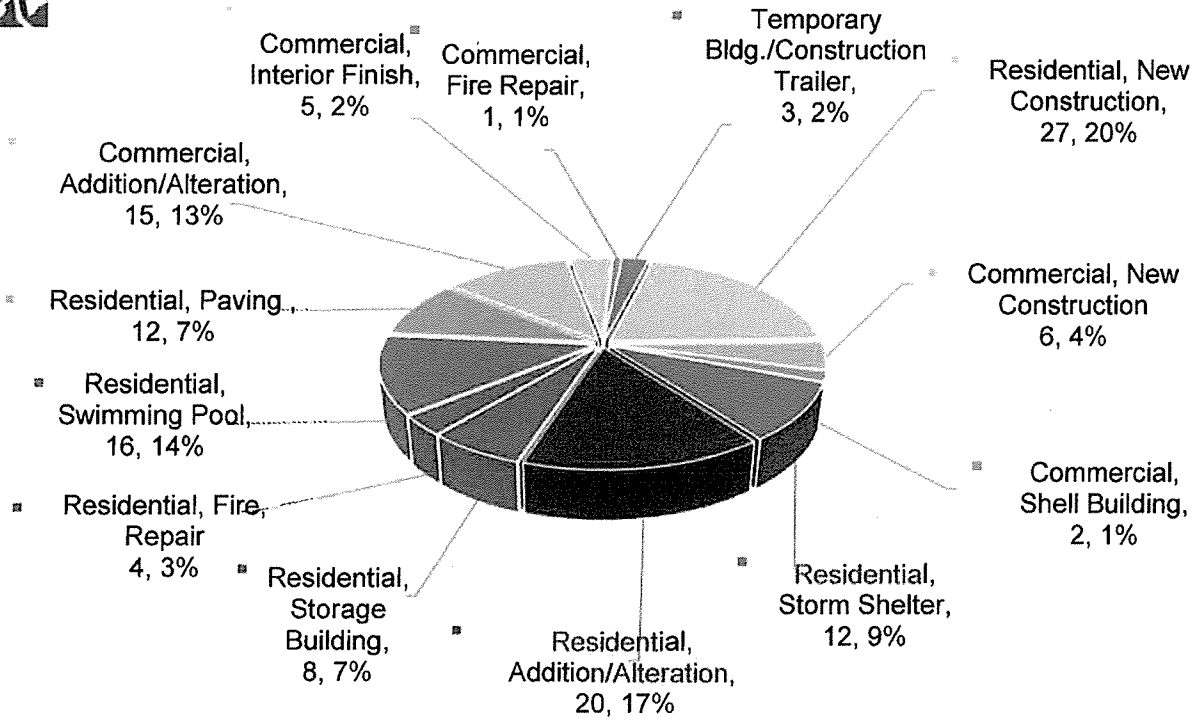
ATTENDANCE INFORMATION

	Season to Date July FYE 2022	2021 YTD May 2020 - Oct 2020	2020 YTD May 2019-Oct 2019
a. Pool Attendance	46,600	43,187	68,202
b. Adult Lap Swim Morning/Night	784	581	282
c. Water Walkers	1,904	2,990	1,607
d. Toddler Time	2,202	2,723	2,314
e. Water Fitness	624		
f. Swim Team	1780	1,221	3,167
g. Scuba Rentals	12		
h. Scuba Participants	18		
i. Swim Lessons	834	579	1,214
j. Private Swim Lessons	49		
g. Movie Night/Special Events	550	0	3,391
h. Party / Rentals	42	91	323
<b>TOTAL ATTENDANCE</b>	<b>55,399</b>	<b>51,372</b>	<b>80,500</b>

**PLANNING AND COMMUNITY DEVELOPMENT 10**



## CITY OF NORMAN DEVELOPMENT SERVICES DIVISION PERMIT ACTIVITY JULY 2021 REPORT



Permit Type	Count	Valuation
Residential, New Construction	27	\$ 8,310,576
Residential Duplex, New Construction	0	\$ -
Residential, New Manufactured Home	0	\$ -
Commercial, New Construction	6	\$ 11,020,100
Commercial, Parking Lot	0	\$ -
Commercial, Shell Building	2	\$ 1,217,000
Residential, Storm Shelter	12	\$ 51,845
Residential, Addition/Alteration	20	\$ 945,849
Residential, Carport	0	\$ -
Residential, Storage Building	8	\$ 337,330
Residential, Fire Repair	4	\$ 45,154
Residential, Swimming Pool	16	\$ 976,025
Residential, Manufactured Home Repl	0	\$ -
Residential, Paving	12	\$ 76,320
Commercial, Addition/Alteration	15	\$ 4,755,249
Commercial, Interior Finish	5	\$ 905,000
Commercial, Fire Repair	1	\$ 100,000
Commercial, Foundation	0	\$ -
Temporary Bldg./Construction Trailer	3	\$ 14,548
Multi-Family, New	0	\$ -
Multi-Family, Addition/Alteration	0	\$ -
Multi-Family, Foundation	0	\$ -
Multi-Family, Fire Repair	0	\$ -
Group Quarters	0	\$ -
<b>Total</b>	<b>131</b>	<b>\$ 28,754,996</b>

**CITY OF NORMAN**  
**Building Permit Activity-JULY 2021**

	DESCRIPTION	2021 YEAR TO-DATE	VALUATION	2020 TOTALS	2020 TOTAL VALUATION
	Residential, New Construction.....	331	\$ 106,529,506	537	\$ 155,417,525
	Residential, New Dwelling Unit Attached.....	0	\$ -	-	\$ -
	Residential, New Manufactured Home.....	0	\$ -	1	\$ 97,500
	Residential, New Non Dwelling Unit.....	0	\$ -	0	\$ -
	Residential Duplex, New Construction.....	0	\$ -	8	\$ 1,880,000
	Residential, Garage Apartment.....	0	\$ -	0	\$ -
	Multi-Family, New Construction 3-4 DU.....	0	\$ -	0	\$ -
	Multi-Family, New Construction 5+ DU.....	7	\$ 20,280,000	25	\$ 17,432,000
	Multi-Family, Fire Repair.....	6	\$ 190,180	3	\$ 63,128
	Multi-Family, Foundation.....	1	\$ 20,000	27	\$ 924,930
	Multi-Family, Addition/Alteration.....	2	\$ 16,000	0	\$ -
	Residential, Addition/Alteration.....	100	\$ 5,188,670	159	\$ 6,979,022
	Residential, Carport.....	2	\$ 6,290	10	\$ 37,344
	Residential, Storm Shelter.....	234	\$ 903,883	364	\$ 1,155,682
	Residential, Storage Building.....	83	\$ 2,977,149	156	\$ 4,819,011
	Residential, Fire Repair.....	15	\$ 514,307	23	\$ 1,241,786
	Residential, Swimming Pool.....	94	\$ 5,313,330	118	\$ 6,436,083
	Residential, Manufactured Home Replacement	4	\$ 248,900	7	\$ 493,288
	Residential, Paving.....	60	\$ 574,945	110	\$ 1,026,455
	Group Quarters.....	0	\$ -	3	\$ 27,809,773
	<b>TOTAL</b>	<b>939</b>	<b>\$ 142,763,160</b>	<b>1551</b>	<b>\$ 225,813,527</b>
<b>NON-RESIDENTIAL</b>	Commercial, New Construction.....	29	\$ 69,049,406	62	\$ 59,513,823
	Commercial, New Shell Building.....	7	\$ 6,387,000	11	\$ 5,141,000
	Commercial, Addition/Alteration.....	92	\$ 31,778,237	150	\$ 50,146,843
	Commercial, Interior Finish.....	25	\$ 2,325,100	41	\$ 4,025,413
	Commercial, New Foundation.....	2	\$ 970,000	11	\$ 2,246,353
	Commercial, Fire Repair.....	5	\$ 630,000	4	\$ 1,050,000
	Commercial, Parking Lot.....	5	\$ 582,640	8	\$ 495,452
	Commercial, Temporary Bldg./Const Trailer....	17	\$ 172,741	337330	\$ 690,229
	<b>TOTAL</b>	<b>182</b>	<b>\$ 111,895,124</b>	<b>311</b>	<b>\$ 123,309,113</b>
<b>OTHER ACTIVITY</b>	Electrical Permits.....	974		1489	
	Heat/Air/Refrigeration Permits.....	824		1381	
	Plumbing and Gas Permits.....	1077		1775	
	Sign Permits.....	249		357	
	Water Well Permits.....	24		31	
	Garage Sale Permits.....	544		631	
	Structure Moving Permits.....	11		15	
	Demo-Residential Permits.....	14		49	
	Demo-Non-Residential Permits.....	6		2	
	Temp. Const. Bldgs. & Roll-off Permits.....	112		148	
	Lot Line Adjustments Filed.....	12		12	
	Certificate of Occupancy (CO).....	597		1102	
All Field Inspections.....	15886		25135		
Net Residential Demos & Removals.....	-11		-47		
	<b>TOTAL VALUATION</b>		<b>\$ 254,658,284</b>		<b>\$ 349,122,640</b>

CITY OF NORMAN  
BUILDING PERMITS AND INSPECTIONS  
RESIDENTIAL BUILDING PERMITS  
Issued July 2021 - Sorted by Permit Type

Table with columns: Permit Type, Contractor, Permit #, Date, Address, Lot, Block, Subdivision, Zoning, Valuation, Project Area. Contains 100 rows of residential building permit data.





City of Norman  
BUILDING PERMITS AND INSPECTIONS

NON-RESIDENTIAL BUILDING PERMITS  
Issued July 2021 - Sorted by Permit Type

Permit Type	Contractor	Tenant Name	Issued	Street #	Dir	Street Name	Street Type	Block	Subdivision	Zoning	Valuation	Project Area	
COMMERCIAL AD/VALT	KUSTON KRETE CONCRETE & CONST.	ESSENTIAL ORGANIC SOLUTIONS	7/19/2021	4212	W	CLASSEN	CT	1	SOUTH CLASSEN INDUSTRIAL PARK	11	\$ 300,000	4900	
COMMERCIAL AD/VALT	SHELLBACK GENERAL CONTRACTING	NECO INTERIOR REMODEL	7/19/2021	424	W	MAIN	ST	10	NORMAN, ORIGINAL TOWNSHIP	CCFB	\$ 800,000	8908	
COMMERCIAL AD/VALT	SHADE CONSTRUCTION	PREMIERE PEDIATRICS	7/19/2021	3261	24TH	AVE	5	1	UNIVERSITY NORTH PARK PROF. CTR	PUD	\$ 1,875,249	3705	
COMMERCIAL AD/VALT	S. CONWET ENTERPRISES	CHICK-FILA CAFE/PT	7/19/2021	120	12TH	AVE	2	1	EASTPARK CROSSING #2	PUD	\$ 50,000	1306	
COMMERCIAL AD/VALT	PATTERSON & DEWAR ENGINEERING	COX COMMUNICATION REMODEL/ADDITION	7/19/2021	408	W	HUGHBERT	ST	3	1	B & N ADD	11	\$ 1,200,000	1436
COMMERCIAL AD/VALT	MARIO LUOGO CONSTRUCTION SERV	SHIRLEY ANGELS DAYCARE CENTER	7/19/2021	210	N	FLOOD	AVE	3	2	KUNKEL ADDITION	C2	\$ 15,000	1438
COMMERCIAL AD/VALT	SBA COMMUNICATIONS CORPORATION	T-MOBILE ANTEENNA UPGRADE	7/19/2021	2497	9TH	AVE	17	2W	NOT SUBDIVIDED	A2	\$ 30,000	15	
COMMERCIAL AD/VALT	AERIAL TOWER, LLC.	DISH WIRELESS ANTENNAS	7/19/2021	1398	W	LINDSEY	ST	2	BERRY EST #4	C2	\$ 50,000	15	
COMMERCIAL AD/VALT	CADDELL & CO. L.L.C.	JOLLEY WIRELESS COMM. TOWER	7/19/2021	3408	36TH	AVE	15	3W	JOLLEY ADDN (REPLT OF OLIVET)	C1	\$ 30,000	1900	
COMMERCIAL AD/VALT	ENERTECH RESOURCES	DISH WIRELESS COMM. TOWER	7/19/2021	4680	W	FRANKLIN	RD	10	3W NOT SUBDIVIDED	A2	\$ 25,000	35	
COMMERCIAL AD/VALT	CADDELL & CO. L.L.C.	DIRECTSEED DISTRIBUTION	7/19/2021	3501	WELLSTE	DR	8A	7	NORTHDRIDGE IND PARK #3	11	\$ 20,000	4675	
COMMERCIAL AD/VALT	LAGER, DAVID	GREEN BUFFALO OFFICE	7/19/2021	3001	36TH	AVE	1	1	MASTERCRAFT PROPERTIES	11	\$ 25,000	1600	
COMMERCIAL AD/VALT	BEAR CONSTRUCTION SERVICES	DUTCH BROS COFFEE	7/19/2021	1230	W	MAIN	ST	2	1	FUZZELLS ADD #2	C2	\$ 500,000	1813
COMMERCIAL AD/VALT	CROSSROADS PLAZA, LLC.	T-MOBILE ANTEENNA REPLACE	7/19/2021	1215	CROSSROADS	BLVD	3	1	CROSSROADS BLVD ADD	C2	\$ 25,000	15	
COMMERCIAL AD/VALT	OWNER	EVERGREEN LOUNGE MM GROW	7/19/2021	5600	W	TECUMSEH	RD	16	3W NOT SUBDIVIDED	A2	\$ 10,000	5640	
COMMERCIAL AD/VALT	GENESIS HOTEL RENOVATIONS	FARFIELD INN DAMAGE REPR	7/19/2021	301	NORMAN CENTER	CT	1	1	NORMCO ADDITION	C2	\$ 100,000	2000	
COMMERCIAL AD/VALT	BRETON AVENIR	MO'BETTAN'S RESTAURANT	7/19/2021	2081	24TH	AVE	1	1	UNIVERSITY NORTH PARK SEC 18	PUD	\$ 400,000	2600	
COMMERCIAL AD/VALT	OWNER	UNCLE PETE ENTERPRISES	7/19/2021	1820	W	TECUMSEH	RD	11	7	NORTHDRIDGE IND PARK #3	11	\$ 125,000	4200
COMMERCIAL AD/VALT	CADDELL & CO. L.L.C.	STELLA ROSE FLORIST	7/19/2021	3408	36TH	AVE	15	3W	JOLLEY ADDN (REPLT OF OLIVET)	C1	\$ 40,000	1350	
COMMERCIAL AD/VALT	CADDELL & CO. L.L.C.	PLUS FIVE DESIGNS	7/19/2021	3408	36TH	AVE	15	3W	JOLLEY ADDN (REPLT OF OLIVET)	C1	\$ 40,000	1350	
COMMERCIAL AD/VALT	SAGEWELL CONSTRUCTION, LLC.	DUNKIN TENANT FINISH	7/19/2021	301	E	ROBINSON	ST	3	1	NORMAN ACRES ADD REPLAT	C2	\$ 300,000	1785
COMMERCIAL AD/VALT	MID AMERICA CONSTRUCTION, LLC.	DUNKIN CARRYOUT RESTAURANT	7/19/2021	2531	W	MAIN	ST	25	3W MAIN STREET PLACE	C2	\$ 250,000	1229	
COMMERCIAL AD/VALT	STONEMAN CONSTRUCTION, INC.	BANK OF AMERICA WALKUP ATM	7/19/2021	3712	W	ROBINSON	AVE	1	1	BROOKHAVEN VILLAGE AT #3	C1	\$ 70,000	25
COMMERCIAL AD/VALT	SON NGO	ALPHA CHI OMEGA REBUILD	7/19/2021	2260	36TH	AVE	6	2W	NOT SUBDIVIDED	R3	\$ 1,100,100	4819	
COMMERCIAL AD/VALT	SON NGO	EVERGREEN LOUNGE MM GROW BUILDING 2	7/19/2021	5600	W	TECUMSEH	RD	16	3W NOT SUBDIVIDED	A2	\$ 50,000	11650	
COMMERCIAL AD/VALT	OWNER	EVERGREEN LOUNGE MM GROW BUILDING 3	7/19/2021	5600	W	TECUMSEH	RD	16	3W NOT SUBDIVIDED	A2	\$ 50,000	11650	
COMMERCIAL AD/VALT	TCS CONSTRUCTION	NEW SHELL BUILDING-SHOPS SHELL BLD. OP-21	7/19/2021	2073	24TH	AVE	1	1	UNIVERSITY NORTH PARK SEC 18	PUD	\$ 1,017,000	7551	
COMMERCIAL AD/VALT	SAGEWELL CONSTRUCTION, LLC.	NEW SHELL BUILDING-SHOPS SHELL BLD. OP-21	7/19/2021	301	E	ROBINSON	ST	3	1	NORMAN ACRES ADD REPLAT	C2	\$ 202,000	3151
TEMPORARY BLDG/CONST TRAILER	OKC TENTS AND HOODE	RUSTY'S CUSTARD TEMP TENT	7/19/2021	301	E	MAIN	ST	1	22	NORMAN ORIGINAL TOWNSHIP	C2	\$ 7,300	1600
TEMPORARY BLDG/CONST TRAILER	CADE CONSTRUCTION	CADE CONST. TEMP TRAILER	7/19/2021	3261	24TH	AVE	5	1	UNIVERSITY NORTH PARK PROF. CTR	PUD	\$ 10,000	200	
TEMPORARY BLDG/CONST TRAILER	MARJANNE'S RENTALS	NET TEMP. EVENT TENT	7/19/2021	3259	HEALTHPLEX	PRY	29A	2	NRH MEDICAL PARK WEST #2	PUD	\$ 3,248	6400	
TOTAL PERMITS 32											AVERAGE VALUATION \$652,872	4,145	
TOTAL VALUATION \$16,011,897											TOTAL PROJECT AREA	132,653	

Permit Type	Permit Counts	Valuation	Building Size (SF)	Use/Classification
COMMERCIAL AD/VALT	15	\$ 4,755,249	1,228	RETAIL
COMMERCIAL FOUNDATION PERMIT	0	\$ -	25	INSTITUTIONAL
COMMERCIAL FIRE REPAIR	1	\$ 100,000	4,919	OFFICE
COMMERCIAL INTERIOR FINISH	5	\$ 905,000	35,278	INDUSTRIAL
COMMERCIAL NEW CONSTRUCTION	6	\$ 11,020,100	11,050	INDUSTRIAL
COMMERCIAL NEW SHELL BLDG	2	\$ 1,217,000	11,050	INDUSTRIAL
COMMERCIAL PARKING LOT	0	\$ -	7,581	RETAIL
TEMPORARY BLDG/CONST TRAILER	3	\$ 14,548	3,151	RETAIL
TOTAL		\$ 18,011,897		

**POLICE 11**



## Administrative Summary

8/4/2021

### July 2021 Summary



#### Operations

Part I Crimes	2021	Current	2020	2019	2021	Year-To-Date	2020	2019
		MONTH 5YR AVG				YTD 5YR AVG		
Murder	0	1	1	0	0	3	2	2
Rape	6	5	5	4	41	31	23	49
Robbery	4	6	4	1	17	27	32	33
Agg. Assault	19	13	29	15	133	91	145	128
Burglary	40	49	57	39	267	309	329	338
Larceny	260	241	224	188	1,640	1,449	1,455	1,695
Motor Vehicle Theft	37	26	32	35	271	171	225	241
Arson	1	1	0	1	3	3	4	7
<b>Part I Totals:</b>	<b>367</b>		<b>352</b>	<b>283</b>	<b>2,372</b>		<b>2,215</b>	<b>2,493</b>
<b>Part II Crimes</b>								
DUI/APC	27	33	26	43	160	224	224	371
Drunkenness	43	53	33	46	232	305	259	402
Drug Violations	36	89	20	78	203	538	338	726
Forgery	9	15	9	11	66	109	79	124
Vandalism	90	76	75	68	564	465	503	608
Others	348	NA	405	359	2,506	NA	3,033	3,046
<b>Part II Totals:</b>	<b>553</b>		<b>568</b>	<b>605</b>	<b>3,731</b>		<b>4,436</b>	<b>5,227</b>
<b>Total Reported Crime:</b>	<b>920</b>		<b>920</b>	<b>888</b>	<b>6,103</b>		<b>6,651</b>	<b>7,770</b>
<b>Other Reported Activity</b>								
Public Peace Reports	170	175	179	187	1,310	1,092	1,362	1,562
Warrants Served	94	136	82	117	561	769	657	1,252
<b>Other Reports Totals:</b>	<b>264</b>		<b>261</b>	<b>304</b>	<b>1,871</b>		<b>2,019</b>	<b>2,814</b>
<b>Total Case Reports:</b>	<b>1,184</b>		<b>1,181</b>	<b>1,192</b>	<b>7,974</b>		<b>8,670</b>	<b>10,584</b>
<b>Collisions</b>								
Fatality	0	0	0	0	1	4	1	3
Injury	47	52	49	57	351	378	293	362
Non-Injury	90	119	111	143	668	906	691	869
<b>Total Collisions:</b>	<b>137</b>		<b>160</b>	<b>200</b>	<b>1,020</b>		<b>985</b>	<b>1,234</b>
<b>Call for Service</b>								
CAD Activity (All Other CFS)	3,407	NA	3,177	3,361	23,186	NA	20,236	25,254
Calls for Service (Only Police)	6,395	NA	6,705	8,829	44,572	NA	49,267	70,309
<b>Total CFS:</b>	<b>9,802</b>		<b>9,882</b>	<b>12,190</b>	<b>67,758</b>		<b>69,503</b>	<b>95,563</b>
<b>Citations &amp; Warnings:</b>								
Citations	320	NA	672	1,312	4,343	NA	6,302	11,404
Warnings	624	NA	1,047	2,125	6,035	NA	9,718	18,027
<b>Total Citations &amp; Warnings:</b>	<b>944</b>		<b>1,719</b>	<b>3,437</b>	<b>10,378</b>		<b>16,020</b>	<b>29,431</b>

\*\* Public Peace reports include: Animal Bite, Found Property, Recovery/Other Agency Vehicles, Mental Case, Unattended Death and Other

\*\* Five Year Average based on 2015 to 2019

\*\* 2020 Data not used in 5YR Average due to Covid influences

**ANIMAL CONTROL 11A**

## Norman Animal Welfare Monthly Statistical Report July 2021



### IN SHELTER ANIMAL COUNTS

	2020			2021			Comparisons	
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Beginning	27	39	66	79	147	226	160	242%
Ending	42	55	97	109	111	220	123	127%

### ANIMAL INTAKES

	2020			2021			Comparisons	
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Stray at Large	100	75	175	163	83	246	71	41%
Owner Relinquish	9	16	25	4	10	14	(11)	-44%
Owner Intended Euth	3	1	4	4	1	5	1	25%
Transfer In	0	34	34	0	9	9	(25)	-74%
Other Intakes*	13	1	14	14	19	33	19	136%
Returned Animal	5	9	14	11	8	19	5	36%
<b>TOTAL LIVE INTAKES</b>	<b>130</b>	<b>136</b>	<b>266</b>	<b>196</b>	<b>130</b>	<b>326</b>	<b>60</b>	<b>23%</b>

\*Confiscate, Protective Custody, Born in Shelter, and all other infrequent entries

### OTHER STATISTICS

	2020		2021		Comparisons	
	Total	Total	Total	Total	Difference	Percent
Wildlife Collected (DOA)	3	3	1	1	(2)	-67%
Dog Collected (DOA)	2	2	0	0	(2)	-100%
Cat Collected (DOA)	0	0	0	0	0	
Wildlife Transferred	2	2	0	0	(2)	-100%
Intake Horses	0	0	0	0	0	
Intake Cows	0	0	0	0	0	
Intake Goats	0	0	0	0	0	
Intake Sheep	0	0	0	0	0	
Intake Rabbits	0	0	0	0	0	
Intake Pigs	0	0	0	0	0	
Intake Other	0	0	2	2	2	
<b>TOTAL OTHER ITEMS</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>(4)</b>	<b>-57%</b>

### LENGTH OF STAY (DAYS)

	2020	2021
Dog	7.5	15.2
Puppy	10.8	10.3
Cat	15.3	11.9
Kitten	5.2	11.7

### OWNER SURRENDER PENDING INTAKE

	Canine	Feline	Other	Total
Animals	129	109	0	238

## Norman Animal Welfare Monthly Statistical Report July 2021



### LIVE ANIMAL OUTCOMES

	2020			2021			Comparisons	
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Adoption	43	88	131	83	103	186	55	42%
Return To Owner	56	4	60	46	1	47	(13)	-22%
Transferred Out	10	23	33	22	41	63	30	91%
Returned to Field	0	0	0	1	7	8	8	
Other Outcome	0	0	0	0	0	0	0	
<b>TOTAL LIVE OUTCOMES</b>	<b>109</b>	<b>115</b>	<b>224</b>	<b>152</b>	<b>152</b>	<b>304</b>	<b>80</b>	<b>36%</b>

### OTHER ANIMAL OUTCOMES

	2020			2021			Comparisons	
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Died in Care	0	0	0	0	7	7	7	
Lost in Care	0	0	0	0	0	0	0	
Shelter Euth	3	5	8	10	6	16	8	100%
Owner Intended Euth	3	1	4	4	1	5	1	25%
<b>TOTAL OTHER OUTCOMES</b>	<b>6</b>	<b>6</b>	<b>12</b>	<b>14</b>	<b>14</b>	<b>28</b>	<b>16</b>	<b>133%</b>

### TOTAL OUTCOMES

	2020			2021			Comparisons	
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Total Live Outcomes	109	115	224	152	152	304	80	36%
Total Other Outcomes	6	6	12	14	14	28	16	133%
<b>TOTAL OUTCOMES</b>	<b>115</b>	<b>121</b>	<b>236</b>	<b>166</b>	<b>166</b>	<b>332</b>	<b>96</b>	<b>41%</b>

### SHELTER EUTHANASIA DATA

	Canine	Feline	Other	Total	Percentage
	Medical - Sick	10	6	0	16
Medical - Injured	0	1	0	1	5%
Behavior - Aggressive	4	0	0	4	19%
Behavior - Other	0	0	0	0	0%
<b>TOTAL EUTHANASIA</b>	<b>14</b>	<b>7</b>	<b>0</b>	<b>21</b>	

### MONTHLY LIVE RELEASE RATE

2020	2021
<b>96.6%</b>	<b>93.0%</b>

*Live Outcomes / (Total Outcomes - Owner Int Euth)*



# Monthly Service By Assignment

January 2021 to July 2021  
Norman Animal Welfare Volunteers (ALL)

Place	Assignment	Jan 2021 Hours	Feb 2021 Hours	Mar 2021 Hours	Apr 2021 Hours	May 2021 Hours	Jun 2021 Hours	Jul 2021 Hours	Total Hours
Norman Animal Welfare Center	Community Services-NAWC	264:00	159:05	112:00	118:25	230:30	0:00	0:00	884:00
	NAWC-Bather / Groomer	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
	NAWC-Beautification Volunteer	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
	NAWC-Cat Socializer	27:30	23:57	41:50	17:50	27:19	41:19	38:27	218:12
	NAWC-Community Outreach Volunteer	0:00	0:00	0:00	0:00	1:33	0:00	0:00	1:33
	NAWC-Dog Handler	18:54	29:49	54:28	45:36	51:29	47:45	75:32	323:33
	NAWC-Foster Program	0:00	1:00	2:00	53:00	48:22	62:00	57:00	223:22
	NAWC-Kennel Assistant	0:00	0:00	4:35	0:00	0:00	101:43	0:00	106:18
	NAWC-Laundry	2:11	3:30	1:06	2:46	4:43	9:13	5:18	28:47
	NAWC-Lobby Greeter	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
	NAWC-Orientation	0:00	14:00	9:00	14:00	5:00	7:00	6:00	55:00
NAWC-Photographer	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00	
Other Volunteer Services	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00	
Veterinarian Assistant Tech	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00	
Total		312:35	231:21	224:59	251:37	368:56	269:00	182:17	1,840:45
<b>Grand total</b>		<b>312:35</b>	<b>231:21</b>	<b>224:59</b>	<b>251:37</b>	<b>368:56</b>	<b>269:00</b>	<b>182:17</b>	<b>1,840:45</b>



**PUBLIC WORKS            12**

DEPARTMENT OF PUBLIC WORKS  
MONTHLY PROGRESS REPORT  
CITY OF NORMAN, OKLAHOMA  
July 2021

**ENGINEERING DIVISION**

**DEVELOPMENT**

The Development Manager processed one (1) Short Form Plat for the Development Committee; one (1) Rural Certificate of Survey and one (1) preliminary plat requests for the Planning Commission; and two (2) final plats; one (1) Rural Certificate of Survey and four (4) Preliminary Plats to City Council. The Development Engineer reviewed 19 sets of construction plans and 7 punch lists. There were 127 permits reviewed and/or issued. Fees were collected in the amount of \$12,267.58.

**CAPITAL PROJECTS:**

**Robinson Street West of I-35 Widening Project:**

The Oklahoma Department of Transportation (ODOT) conducted a bid opening on November 19, 2020, for the Robinson Street West of I-35 Project, located from I-35 to west of Rambling Oaks Drive/Cross Roads Boulevard intersection. The low bidder was Redlands Contracting, L.L.C. of Warr Acres, Oklahoma in the amount of \$5,025,867.62. ODOT awarded this project at the December 7, 2020, Transportation Commission Meeting. Redlands started construction on Monday, April 5, 2021. This project has a 270-calendar day construction schedule. Taking into account weather days, staff estimates a winter 2021 completion. ODOT is administering the construction of this project because federal transportation funds are being used.

The project involves the following items:

- Widen Robinson Street for the addition of right turn and left turn lanes
- Relocate & reconfigure Interstate Drive/Robinson Street intersection east of current location
- Intersection improvements to Crossroads Boulevard/Rambling Oaks Drive/Robinson Street intersection
- New street lights, traffic signals, street signs and traffic signal interconnect along the project
- Interstate 35 on and off ramp reconstruction south of Robinson Street
- Continuous sidewalks and accessibility
- Stormwater improvements

The contractor's activities this month were as follows:

- Finished the concrete median barrier and pavement markings for the south leg of Interstate Drive including the I-35 southbound on and off ramps
- Finish installing the precast reinforced concrete box (RCB) in the south drainage ditch west of Rambling Oaks Drive
- Began installing the new storm drain inlets and pipelines on the south side of Robinson Street between Rambling Oaks Boulevard and Brookhaven Creek.
- Finished the storm pipeline installation and grading of Phase 2A, the north leg of Interstate Drive north of Robinson Street with no disruption to traffic.
- Started the concrete pavement installation on Phase 2A, the north leg of Interstate Drive north of Robinson Street

**36<sup>th</sup> Avenue Northwest Phase 1 Waterline Relocations Project- Tecumseh Road to Franklin Road:**

The City of Norman conducted a bid opening on September 24, 2020, for the 36<sup>th</sup> Avenue Northwest Phase 1 Waterline Relocations Project. The low bidder was W.E.B. Construction, Inc. of Moore, Oklahoma in the amount of \$184,684.00. The Norman City Council awarded the project at the October 13, 2020 City Council Meeting. A pre-construction meeting occurred October 23, 2020 and construction will begin on November 16, 2020. This project has a 120-calendar day construction schedule. Taking into account weather days, staff estimates a March 2021 completion. The City of Norman Public Works Department is administering the construction of this project with the aid of inspectors from the Norman Utilities Authority.

The project involves the following items:

- Lowering of existing water line crossings to accommodate future roadway widening

The contractor's activities this month were as follows:

- All items of work completed
- *Awaiting final acceptance of project by Council (Scheduled for August 10, 2021)*

*Monthly Progress Report  
Public Works (July 2021)*

**Porter Avenue and Acres Street Intersection 2019 Bond Project:**

The City of Norman conducted a bid opening on October 1, 2020, for the Porter Avenue and Acres Street Intersection 2019 Bond Project. The low bidder was Rudy Construction Co. of Oklahoma City, Oklahoma in the amount of \$2,600,996.65. The Norman City Council awarded the project at the October 27, 2020 City Council Meeting. A pre-construction meeting occurred November 12, 2020 and construction began on November 17, 2020. This project has a 270-calendar day construction schedule. Taking into account weather days, staff estimates an August 2021 completion. The City of Norman Public Works Department is administering the construction of this project with the aid of inspectors from the Norman Utilities Authority.

The project involves the following items:

- Revised geometry of the intersection to enhance traffic operations and pedestrian safety
- New traffic signals with ADA compliant ramps and crossings.
- New storm water structures meeting current City of Norman codes and ordinances
- Dedicated left turn lanes to enhance traffic operations
- Reconfigured Daws Street to accommodate intersection improvements at Porter and Acres
- Waterline utility relocations as needed to accommodate intersection improvements
- New ADA compliant pedestrian sidewalks adjacent to the roadway
- Streetscape elements including decorative sidewalks, lighting, and landscaping

The contractor's activities this month were as follows:

- *Completed all sidewalk on east side of Porter Avenue*
- *Traffic switched to East two lanes of Porter Avenue*
- *Completed new parking and driveways in Daws Street right of way*
- *Preparation of subgrade on west side of Porter Avenue*
- *Installation of base layer of asphalt on west side of Porter Avenue*
- *Installation of storm sewer west side of Porter Avenue*
- *School Zone flasher reset on west side of Porter Avenue*
- *Demolition of west half of Porter Avenue and Acres Street intersection.*

**12<sup>th</sup> Avenue SE near Sawgrass Drive:**

When the first section of the Cobblestone Creek Addition was constructed the developer paid deferral funds in lieu of constructing required paving and drainage improvements along 12<sup>th</sup> Avenue SE. As the developments on either side of this section of 12<sup>th</sup> Avenue SE are now being constructed or are complete, the city is constructing the remaining portion of the 12<sup>th</sup> Avenue SE improvements near the west end of Sawgrass Drive, to fill in the gap between the neighboring developments.

The work will be completed in two phases. The first phase, consisting of the underground storm sewer improvements is underway and will be followed shortly by the paving improvements in the second phase.

The project involves the following items:

- New underground storm sewer and flumes to accommodate drainage in the area
- Elimination of the emergency entrance drive to Sawgrass Drive
- Adding Curb and Gutter to 12<sup>th</sup> Avenue SE
- New ADA sidewalk to complete the existing sidewalks in the right of way.

The contractor's activities this month were as follows:

- All items of work are complete
- *Awaiting final acceptance of project by Council (Scheduled for August 24, 2021)*

**Construction of the Transit Operations and Maintenance Facility**

The North Base Complex, Phase 1 project was awarded to Flintco, LLC in the amount of \$8,648,000 on October 13, 2020. This project includes construction of the Transit/Fire Maintenance Facility and Parks Maintenance Facility at the North Base Complex. The Notice to Proceed was issued on November 2, 2020, and a groundbreaking ceremony was held on the same day. It is estimated that the project will be completed in July 2021.

Monthly Progress Report  
Public Works (July 2021)

The project involves the following items:

- Construction of New Transit/Fire Maintenance Building and Parks Maintenance Building
- Utility Extension to serve the new complex
- New storm water structures meeting current City of Norman codes and ordinances
- Construction of paved parking and storage areas to serve the Operations and Maintenance Facilities
- Revisions to secured access to the North Base Facility.

The contractor's activities this month were as follows:

- Final Grading of Parking Lot
- Site utility installation complete
- Continued mezzanine and interior framing for both buildings
- Completed metal building panel and roof installation
- Insulation complete for Transit/Maintenance building and begun for Parks building
- Mechanical, electrical, and plumbing installation begun for both buildings
- Installed trolley crane installed
- Tilt up panels and floors for conference rooms installed.
- Began door and window frame installation

**Sidewalk Programs:**

**FYE 2022 Sidewalk Horizontal Saw Cutting Program.** Bids were received on June 3, 2021. City Council awarded the contract to ASTI Inc. in the amount of \$34,470.00 on July 13, 2021. The project involves approximately two weeks of work along Morren Drive, from 12th Avenue NE to Cindy Avenue, and 12th Avenue NE from Alameda toward East Rock Creek Road. An on-site pre-construction survey is scheduled for September 2, and approximately two weeks of work is tentatively scheduled to begin September 27, 2021.

**FYE 2022 Annual Sidewalk Program.** Bids were received on June 3, 2021. City Council awarded the contract to Nash Construction Co. in the amount of \$313,109.00, on July 13, 2021. Construction will start with the Schools and Arterials project at Stubbeman Avenue from Robinson Street to Timberwolf Trail (west-side). Subsequent projects include, Webster Avenue, from Gray Street to Daws Avenue, Hal Muldrow Drive, from Melrose Drive to West Main Street, eight Accessibility ramps in the Northcliff Avenue and Cherry Creek Drive areas, as well as the Citywide Sidewalk Reconstruction Program, which includes the "50/50 Program." Construction is expected to begin August 9, 2021.

Citywide Sidewalk Reconstruction				
FYE 22 Projects Completed	FYE 22 Citizen Contributions	Total Open Projects	Open Projects Estimate	Open Projects Scheduled
1	\$2,797.84	36	\$59,818.49	Awaiting FYE 2022 Contract Mobilization

**FYE 2021 Campus Corner Capital Improvement Project.** Bids were received on May 17, 2021 and the project was approved by City Council on May 25, 2021. The project consists of various rehabilitation and enhancement efforts in the repair of "Campus Corner" sidewalks and curbs, to include the replacement of approximately 500 S.Y. of concrete sidewalks & pavement and 500 L.F. of curb. Construction began June 7, 2021 and is complete.

**FYE 2021 Capital Improvement Project – 24th Avenue NW.** Bids were received on August 5, 2021 and the project is scheduled to meet City Council for approval on September 14, 2021. This project addresses a significant portion of the City of Norman's 2018 Americans with Disabilities Act Transition Plan. The construction area includes 24th Avenue NW, from Main Street to Robinson Street (East side) and includes 1365 square yards of sidewalk repairs, 800 square yards of driveway approach reconstruction and 216 square yards of ramps and curb cuts.

*Monthly Progress Report  
Public Works (July 2021)*

**STREET MAINTENANCE BOND PROJECTS:**

**2020 Urban Concrete:**

During the month of July, Central Contracting continued work in the Hardie Rucker Addition as part of project 1.

**2021 Urban Reconstruction:**

Pickard Avenue Project:

During the month of July, Nash Construction completed demolition of Pickard Avenue between Nebraska Street and Acres Street, stabilized and graded the subgrade, poured ADA ramps, and poured sidewalk.

**2022 Asphalt Pavement**

During the month of July, Silver Star Construction completed work on Franklin Road between 48<sup>th</sup> Ave NW and Interstate Drive, Bishop's Court, and Iowa Street between North Sherry Avenue and 1512 Iowa Street. Silver Star then began work on Classen Boulevard between Alameda Street and Enid Street.

**PUBLIC TRANSIT**

Below are actions that have continued to be taken by City and EMBARK staff altering transit service in response to COVID-19.

- Enhanced cleaning of vehicles.
- Suspended operations of route 144-Social Security.
- Limited capacity on fixed route and paratransit busses. Capacity was expanded on July 11.
- Mandatory face coverings while using transit services, a federal requirement on public transit.

**Go Norman Transit Plan (City of Norman Transit Long Range Strategic Plan Update)**

The Go Norman Transit Plan was approved by resolution by Council at its June 22<sup>nd</sup>, 2021 meeting. Staff are beginning exploratory work on the next steps as recommended in the plan.

**Federal Transit Administration (FTA) 2021 Low- or No-Emissions Grant Update**

Staff submitted a grant application to FTA's 2021 Low- or No-Emission Vehicle Program for one battery electric bus and associated charger on April 12, 2021. On its March 23<sup>rd</sup> agenda, City Council approved a resolution authorizing the application submittal and commitment to secure local match. Staff were recently notified that the City's application was 1 of 49 that were selected for approval. Council accepted the grant by resolution and authorized the purchase of the battery electric bus at its August 10<sup>th</sup>, 2021 meeting. This will be the second battery electric bus that the City has on order. Staff will work with the manufacturer to coordinate the production and delivery of both units.

**Construction of the Transit Operations and Maintenance Facility**

The North Base Complex, Phase 1 project was awarded to Flintco, LLC in the amount of \$8,648,000 on October 13, 2020. This project includes construction of the Transit/Fire Maintenance Facility and Parks Maintenance Facility at the North Base Complex. The Notice to Proceed was issued on November 2, 2020, and a groundbreaking ceremony was held on the same day. It is estimated that the project will be completed in July 2021.

The project involves the following items:

- Construction of New Transit/Fire Maintenance Building and Parks Maintenance Building
- Utility Extension to serve the new complex
- New storm water structures meeting current City of Norman codes and ordinances
- Construction of paved parking and storage areas to serve the Operations and Maintenance Facilities
- Revisions to secured access to the North Base Facility.

The contractor's activities this month were as follows:

- *Final Grading of Parking Lot*
- *Site utility installation complete*
- *Continued mezzanine and interior framing for both buildings*
- *Completed metal building panel and roof installation*
- *Insulation complete for Transit/Maintenance building and begun for Parks building*

*Monthly Progress Report  
Public Works (July 2021)*

- Mechanical, electrical, and plumbing installation begun for both buildings
- Installed trolley crane installed
- Tilt up panels and floors for conference rooms installed.
- Began door and window frame installation

**Transit Monthly Performance Report**

Attached is the transit performance report for June 2021.

**STREETS DIVISION**

**CAPITAL & BOND PROJECTS:**

**POST OAK 108<sup>TH</sup> AVENUE SE TO 132<sup>ND</sup> AVENUE SE**

Streets crews worked crack repair at POST OAK 108<sup>TH</sup> AVENUE SE TO 132<sup>ND</sup> AVENUE SE and required 3,992.16 tons of asphalt for the repair.

**BURNT OAK STREET AND OAKHILL DRIVE**

Streets crews replaced damaged concrete panels on Burnt Oak Street and Oakhill Drive. This repair required 104 cubic yards of concrete and resulted in over 316 square yards repaired.

**ASPHALT OPERATIONS:**

**MAIN STREET AND HAL MULDROW COURT (DEEP PATCH)**

Streets crews worked a deep patch at Main Street and Hal Muldrow Court and required 37.58 tons of asphalt for the repair.

**1904 PENDLETON DRIVE (DEEP PATCH)**

Streets crews worked a deep patch at 1904 Pendleton Drive and required 15.90 tons of asphalt for the repair.

**2009 OAK MEADOWS DRIVE (DEEP PATCH)**

Streets crews worked a deep patch at 2009 Oak Meadows Drive and required 45.57 tons of asphalt for the repair.

**1724 BOYD STREET (DEEP PATCH)**

Streets crews worked a deep patch at 1724 Boyd Street and required 21.47 tons of asphalt for the repair.

**OLD CENTRAL DRIVE (DEEP PATCH)**

Streets crews worked a deep patch at Old Central Drive and required 60.08 tons of asphalt for the repair.

**OTHER:**

**MOWING OF ROADSIDE RIGHTS-OF-WAY**

Streets Roadside Mowing crew continued their summer mowing schedule. During July, 2021, 158 miles of rural rights-of way and 3,314,575sq. ft. of urban rights-of-way were mowed.

**STORMWATER**

**WORK ORDER RESPONSE**

Stormwater Division received 31 work order requests and closed 28 work orders.

**INFRASTRUCTURE MAINTENANCE**

The Infrastructure Maintenance repaired a leaking inlet box at 641 Smalley Drive. The crew repaired a washout around a stormwater inlet pipe at 4350 Lyrewood Lane by adding some fill dirt and wrapping the pipe with Flexamat. The Infrastructure Maintenance crew repaired a leaking pipe joint at 308 Chalmette. The Infrastructure Maintenance crew repaired a sinkhole at Main St and Findlay Ave by sealing the pipe joint from the inside and pouring flowable fill around the outside of the joint. The Infrastructure Maintenance crew also placed 220 linear feet of corrugated 60" coated pipe at Summit Hollow Drive and worked with the Street Division on the installation of a stormwater pipe on 36<sup>th</sup> Ave NW. The crew checked 711 inlet and cleaned 251 inlets totaling 0.40 tons of debris removed.

*Monthly Progress Report  
Public Works (July 2021)*

CHANNEL MAINTENANCE

The Channel Maintenance crew removed drifts and cleared debris from several locations along Brookhaven Creek, Merkle Creek, and Hollywood channel, which resulted in 58 tons of debris. The Channel Maintenance Crew was able to mow 1.1 million square feet of stormwater channels. The Channel Maintenance crew also laid more than 10,000 square feet of sod finishing the project at 4700 Ridgeway Place and helped the Street Division with the installation of a stormwater pipe on 36<sup>th</sup> Ave NW and the Infrastructure Maintenance crew with a pipe installation on Summit Hollow Drive. The Channel Maintenance crew also replaced a broken curb hood at 3791 Cedar Ridge Drive.

URBAN STREET SWEEPING/CAMERA VAN OPERATIONS

A total of 468 lane miles were swept in July resulting in the removal of approximately 115.61 tons of debris from various curb lined streets throughout the city. The crew also checked 442.00 linear feet of pipe with camera truck at several locations, including Triad Village Dr and Findlay Ave.

STORMWATER OKIE LOCATES

During the month of July, 3839 Call 811 Okie Spots were received. Of those requests, 74 were stormwater pipe locates, 44 were marked, and 410 were referred to other departments.

CONSTRUCTION SITE STORMWATER MANAGEMENT

Performed 143 inspections

Issued 0 citations and 0 NOV to active sites

Issued 3 Earth Change Permits to new projects

MS4 OPERATIONS

Received and responded to 45 citizen calls/ YTD Total is 45.

Conducted 5 outfall inspections.

Conducted 8 detention/retention pond inspections.

On July 6, 2021, Michele Loudenback and Amy Shepard attended the City Council swearing in and Committee Volunteer recognition meeting.

On July 8, 2021, Ms. Loudenback attended the EPA Region 6 Stormwater Conference planning meeting, as well as the FB Committee planning meeting later the same day.

On July 13, 2021, Dr. Evenson and Ms. Loudenback attended the Council meeting for the Water's Worth It proclamation.

On July 14, 2021, the OFMA Stormwater Technical Workshop was held, and Dr. Evenson and Ms. Loudenback facilitated, moderated and presented during the event.

On July 15, 2021, Ms. Loudenback attended the EPA Region 6 Stormwater Conference planning meeting.

On July 21, 2021, Dr. Evenson and Ms. Loudenback attended the EDC-LID Update Stakeholder meeting.

On July 21, 2021, Dr. Evenson and Ms. Loudenback attended the ECAB meeting.

On July 22, 2021, Ms. Loudenback attended the EPA Region 6 Stormwater Conference planning meeting.

On July 26, 2021, Harriet Oglesby, Dr. Evenson and Ms. Loudenback attended the OKR04 Reauthorization Workshop.

On July 26, 2021, Dr. Evenson presided over and Ms. Loudenback acted as Secretary for the LTWA Board meeting.

*Monthly Progress Report  
Public Works (July 2021)*

On July 27, 2021, Dr. Evenson and Ms. Loudenback attended the Council meeting for the Lakes Appreciation Month and Love Your Lake Week proclamation.

On July 27, 2021, Dr. Evenson and Ms. Loudenback attended a Lunch and Learn from ADS discussing the uses for the Barracuda Hydrodynamic Separator in Oklahoma.

On July 29, 2021, Ms. Loudenback presented Low Impact Landscapes for Your Lake in conjunction with Courtney Dekalb-Myers, OSU Extension Center, as part of Love Your Lake Week.

On July 31, 2021, Ms. Loudenback and Ms. Oglesby facilitated the Love Your Lake Week Watershed Clean-up of Griffin Disc Golf Course and Sutton Wilderness.

### **FLEET DIVISION**

The Fleet Management Division Activity Report shows a comprehensive summary of the activity during the month, broken down into 3 subgroups: Fuel Report, Maintenance Report, and Productivity Report.

#### **FUEL REPORT**

Purchases: The Inventory fuel and Outside fuel purchases are added together for each category of fuel - Unleaded gasoline, Diesel fuel, and CNG.

Amount Sold: The amount of Inventory fuel and Outside fuel disbursed to city divisions are shown.

Price Per Gallon: For Inventory Purchases, each time a purchase is made the invoice information, such as quantity and total price is receipted into the Faster system. The Faster program then tallies the information and decides on a price-per-gallon for that purchase. The monthly high and the monthly low price-per-gallon for unleaded gasoline and diesel fuel are shown.

#### **MAINTENANCE REPORT**

Repair Parts Sold: This shows the amount of money spent on repair parts for vehicles during the month.

Tires Sold: This shows the amount of money spent on tires for city vehicles during the month.

Total Parts Sold: This is the sum of Repair Parts and Tires Sold added together.

Sublet Repairs: This is the amount spent on outside repairs during the month.

Road Calls: This is the amount of times Fleet was called out to retrieve/repair a vehicle.

Preventative Maintenance Services: This is the amount of times a vehicle failed to make the appointed preventative maintenance service and had to be rescheduled.

Total Work Orders: This is the amount of work orders for the entire month.

Year to Date Work Order Total: This is the amount of work orders for the entire year.

#### **PRODUCTIVITY REPORT**

Direct Labor Hours: Each mechanic's total direct labor hours are shown. Then the direct labor hours are tallied together. After that the total available hours are shown to assess productivity.

Productivity Goal: When mechanics are productive at 70%, meaning that 70% of their day was spent actually working on vehicles, the City of Norman is in equilibrium. We are able to use the money generated from their direct labor to pay wages, benefits and the utilities.

Actual Productivity: This is the average percent of all the mechanics' total productivity during the available working hours for the month.



**July 2021**  
**DEVELOPMENT COORDINATION, ENGINEERING**  
**AND PERMIT REVIEW**

**Subdivision Development:**

FY 2021 Associated Fees

**Planning Commission/Dev Comm Review:**      This Month      Last Month      FY Total

- \*Norman Rural Cert of Survey... 1
- \*Final Plats..... 0
- \*Preliminary Plats..... 1
- \*Short Form Plat..... 1
- \*Center City Form Based Code.. 0
- \*Concurrent Constr. Request..... 0

**City Council Review:**

- Certificate of Survey..... 1
- Preliminary Plat..... 4
- Final Plats ..... 2
- Certificate of Plat Correction..... 1
- Encroachment..... 0
- Easements..... 0
- Closure..... 0
- Release of Deferral..... 0

	This Month	Last Month	FY Total
	↓	↓	↓
	\$ 5,530.00		

**Development Committee:**

- Final Plats..... 0

- Fee-In-Lieu of Detention..... 0**

**Subtotal:**

\$0.00		
\$5,530.00	\$2,350.00	\$5,530.00

**Permits Reviewed/Issued:**

(includes Offsite Construction fees)

- \*\*Single Family..... 36
- \*\*\*Commercial..... 5
- Multi-Family..... 1
- Addition/Alteration..... 32
- House Moving..... 2
- Paving Only..... 10
- Storage Building..... 13
- Swimming Pool..... 15
- Storm Shelters..... 11
- Public Improvements..... 1
- Temporary Encroachments..... 0
- Fire Line Pits/Misc..... 1
- Flood Plain (@\$100.00 each)..... 1

	This Month	Last Month	FY Total
	↓	↓	↓
	\$100.00	\$100.00	\$100.00
<b>Total Permits.....</b>	\$6,637.58	\$27,604.65	\$6,637.58
<b>Grand Total.....</b>	\$12,267.58	\$30,054.65	\$12,267.58
****Construction Plan Review Occurrences	19	41	19
*****Punch Lists Prepared.....	7	6	7

**Total Permits.....**

**Grand Total.....**

\*\*\*\*Construction Plan Review Occurrences

\*\*\*\*\*Punch Lists Prepared.....

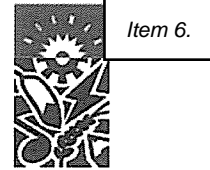
\* All Final Plat review completed within ten days..... PI # 13  
 \*\* All Single Family Permits were reviewed and completed within three days....PI # 10  
 \*\*\* All Commercial Permits were reviewed and completed within seven days..... PI # 11  
 \*\*\*\* All Construction Plans were reviewed within ten days.....PI # 12  
 \*\*\*\*\*All Punch Lists prepared within one day of Final Inspection.....PI # 8

July 2021

**DEVELOPMENT COORDINATION,  
ENGINEERING, AND PERMIT REVIEW**

**KEN DANNER/TODD McLELLAN/JACK BURDETT**

	NUMBER OF INSTANCES	PERCENTAGE ACHIEVED
<i>PI #8</i> PREPARE DEVELOPMENT PUNCH LIST WITHIN 1 DAY OF FINAL INSPECTION	7	100%
<i>PI #10</i> SINGLE FAMILY BLDG PERMIT REVIEW W/I 3 DAYS	36	100%
<i>PI #11</i> COMMERCIAL BLDG PERMIT REVIEW W/I 7 DAYS	5	100%
<i>PI #12</i> CONSTRUCTION PLAN REVIEW W/I 10 DAYS	19	100%
<i>PI #13</i> FINAL PLAT REVIEW COMPLETED WITHIN 10 DAYS	5	100%



# PERFORMANCE REPORT

## Summary of Services Table: June 2021

The table below provides daily averages for the number of passengers carried by many of the services offered by EMBARK Norman. The year-to-date (YTD) figures are cumulative totals. Although the Fiscal Year for 2020 began on July 1, 2019, EMBARK did not start providing service in Norman until August 5, 2019, and ridership numbers are counted from that date forward. EMBARK PLUS operations and ridership began in October 2019.

EMBARK Norman Service Summary	ADP Jun FY21	FY21 YTD	FY20 YTD	Service Profile	Jun FY21	Jun FY20	May FY21
Fixed Routes (M-F)	704	175,199	243,985*	Weekdays	22	22	20
Fixed Routes (Sat)	323	14,465	N/A*	Saturdays	4	0	5
PLUS (M-F)	72	15,764	13,490**	Gamedays	0	0	0
-Zone 1***	58	12,451	11,512**	Holidays	0	0	1
-Zone 2****	14	3,313	1,978**	Weather	3	1	1
PLUS (Sat)*****	14	574	N/A**	Fiscal YTD Days	302	232*	276
				Cal. YTD Days	153	128	127

\*From 8/5/2019

\*\*From 10/1/2019

\*\*\* Requires ¼ mile

\*\*\*\*Operates only on Weekdays until 7:00 pm

\*\*\*\*\*Operates only in Zone 1

### Strategic Performance Measures

MEASURE	FY 21 YTD	FY 21 Targets	
# of Norman fixed-route passenger trips provided	189,664	326,858	◆
# of Norman paratransit trips provided	16,338	16,421	●
% of on-time Norman paratransit pick-ups	99.13%	95.00%	●
# of Norman bus passengers per service hour, cumulative	11.23	12.70	▲
# of Norman bus passengers per day, average	628	N/A*	N/A*
% of Norman required paratransit pick-ups denied due to capacity	0.06%	N/A*	N/A*

\*LFR targets to be added in FY22

SERVICE EFFORTS AND ACCOMPLISHMENTS FYE 2021

Item 6.

<b>STREET DIVISION</b>					
	<b>FYE 2022 July 2021</b>	<b>FYE 2022 July 2021</b>	<b>Year to Date</b>	<b>Year to Date</b>	<b>FYE 2022</b>
<b>PERFORMANCE INDICATORS</b>	<b>ACTUAL</b>	<b>PERCENT</b>	<b>ACTUAL</b>	<b>PERCENT</b>	<b>PROJECTED</b>
Distribute work order requests to field personnel within one day.	99%	99%	99%	100%	100%
Patch potholes smaller than one cubic foot within 24 hours	100%	100%	100%	100%	95%
(tons of material used)	11.88		11.88		
Overlay/pave 10 miles per year.	-	0%	-	0%	100%
Replace 2,000 square yards of concrete pavement panels	104.00	5%	104.00	5%	100%
Grade all unpaved alleys two (2) times per year. (approximately 210 blocks)	25.00	6%	25.00	6%	100%
Mow 15 ROW-miles (1,584,000 sf) of Urban right-of-way, eight times per year	3,314,575.00	26%	3,314,575.00	26%	100%
Mow 148 miles of Rural Right-of-way three times per year	158.00	36%	158.00	36%	100%
Debris Removal – pre-positioned contractor on notice 24 hours prior to storm event	-	0%	-	0%	0%
Debris Removal - Issue Notice to Proceed/Task Order with 48 hours of storm event	-	0%	-	0%	0%
Bridge - Maintain 5 non-deficient bridges in a year	-	0%	-	0%	0%
Bridge - Rehab 7 structurally deficient bridges per year through outside contract	-	0%	-	0%	0%
Bridge - Replace one functionally obsolete bridge per year	-	0%	-	0%	0%
Bond Program - Complete all selected projects for the bond year within the same fiscal year	-	0%	-	0%	0%

SERVICE EFFORTS AND ACCOMPLISHMENTS FYE 2018

Item 6.

<b>STORMWATER DIVISION</b>					
	<b>FYE 2022 JULY, 2021</b>	<b>FYE 2022 JULY, 2021</b>	<b>Year to Date</b>	<b>Year to Date</b>	<b>FYE 2020</b>
<b>PERFORMANCE INDICATORS</b>	<b>ACTUAL</b>	<b>PER CENT</b>	<b>ACTUAL</b>	<b>PER CENT</b>	<b>PROJECTED</b>
Respond to stormwater complaints and drainage concerns within 24 hours of the time reported.	99%	99%	99%	99%	99%
Mechanically sweep 500 curb miles per month (lane miles)	468.00	94%	468.00	8%	50%
Inspect and clean 100% of the urban drainage inlets three times per year. (approximately 5,000 locations)	711.00	7%	711.00	7%	70%
Mow 2,271,548 sq.feet of open drainage ways, six times per year	1,174,469.00	9%	1,174,469.00	9%	90%
Apply chemical vegetative control to open drainage channels, one time per year.	-	0%	-	0%	90%
Permit all earth disturbing operations over 1 acre in size.	1.00	95%	1.00		95%
Permit all floodplain activities as appropriate.	-	0%	-		100%
Submit all necessary reports and documentation as required to comply with state stormwater regulations within 15 days of deadlines. (1)	-	0%	-		100%
Perform erosion control inspections of permitted sites within 30 days.	140.00	75%	140.00		100%
Respond to stormwater complaints within 24 hours of the time reported	45.00	100%	45.00		100%
Inspect City facilities identified as potential stormwater pollution sources.	-	0%	-		50%
Inspect stormwater outfalls.	5.00	8%	5.00		20%

**PUBLIC WORKS  
FLEET DIVISION  
ACTIVITY REPORT**

Item 6.

July 2021

IN GALLONS	FYE 2022	FUEL REPORT	
	<u>UNLEADED PURCHASED</u>	<u>DIESEL PURCHASED</u>	<u>CNG PURCHASED</u>
Internal pumps	18,225.00	24,046.00	18,322.57
Outside - sublet	1,924.00	1,047.00	4,202.70
<b>TOTAL</b>	<b>20,149.00</b>	<b>25,093.00</b>	<b>22,525.27</b>
<b>TOTAL</b>	<u>UNLEADED CONSUMED</u>	<u>DIESEL CONSUMED</u>	<u>CITY CNG CONSUMED</u> <u>PUBLIC CNG CONSUMED</u>
Consumption	20,140.73	22,719.06	30,002.84      3,713.36

FYE 2021 TO DATE CONSUMPTION			
TOTAL	<u>UNLEADED CONSUMED</u>	<u>DIESEL CONSUMED</u>	<u>CITY CNG CONSUMED</u> <u>PUBLIC CNG CONSUMED</u>
Consumption	211,542.46	218,175.53	232,447.14      4,202.70

INTERNAL PRICE PER GALLON:				EXTERNAL PRICE PER GALLON:					
UNLEADED	High	\$2.46	Low	\$2.41	UNLEADED	High	\$2.57	Low	\$2.44
DIESEL	High	\$2.32	Low	\$2.20	DIESEL	High	\$2.32	Low	\$2.26
CNG	High	\$0.84	Low	\$0.84	CNG	High	\$1.49	Low	\$1.49

FASTER CONSUMABLE PARTS PURCHASED		PUBLIC CNG SALES	
REPAIR PARTS	\$70,173.34	Month Total Public CNG Sales	\$4,173
BATTERIES	\$2,892.89	FYE 2022 To Date Public Sales	\$6,281
OILS/FLUIDS	\$5,739.66	<b>LIFE TO DATE CNG GAS GALLON EQUIVALENT</b>	
TIRES	\$28,571.74	Total Sold Gallons Life To Date	967,839
SUBLET REPAIRS	\$22,148.76	Total Gross Sales Life To Date	\$1,387,886
<b>TOTAL SPENT ALL parts/sublet</b>	<b>\$129,526.39</b>	Life To Date CNG Gas Gallon Equivalent	
		Total Public/City Through-Put CNG Gallons @ Statio	2,589,737

Light Shop				
ROAD SERVICE	4	4	6	14
EMERGENCY ROAD CALLS	2	6	3	11
PM SERVICES	88	94	78	260
INCLEMENT WEATHER	0	0	1	1
WORK ORDERS	237	272	299	808
SCHEDULED REPAIRS	115	24	101	240
NON SCHEDULED REPAIRS	83	73	65	221

Heavy Shop				
ROAD SERVICE	9	6	2	17
EMERGENCY ROAD CALLS	31	26	16	73
PM SERVICES	57	46	32	135
INCLEMENT WEATHER	0	0	1	1
WORK ORDERS	279	251	227	757
SCHEDULED REPAIRS	79	20	56	155
NON SCHEDULED REPAIRS	158	149	130	437

Transit Shop			LAST Month	YEAR TO DATE
ROAD SERVICE	2	4	2	8
EMERGENCY ROAD CALLS	0	0	1	1
PM SERVICES	7	14	8	29
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	44	76	55	175
SCHEDULED REPAIRS	7	1	8	16
NON SCHEDULED REPAIRS	38	55	40	133

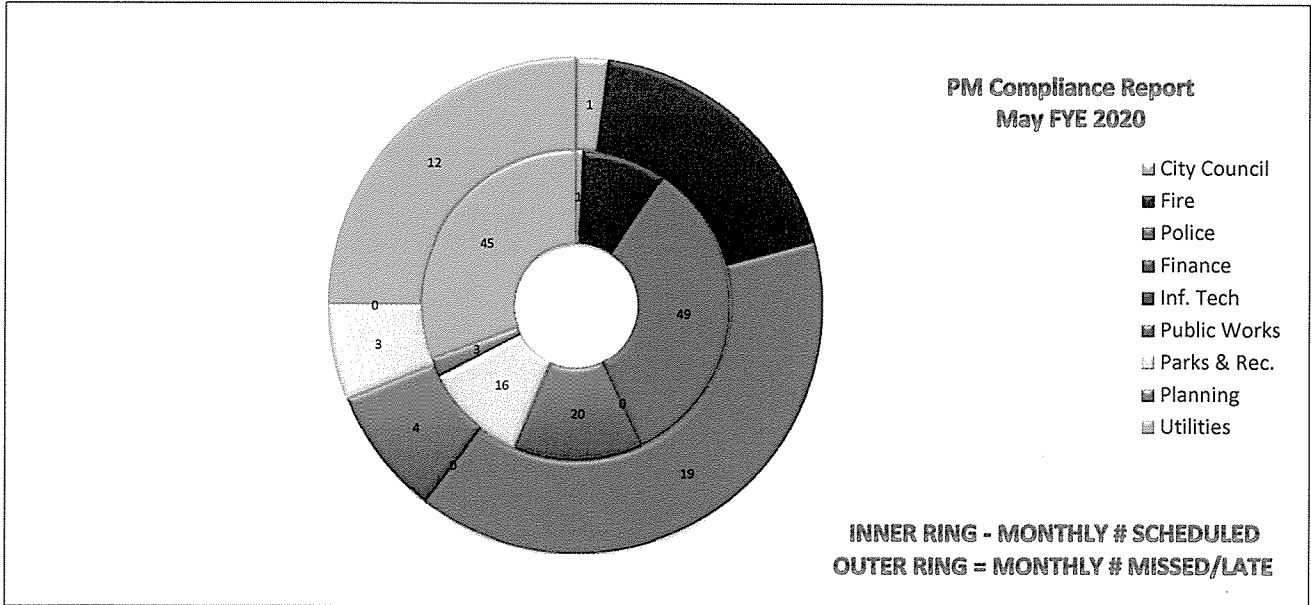
COMBINED SHOPS	CURRENT MONTH	LAST MONTH	TWO MONTHS AGO	YEAR TO DATE
ROAD SERVICE	15	14	10	39
EMERGENCY ROAD CALLS	33	32	20	85
PM SERVICES	152	155	118	425
INCLEMENT WEATHER	0	0	2	2
WORK ORDERS	560	615	581	1756
SCHEDULED REPAIRS	201	46	165	412
NON SCHEDULED REPAIRS	279	283	235	797

**PUBLIC WORKS FLEET DIVISION  
PM COMPLIANCE REPORT  
July FYE 2022**

Item 6.

Currently Past Due:

Unit #	Unit Description	Department Division	Current Odometer Reading	Meter or scheduled date	Meter Past	ORIGINAL Scheduled DATE	SHOP	Type of SERVICE	LAST PM DONE
<b>FINANCE</b>									
0060	2019 Ford F150	Water Meter Services	8/1/2021	2/26/2021	-156	days 5/20/2021	Light Repair	PM-N	N/A
<b>CITY CLERK</b>									
603T	2020 Big Tex Trailer	Facility Maintenance	8/1/2021	4/15/2021	-108	days 5/27/2021	Light Repair	PM-A	N/A
<b>FIRE</b>									
2001	2020 John Deere Z915E	Fire Suppression	8/1/2021	4/10/2021	-113	days 6/28/2021	Light Repair	PM-C	4/27/2020
<b>POLICE</b>									
1226T	2011 Featherlite Trailer	Patrol	8/1/2021	5/12/2021	-81	days 6/3/2021	Light Repair	PM-A	5/13/2020
1108	2013 Ford Taurus	Patrol	101015	99428	-1587	miles 7/13/2021	Light Repair	PM-C	3/29/2021
<b>PSST</b>									
MotorT	2012 Trailer	PSST Criminal Investigation	8/1/2021	3/12/2021	-142	days 3/22/2021	Light Repair	PM-A	3/10/2020
<b>UTILITIES</b>									
0307	2015 John Deere Backhoe	Waterline Maintenance	2945	2921	-24	hours 7/9/2021	Heavy Repair	PM-C	8/6/2020
307H	2015 Indeco	Waterline Maintenance	8/1/2021	3/2/2021	-152	days 7/9/2021	Heavy Repair	PM-C	3/2/2021
0566	2020 Harper	Water Plant	8/1/2021	6/3/2021	-59	days 7/28/2021	Light Repair	PM-C	5/26/2020
<b>SANITATION</b>									
0253	2014 Kenworth Rearloader	Yard Waste	10385	10211	-174	miles 7/16/2021	Heavy Repair	PM-C	9/9/2020
0252	2020 Peterbilt Sideloader	Residential	2325	2215	-110	hours 7/22/2021	Heavy Repair	PM-C	3/2/2021
0252	2020 Peterbilt Sideloader	Residential	2325	2215	-110	hours 7/22/2021	Heavy Repair	PM-SL	3/2/2021
281T	2019 Holt Trailer	Commercial	8/1/2021	1/28/2021	-185	hours 3/19/2021	Heavy Repair	PM-A	1/27/2020
0281	2020 Ford F150	Residential	4417	4000	-417	miles 7/22/2021	Light Repair	PM-C	N/A
0257	2015 Peterbilt Sideloader	Residential	8/1/2021	4/3/2021	-120	days 6/30/2021	Heavy Repair	PM-N	4/3/2019
201F	2020 Bulk Tank	Compost	8/1/2021	6/15/2021	-47	days 6/30/2021	Light Repair	PM-C & PM-M	9/18/2020
<b>PARK MAINTENANCE</b>									
0465	2002 Toro 3300 Truckster	Park Maintenance	1957	1926	-31	days 7/13/2021	Light Shop	PM-C	9/16/2020
402T	2007 Holt Utility Trailer	Park Maintenance	8/1/2021	6/23/2021	-39	days 6/14/2021	Light Repair	PM-A	6/23/2020
0437	2015 Phoenix 1800HD	Park Maintenance	8/1/2021	5/21/2021	-72	days 5/7/2021	Light Repair	PM-B	6/23/2020
0428	2007 Phoenix	Park Maintenance	8/1/2021	6/19/2021	-43	days 7/23/2021	Light Repair	PM-C	6/19/2020
<b>PUBLIC WORKS</b>									
668S	2011 Flink HG115782S4000	Streets	8/1/2021	1/13/2021	-200	days 3/13/2021	Heavy Repair	PM-B	1/13/2020
0855	2016 Deweeze	Stormwater	358	348	-10	hours 7/29/2021	Light Repair	PM-B	8/11/2020
0145	2016 Caterpillar Roller	Streets	1604	1587	-17	hours 7/16/2021	Heavy Repair	PM-C	10/19/2020



Department	Scheduled	Missed/Late	% Late
City Council	1	1	100.0%
Fire	13	9	69.2%
Police	49	19	38.8%
Finance	0	0	0.0%
Inf. Tech	0	0	0.0%
Public Works	20	4	20.0%
Parks & Rec.	16	3	18.8%
Planning	3	0	0.0%
Utilities	45	12	26.7%
<b>Citywide Total</b>	<b>147</b>	<b>48</b>	<b>32.7%</b>

**PUBLIC WORKS FLEET DIVISION  
PM COMPLIANCE REPORT**

**July FYE 2022**

**Industry Standard Compliance: Not To Exceed 5%**

Item 6.

Department/Division	Number of PMs		Number of PMs Completed LATE	Number of PMs Still Past Due	Current % PENDING	Year To Date Non-Compliance Trend
	Number of PMs Scheduled	Completed On Time				
<b>CITY CLERK</b>						
CITY COUNCIL					0%	0%
BUILDING ADMINISTRATION					0%	0%
CUSTODIAL					0%	0%
BUILDING MAINTENANCE	1			1	100%	100%
<b>MUNICIPAL COURT</b>						
MUNICIPAL COURT					0%	0%
<b>INFORMATION TECHNOLOGY</b>						
INFORMATION TECHNOLOGY					0%	0%
<b>FINANCE</b>						
METER SERVICES	1			1	100%	100%
<b>PLANNING</b>						
PLANNING	2	2			0%	0%
BUILDING INSPECTIONS	1	1			0%	0%
CODE COMPLIANCE	1	2			0%	0%
<b>PUBLIC WORKS</b>						
<b>ENGINEERING</b>						
STREETS	5	5		1	20%	20%
STORMWATER	3	2		1	33%	33%
TRAFFIC	6	6			0%	0%
STORMWATER QUALITY					0%	0%
FLEET	11	14			0%	0%
TRANSIT					0%	0%
<b>POLICE</b>						
ANIMAL CONTROL	2	1		1	50%	50%
POLICE ADMINISTRATION					0%	0%
POLICE STAFF SERVICES	2	2			0%	0%
POLICE CRIMINAL INVESTIGATIONS					0%	0%
POLICE PATROL	11	14	1	5	45%	55%
POLICE SPECIAL INVESTIGATIONS	1			1	100%	100%
POLICE EMERGENCY COMMUNICATIONS					0%	0%
<b>FIRE</b>						
FIRE ADMINISTRATION					0%	0%
FIRE TRAINING					0%	0%
FIRE PREVENTION	1	1			0%	0%
FIRE SUPPRESSION	2	6			0%	0%
FIRE DISASTER PREPAREDNESS					0%	0%
<b>PARKS &amp; RECREATION</b>						
PARK MAINTENANCE	14	10	1	3	21%	29%
PARKS & RECREATION					0%	0%
<b>PUBLIC SAFETY SALES TAX (PSST)</b>						
PSST POLICE PATROL	7	8		3	43%	43%
PSST POLICE CRIMINAL INVESTIGATIONS					0%	0%
PSST FIRE SUPPRESSION	7	9	1	2	29%	43%
<b>CDBG</b>						
PLANNING CDBG					0%	0%
<b>UTILITIES WATER</b>						
<b>UTILITIES ADMINISTRATION</b>						
WATER TREATMENT PLANT	1	1			0%	0%
WATER PLANT	1			1	100%	100%
WATER PLANT WELLS	1	1			0%	0%
WATER PLANT LAB					0%	0%
LINE MAINTENANCE ADMIN.					0%	0%
WATER LINE MAINTENANCE	14	9		6	43%	43%
UTILITIES INSPECTOR					0%	0%
<b>UTILITIES WRF</b>						
WRF ADMIN					0%	0%
WRF INDUSTRIAL					0%	0%
WRF BIOSOLIDS					0%	0%
WRF OPERATIONS	4	4			0%	0%
SEWER LINE MAINTENANCE	5	5	1		0%	20%
<b>UTILITIES SANITATION</b>						
<b>SANITATION ADMINISTRATION</b>						
SANITATION RESIDENTIAL	6	2		5	83%	83%
SANITATION COMMERCIAL	3	3		1	33%	33%
SANITATION TRANSFER	7	7			0%	0%
SANITATION COMPOST					0%	0%
SANITATION RECYCLE	1	1			0%	0%
SANITATION YARD WASTE	2	2		1	50%	50%
<b>CITYWIDE TOTAL</b>	<b>123</b>	<b>118</b>	<b>4</b>	<b>33</b>	<b>27%</b>	<b>30%</b>



**PUBLIC WORKS  
FLEET DIVISION**  
Technician Productivity  
Report

**FYE 2022**

July 2021

MECHANIC	DIRECT LABOR HOURS	PRODUCTIVITY		INDIVIDUAL PRODUCTIVITY	
		GOAL	ACTUAL	ACTUAL	DIFFERENCE
# 001	75.84	72%	55.6%	72%	-16.4%
# 002	119.24	72%	87.4%	72%	15.4%
# 003	102.44	72%	75.0%	72%	3.0%
# 004	76.49	72%	56.0%	72%	-16.0%
# 006	89.93	72%	65.9%	72%	-6.1%
# 007	118.62	72%	86.9%	72%	14.9%
# 008	111.25	72%	81.5%	72%	9.5%
# 009	110.67	72%	81.1%	72%	9.1%
# 010	114.84	72%	84.1%	72%	12.1%
# 011	127.17	72%	93.2%	72%	21.2%
# 012	93.00	72%	68.1%	72%	-3.9%
# 013	125.77	72%	92.1%	72%	20.1%
# 014	85.23	72%	62.4%	72%	-9.6%
# 018	101.39	72%	74.3%	72%	2.3%
# 021	139.96	72%	102.5%	72%	30.5%
# 028	80.84	72%	59.2%	72%	-12.8%
# 029	102.27	72%	74.9%	72%	2.9%
# 031	81.25	72%	59.5%	72%	-12.5%
# 032	59.62	72%	43.7%	72%	-28.3%

DIRECT LABOR HOURS	1774.95
TOTAL AVAILABLE HOURS	2320.50
PRODUCTIVITY GOAL	72.0%
<b>ACTUAL PRODUCTIVITY</b>	<b>76.5%</b>

**FLEET MANAGEMENT  
INVENTORY  
July 2021**

**FUEL**

WESTWOOD GOLF	430.8	gallons	DIESEL	@	2.240	\$	964.99
WESTWOOD GOLF	616.3	gallons	UNLEADED	@	2.320	\$	1,429.82
NORTH BASE	2,210.7	gallons	UNLEADED	@	2.280	\$	5,040.40
NORTH BASE	1,800.3	gallons	DIESEL	@	2.180	\$	3,924.71
FIRE STATION #5	379.2	gallons	UNLEADED	@	2.340	\$	887.40
FIRE STATION #5	292.0	gallons	DIESEL	@	2.250	\$	657.00
FIRE STATION #6	239.6	gallons	DIESEL	@	2.250	\$	539.10
FIRE STATION #6	494.6	gallons	UNLEADED	@	2.340	\$	1,157.36
BULK TANKS	1,200.0	gallons	DIESEL	@	2.180	\$	2,616.00

TOTAL	GALLONS:	DOLLAR:
UNLEADED	3,700.8	\$ 8,514.97
DIESEL	3,962.7	\$ 8,701.80

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**CITY OF NORMAN  
DEPARTMENT OF PUBLIC WORKS-TRAFFIC CONTROL DIVISION  
MONTHLY PROGRESS REPORT**

PROJECTED GOAL	THIS MONTH			YEAR TO DATE		
	Number of Requests	Goal Met	Percentage Met	Number of Requests	Goal Met	Percentage Met
<b>JULY 2022</b>						
Provide initial response to citizen inquiries within 2 days	67	67	100%	67	67	100%
Provide information requested by citizens within 7 days	67	67	100%	67	67	100%
Complete traffic engineering studies within 45 days.	1	1	100%	1	1	100%
Review subdivision plats, construction traffic control plans, traffic impact statements, and other transportation improvement plans within 7 days.	65	65	100%	65	65	100%
Worker Hours Per Gallon of Paint Installed.	Gallons	Worker Hours	Percentage	Gallons	Worker Hours	Percentage
	28	99.25	3.54	28	99.25	3.54
Thermoplastic legend, arrows, stop bars & crosswalks installed.	Crew Work Days	Total Installations	Average	Crew Work Days	Total Installations	Average
	0	0	0.00	0	0	0.00
Preventative Maintenance on each traffic signal once a year. Approximately 11 will be performed each month.	Number Performed	Goal Met	Percentage Met	Number Performed	Goal Met	Percentage Met
	12	12	100%	12	12	100%
Response to reports on traffic signal malfunctions within one hour.	Number of Reports	Goal Met	Percentage Met	Number of Reports	Goal Met	Percentage Met
	19	19	100%	19	19	100%
Response to reports of sign damage:	Percentage					
<b>High Priority</b> Stop or Yield Signs within one hour	99%	2	100%	2	2	100%
<b>Lower Priority</b> all other signs within one day	90%	23	100%	23	23	100%
<b>Street Name Signs</b> within two weeks	90%	0		0	0	#DIV/0!
Percent of work hours lost due to on the job injuries.	Total Work Hours	Work Hours Lost	Percentage Met	Total Work Hours	Work Hours Lost	Percentage Met
	3192	0	0.00	3192	0	0.00

**UTILITIES 13**

## Monthly Report

July 2021

### LINE MAINTENANCE:

#### Waterline Capital Projects

- Crail Drive – 0% E. Comanche St – 100%
- Buckingham Drive – 0% E. Robinson St – 100%
- Hunting Horse – 100%
- Kiowa Way – 0%
- W. Brooks Street – 0%
- E. Eufaula St. – 100%

East Comanche Street: WA0344: - Staff replaced 500 feet of 6" Cast Iron with 6" C-900 PVC from Porter Ave to Ponca Avenue. Staff laid 197 feet of 6" PVC, set one fire hydrant, made tie-in on Ponca Avenue, and changed over services, project 100% complete; project has experienced several delays due to inclement weather.

#### Water Line Breaks – 20 in July

#### Sewer Line Data

- Total obstruction service requests - 7
- Private Plumbing: 5
- City Infrastructure: 2
- Sanitary Sewer Overflows: 1-Private service line

#### Lift Station D Flows:

- Days - 31
- Average daily flow: 1.67 MGD
- Total Monthly flow: 51.77 MG

### UTILITIES ENGINEERING:

Line Maintenance Building (WA/WW0329)/WRF Storage Building (WW0318): Project will construct new building for Line Maintenance Division consisting of 49 staff; the existing 11,000 SF building is currently located on North Base property adjacent to the Fleet offices and vehicle servicing areas. This project assumes construction of a new 20,000 SF facility NW of the water treatment plant to house administrative offices, the employee breakroom, fire hydrant/meter repair area as well as areas for numerous water and sewer line repair parts, pump repair parts and a work area for pump repairs and testing. A preliminary meeting was held with City staff to discuss the project and what variances may be required. Additional funding will also be necessary due to the increased cost for the project to meet actual division needs now and into the future. Due to other department priorities, funding for the project was pushed back to FYE 23 so the project has essentially been pushed back one year.

Solar Arrays at WRF and WTP: Project will utilize areas in the vicinity of the Water Reclamation Facility and the Water Treatment Plant to install new solar arrays that will offset electrical use from the grid. This project moves the Utilities Department forward and closer to meeting the *Mayors Climate Protection Agreement* and the *Ready for 100* initiatives. This performance guaranty contract has requirements such that the City will be reimbursed if sufficient energy is not generated. Properties were granted Special Use for Municipal Use at the July 8, 2021 Planning Commission. Staff was asked to follow up with storm detention as a result of the project.

## **WASTEWATER PROJECTS:**

Sewer Maintenance Project FYE17 (WW0307): Annual project will replace 28,500 feet of deteriorated sewer lines with high density polyethylene (HDPE) pipe and rehabilitate or replace 161 manholes. Area is bounded by Cavecreek Street and Pinecrest Street to the north, Sequoyah Trail and Woodcrest Creek Drive to the west, Rock Creek Road to the south and 12th Avenue NE to the east. Change Order No. 1 was a no-cost change order approved with the contract award. Change Order No. 2 was approved and added approximately 1,000 feet of 12-inch pipe replacement along Chautauqua Avenue from Symmes Street north to just south of Main Street. Change Order No. 3 was added to the project to address unforeseen storm sewer conflicts along Chautauqua and to also eliminate cleanouts for sewer service lines. The contractor has replaced approximately 23,000 feet of line. All lines have been completed except for approximately 2,000 feet of line that is proposed to be rehabilitated through the use of cast-in-place pipe. A change order to account for this modification is currently being developed.

Engineer: Staff with assistance from Lemke Surveying

Sewer Maintenance Project FYE18 (WW0316): Annual project will replace about 27,800 feet of deteriorated sewer lines with High Density Polyethylene (HDPE) pipe and rehabilitate or replace about 108 manholes. Project area is bounded by Westbrook Terrace to the north, McGee to the west, Highway 9 to the south and Berry Road to the east. Staff is currently reviewing plans and plan to bid project this Fall.

Engineer: Staff with assistance from Lemke Surveying and Cardinal Engineering

Sewer Maintenance Project FYE19 (WW0321): Annual project may replace about 22,000 feet of residential sanitary sewer lines and rehabilitate or replace about 108 manholes in the area bounded by W Lindsey St. to the North, 24th Ave SW to the west, Westbrook Terrace to the south, and Berry Road to the East. Preliminary project layout and scope definition are in progress.

Engineer: Staff with assistance from local surveyor

12<sup>th</sup> Avenue NE Manhole Replacements (WW0330): This project will replace the existing 36 manholes on the existing 24-inch sanitary sewer line generally running along 12<sup>th</sup> Avenue NE from Alameda Street to north of Robinson Street. Due to the high hydrogen sulfide concentrations, rehabilitation was deemed to not be feasible for the project. The existing manholes have deteriorated such that replacement is warranted. The NUA approved Contract K-2021-108 with Matthews Trenching to replace the manholes for a total contract amount of \$1,180,250. Work should begin in September and take approximately 6 months to complete.

WRF Reuse Pilot Study (WW0317) - Project will consider treatment alternatives to produce highly treated effluent at the WRF suitable for discharge into Lake Thunderbird. In December 2019, we learned that we will be receiving a grant of up to \$700,000 from Bureau of Reclamation (BOR) to assist in funding project. On November 30, 2020, staff had virtual meeting with BOR who confirmed that Contract was being prepared and should be complete and submitted for NUA approval during the first quarter of 2021. Upon execution of contract, funding should be immediately available. NUA approved a contract with Garver on February 11, 2020 to design the pilot project and prepare a report with conclusions based on the results. On June 23, 2020, NUA approved Amendment No. 1 to Garver's contract to allow them to administer the pilot project including all of the rental equipment and sampling/analyses on behalf of WRF. During June 2021, WRF staff was able to commence operating both trains as intended and commenced full sampling and testing regimen as per pilot testing protocol. This first phase of the pilot testing will continue through to the late Fall of 2021, at which point, Phase II of the testing will commence and continue until late Spring 2022. Phase III of testing will pick up at that point and continue through summer of 2022. Garver's final report is expected to be submitted by the end of 2022.

Engineer: Garver LLC (Michael "Cole" Niblett)

WRF Dewatering Centrifuge Replacement (WW0326) – Project will replace dewatering centrifuges at WRF. Current centrifuges are approaching the end of their useful lives, and thus require excessive maintenance, repairs, and downtime to keep them operational. NUA approved an Engineering Contract with Garver, LLC December 8, 2020, and design has

commenced. Between January and March 2021, separate demonstration tests using PW Tech's "Volute Dewatering Press" and Huber's and MKC's screw presses were completed at the WRF and equipment operation was observed by Garver and Norman WRF and Engineering staff. In addition, NUA staff visited plant sites to observe the Volute Dewatering Press and the MKC screw press in service. PW Tech attempted to schedule a final demonstration test of the Volute Dewatering Press during July 2021 to determine if the product could consistently produce a minimum 20% solids sludge as required by plant disposal methodology; however, they were unable to proceed due to scheduling issues. Since the Volute Dewatering Press is unable to guarantee meeting NUA minimum percent solids requirements, Garver's Engineering Report was finalized in July 2021 and Garver is proceeding with final design based on the recommendations in the report. In August 2021, Garver and NUA plan to meet to finalize project delivery method including a discussion on whether an advance equipment procurement would expedite the project and add value for NUA. Estimated schedule assumes advance purchase of equipment and CM at Risk project delivery. This will be revised accordingly if a different project delivery methodology is agreed upon. consideration with recommendation that s for meet minimum at Bentonville WWTP in Arkansas to view the Volute Dewatering press in service and Andover WWTP in Kansas to view an MKC screw press in service. One final demonstration of a full size Volute Dewatering Press is scheduled for early July 2021. Garver has prepared a draft Engineering Report, and a final version of report, based on observations from site visits and results of final demonstration test of Volute Press, should be submitted by the end of July 2021. Final design will commence immediately upon approval of the Engineering Report and final plans and specifications are expected to be ready for advertisement by September 2021. Bid Opening, Contract Award, and Notice to Proceed would follow in October 2021. Construction should then be completed by April 2022.

Engineer: Garver LLC (Michael "Cole" Niblett)

SE Norman Lift Station Payback (WW0306): Staff has recently updated the wastewater model to project flows generated from full build-out of the Destin Landing Development in SE Norman. A series of interceptors as well as one large lift station with flow equalization can eliminate one existing and three proposed lift stations in southeast Norman. This project will estimate project costs, assign wastewater generation estimates to undeveloped properties to be serviced, and prorate payback costs per parcel based on wastewater generation projections. Developers might initially fund the lift station and/or the NUA with a portion of the funding paid back as additional areas develop. RFP issued 06/12/18 for this work with proposals due 07/15/18. On 08/07/18, staff selected Search, Inc. to prepare the sewer service area study and evaluate its potential as a payback project. Staff expects to bring a contract forward to NUA in August, 2021.

Bishop Creek Interceptor Project (WW0174): Project will replace or parallel approximately 20,600 feet of existing sewer interceptors in the in the Bishop Creek wastewater basin to accommodate the full build-out wastewater flows. The project area generally lies between Highway 9 and Constitution and between Jenkins and Classen Boulevard. Staff will soon prepare an RFP to select design consultant for this and other water/sewer projects.

Lift Station D Force Main Replacement (WW0091): Another portion of the Lift Station D 16" ductile iron force main along 12th Ave N.E. is severely deteriorated and in need of replacement. Approximately 3,500 feet of this force main to just south of Rock Creek Road was replaced with 20-inch PVC in 2009. The area needing replacement because of continued breaks is on the west side of 12th from the end of the previous project to the point where it begins to gravity flow near the 12th Avenue Recreation Center. The project is expected to require 2,300 feet of new 20-inch piping, three air release vaults, and a new receiving manhole. After discussions with the Parks Department, the City of Norman will continue to lease the property needed for this project and will not purchase the property outright. Therefore, the project was kicked back off to identify the best alignment and then move forward to final design, easement acquisition (as necessary), bidding and construction. Geotechnical work has been completed and potholing will be completed in September 2020 allowing the design to be finalized. Downstream manhole rehabilitations were also added to the project due to severe corrosion that has deteriorated the manholes impacting their structural integrity. Design is progressing based on field investigations and 90% plans were submitted in November. Staff has reviewed the plans and there are constructability concerns regarding the proposed alignment. Staff have reviewed the alternative alignment on the east side of 12<sup>th</sup> Avenue NE and this corridor appears to be more constructible due to reduced utility conflicts.

Class A Sludge / Co-Composting (WW0312): This Project includes evaluation of biosolids co-composting via the windrow method to achieve Class A Biosolids for the Norman Utilities Authority (Owner) in Norman, Oklahoma. An evaluation of sites near the Water Reclamation Facility (WRF) will be evaluated as well. This scope of services also includes modification and update to Norman Water Reclamation Facility's existing Sludge Management Plan. Technologies were screened and Windrow Composting was determined by the Engineer to be the best alternative due to

capital cost and operational familiarity considerations. The project was put on hold pending further discussions with landowners for land application of biosolids that is a lower cost option than co-composting.

Engineer: Garver, Inc. (Steve Rice)

Septage Receiving Facility (WW0319): The Water Reclamation Facility (WRF) is often contacted regarding the possibility of taking trucked wastewater from hauling companies. Delivery of trucked wastes is not typically approved due to the undocumented quality of the trucked waste. Oklahoma City is currently the only municipal location in the metropolitan area for haulers to dispose of septage. The WRF could potentially generate revenue from companies hauling septage (septic tank clean-outs) and other acceptable wastes. Additionally, City of Norman residents utilizing a private sewage system could benefit through their private haulers having a closer disposal solution.

To allow for the new facility, the current WRF treatment processes must be protected which may require temporary storage of the trucked wastes delivered to the WRF while water quality testing is performed to verify its acceptability. Preparation of an engineering study and design is budgeted for FYE19 while construction is budgeted for FYE20. This project is not a high priority for service reliability and has been deferred due to funding availability.

Engineer: Olsson, Inc. (Kevin Rood)

WRF New Maintenance Building (WW0318) and WRF Main Control Building Renovation (WW0325): These two projects are being designed under a single design contract and are anticipated to be bid as a single Construction Manager at Risk (CMAR) project so they will be covered as a single project here. Due to recent plant improvements projects, space formerly used for spare part storage has been incorporated into plant operations space, leaving a shortage of viable storage space. Project WW0318 will cover the construction of a new pre-engineered Maintenance Building for spare part storage and other critical maintenance activities. The Main Control Building at the WRF was constructed in 1982 and, while some building systems have been replaced and/or upgraded since then, many of the original interior and exterior finishes as well as the main laboratory have not been replaced or renovated and are now nearing the end of their useful lives. Project WW0325 will evaluate existing building and update layout and building systems as well as expand and renovate the laboratory. Greeley Hansen was selected as the Architect for these two projects, and their Contract was approved on June 8, 2021. Later in June, a Zoom kickoff meeting convened and preliminary design activities commenced. On July 14, 2021, a site visit by Greeley Hansen staff and on site kick-off meeting with NUA staff convened. A preliminary design, which will also be used as basis for CMAR RFP should be complete by October 2021. RFPs would then be advertised and a CMAR selected no later than December 2021. Final design (with CMAR assistance as part of the project team) should be complete in June 2022, and bidding of construction packages should commence immediately thereafter. Construction will commence in July 2022 and take approximately one (1) year.

Engineer: Greely and Hansen LLC (Ana Stagg)

## WATER PROJECTS:

Waterline Relocation: I-35 Widening (WA0196): Unbudgeted project necessitated by ongoing widening of I-35. Total budget of about \$500,000 estimated for replacing three waterlines associated with the I-35 project (24-inch at Briggs Street, 12-inch at Brooks Street and 12-inch at 24th Avenue SW and Highway 9). Team of SAIC/Poe and Associates will prepare design plans as an amendment to the Lindsey Street widening project. ODOT expected to reimburse waterline relocation costs at end of project. NUA approved design contract with SAIC and ODOT relocation agreements on 10/22/13. ODOT required I-35 crossing at Briggs Street to be deepened to 28 feet below grade; construction costs will increase approximately \$450,000. Project advertised 04/29/14 and three bids were opened 05/22/14; Matthews Trenching was the low bidder at \$997,875. NUA approved contract on 06/10/14; work began 06/11/14. \$840,780 has been previously reimbursed by ODOT for this project. Staff requested reimbursement for the rest of the construction portion in December 2021 and received payment in the amount of \$215,320 from ODOT in February 2021. Staff received Audit Reports from ODOT in April 2021 for reimbursements in the amount of \$36,300 and \$8,700 for design agreements. A rebuttal letter with invoices were sent to ODOT on April 21, 2021 in order to receive reimbursement. However, after review, ODOT explained that they need the invoices to show how much of each invoice went towards each agreement. None of the invoices were broken up showing this distinction, so staff reached out to Benham (who



took over SAIC) on June 9, 2021 so that they could provide us with that information. Staff has followed up with Benham and they are still in the process of getting the information needed.

Waterline Replacement: Interstate Drive (WA0245): Project will replace approximately 8,600 feet of failing ductile iron water lines with PVC pipe to reduce service disruptions to customers and damage to driveways and streets. The project is located along North Interstate Drive from Sooner Fashion Mall north to Northwest Boulevard and along Copperfield Drive from Northwest Blvd. to Interstate Drive with an extension west into Springbrook Addition. New piping will include about 8,600 feet of 6, 8, and 12-inch PVC pipe. Easements are still being acquired for the project with five of the six parcels received. The last easement is in final negotiations so the project was advertised and bids were opened on December 3, 2020. Cimarron Construction Co. was the lowest, responsible bidder and the contract was awarded on January 12, 2021. Public Notice letters were sent to home and business owners on February 24, 2021 and the contract started on March 3, 2021. Contractors started mobilization on March 10, 2021. Contractors have installed approximately 4,650 feet of waterline to date. Contractors are currently working on installing the line along Interstate Drive between Northwest Blvd and Copperfield Drive by directional bore method. This method will allow open access along driveways at all times for customers and business owners.

Engineer: Cardinal Engineering.

Waterline Transmission: Robinson Avenue Water Line Replacement (Phase III) – 24<sup>th</sup> Avenue NW to Flood Ave (WA0242): Project will install approximately 6,800 feet of 30-inch PVC C900 along the north side of Robinson Avenue from just east of the 24<sup>th</sup> Avenue NW to Flood Avenue. The new 30-inch line will replace the existing 16-inch line. This project will also replace approximately 3,000 feet of 12-inch water line on the south side of Robinson in the same vicinity. The project was bid and the contract was awarded to Garney Companies, Inc. (Garney) in the amount of \$1,978,875.00 on July 14, 2020. As of the end of May 2021, all 12" and 30" water line was installed, tested, and placed into service. On July 22, 2021, a final inspection convened with representatives from Garney, City of Norman and OU Grounds staff in attendance. The punchlist consisted of repairs to areas of brown or rutted sod on the north side of Robinson. Sod subcontractor intends to complete repairs in near future and project will be final accepted thereafter.

Engineer: Alan Plummer and Associates, Inc. (Chris Ferguson)

Flood Avenue Waterline Replacement (WA0328):

Project will replace approximately 12,700 feet of 16-inch water line from Robinson Street to Tecumseh Road, and about 2,900 feet of 12-inch from Tecumseh to Venture Drive with 16-inch C900 PVC pipe. The existing ductile iron pipe is not compatible with the corrosive clay soils. It is failing, causing service disruptions to customers and damage to driveways, streets, and yards. In combination with this project, the potential for using existing wells along Flood for blending back into the water system using the existing pipe after rehabilitation will be evaluated. Design is funded in FYE19, with construction funded in FYE20. Based on detailed field survey, the alignment appears to require the removal of the existing 16-inch line and installation of the new line in the same corridor. Water model simulations have indicated that this will not impact service levels but this work is going to be scheduled during the non-demand seasons to reduce the impacts of this outage. Comments on preliminary plans were provided to Engineer on April 3, 2020. Plans at 65 percent level were received and reviewed and comments were returned back to the consultant. Utility verification and potholing were completed to allow for the design to be finalized. Plans were reviewed on February 23, 2021 and a permit was sent to BNSF Railroad for the Lexington Street crossing on March 1, 2021. Staff held a pre-bid meeting on July 29, 2021. An amendment was sent to all plan holders on August 5, 2021 with a new bid opening date of August 19, 2021. Staff sent final revisions to the Engineer this month, along with updated detail sheets to be included in the plans. Staff received plans for the new waterline at Goddard and Flood that are part of the new Sanitation building plans. This waterline will be added to this project so that contractors can feed North Base from another location. A final amendment will be sent out before the bid opening explaining the changes.

Gray Street Waterline Replacement (WA0202/WA0224): C. H. Guernsey and Company was selected for the design of the Gray Street Waterline Replacement. Plans are under review. CO#2 to Berry WL project will be considered on 10/25/16 adding 1,200 feet of 16-inch waterline along Main Street between Flood and Acres to the project; this was originally part of the Gray Street project. NUA approved Amendment #1 to Guernsey contract adding additional waterline replacements along Gray and Tonhawa under project WA0224. Work is being delayed due to desire to not have Gray Street under

construction at same time as Main Street Enhancement by PW. Kickoff meeting held; Lemke Surveying completed survey work for project in late October; design process is underway. Supplemental survey data collected by drone flying over project area; accuracy and detail received is outstanding. Project has been bid and awarded construction began in March 2020. Approximately 350 feet of additional 8-inch water line was added to the project to replace water line along University from Tonhawa to Daws that was found to be in poor condition. All pipe has been installed, tested and connected into the system for the original scope and the additional lines added by change order. The project will be accepted by Council on the August 24, 2021. This will be the final report for this project.

Engineer: Guernsey (Larry Roach)

Advanced Metering Infrastructure (WA0351): The City of Norman has an aged water meter population and current and improvement technology have improved such that advanced metering infrastructure would provide significant benefits for the City and its customers. The implementation of this technology will reduce staff requirements for the reading of meters and will ensure more timely and accurate readings. With daily water usage information accessible for staff and the customer, customers will be able to be notified of leaks and better understand how water is used at their property. This will also help with water conservation efforts and billing resolutions. In addition to water metering improvements, the system and technology will also be leveraged to the maximum extent possible for monitoring the water system and other City needs. E Source was selected as our consultant and Contract K-2021- was approved by NUA June 8, 2021. Consultant and staff presented power point at Study Session for NUA June 22, 2021 as part of the kick-off to the project. E Source is preparing a business case and will complete in September.

Consultant: E Source (Nicole Pennington)

FYE15 Water Wells and Supply Lines: Staff issued RFP 08/18/15 for water rights permitting, well field design, test and production well design, well house design and distribution system improvements. 14 proposals were received 09/14/15; staff selected several consultants and followed with contract negotiations. On 02/09/16 the NUA approved APAI contract K-1516-85 to update of our city wide water model; NUA approved contract with Cowan to perform water right permitting through the OWRB on 02/26/16 and approved contract with Carollo to perform well field design, and test/production well design on 06/14/16. On 2/14/17 NUA approved contract with Garver to study pros and cons for utilizing horizontal well technologies for one of our wells. Each project is broken out below.

Well Field Blending and Future Groundwater Treatment Site (WA0214):

This project will determine the best location, layout, and treatment processes for blending and treating the 32 active groundwater wells utilized by the City of Norman. All active wells are currently in compliance with the standards set forth in the Safe Drinking Water Act and Public Water Supply Operations are not required to provide treatment and residual disinfectant under Oklahoma Administrative Code 252:631. However, the NUA also treats and distributes surface water from Lake Thunderbird. Since the water from the surface water source and the groundwater wells is blended in the distribution system piping, ODEQ has indicated that the system will need to be modified such that a minimum disinfectant residual of 1.0 mg/L of total chloramines (NHCL<sub>2</sub>) should be found throughout all parts of the system in the future. In addition, maximum contaminant levels (MCLs) of total chromium and arsenic may be lowered by EPA, and a new MCL for hexavalent chromium may be established in the future, thus requiring additional treatment for the groundwater wells. NUA entered into a contract with Carollo Engineering, Inc. on June 22, 2021 in the amount of \$95,090 to develop preliminary layouts for the future build-out of the facility including immediate needs and future treatment processes. The Notice to Proceed date was set for June 29, 2021 and a kick-off meeting and site field investigations are scheduled to be held on July 21, 2021. Staff met with SRB, LLC this month to obtain assistance for acquiring the land needed for the blending location which includes review of property records, survey and map, and negotiation assistance. A proposal was received for \$16,200 for these services.

Wellfield - Carollo and staff held a coordination meeting with ACOG the morning of July 18th and also held a kickoff meeting the afternoon of July 18, 2016. ACOG prepared a map showing potential thick sands that will be targeted for future wells. Carollo used this information along with GIS data and composed a more robust map to better define future well locations to pursue. Additionally, it was decided to stay with ½ mile spacing so that maximum yields can be achieved. Carollo received modeling information from APAI which allowed them to proceed with optimizing the best well sites based on proposed groundwater treatment plant sites. Carollo prepared a Draft Technical Memorandum (TM) and

staff provided comments and 45 potential well sites were selected. Carollo performed an optimization model and 20 of the 45 well sites stand out as sites to begin with. Carollo and staff prepared an addendum to their contract and it was approved by NUA 2/13/18. The next step is to approach land owners to negotiate test well sites. A Frequently Asked Questions sheet has been drafted and will be utilized with potential well site land owners. Test wells are expected to begin in September 2018. Staff is working with Carollo and their sub-consultant to obtain necessary access agreements for potential well sites. Approximately 8 landowners are interested and staff is moving forward with securing documents for 5 of them. Well Construction bids were opened and read aloud October 18, 2018. Layne Christiansen was low bidder and a contract in the amount of \$4,714,421.72 was approved November 27, 2018 at NUA meeting. Held kick off meeting January 23, 2019 and again met February 27, 2019.

Layne has drilled all test holes and plan to begin final well drilling January 2020. All 11 well site easements and deeds were approved by NUA on October 22, 2019. The NUA also approved CO#1 December 10, 2019 for Layne's contract to add 3 additional wells to the original 6 as shown in the contract. This change order also added days to contract and completion date is now December 2020. Held kick off meeting January 23, 2019 and since Layne had drilled all test holes, the plan was to begin final well drilling January 2020. Layne's rig was under repair so final well drilling didn't begin until February 18, 2020. Crews have completed all wells and are now complete with all 6 monitoring wells. 1 deep monitor well failed and was re-drilled in September. Well house construction is complete and all wells are ready for pumping. Contractor is finalizing disinfection on well house lines and needs to complete SCADA and final cleanup. Project is expected to be complete by July 2021.

Engineer: Carollo Engineers (Rebecca Poole)

Master Meter Project – Bids to install 10 master meters were opened 7/24/14. An agenda item was taken to Council but suspended until written documentation was obtained from USPS, MNTC, JD McCarty, and Veterans Center. On 6/19/17, staff received approval from USPS to install one meter and vault to accommodate a water line project they had underway. This project was completed 7/27/17. The permission letter they provided allows staff to complete the two other sites for USPS. Staff has made contact with MNTC and is scheduling a meeting in April 2018 to obtain similar written documentation to allow for the 3 new meter vaults to be installed on their property. Staff contacted the State of Oklahoma to obtain similar letter for JD McCarty and Veterans Center which have 2 new meter vaults each to be installed. Staff met with State of Oklahoma Real Estate officials and they requested additional information but seem amenable to our project. Additional documents were sent for their review. They emailed they are currently reviewing documents as of 6/6/18. Staff is designing a project along Robinson that will front the J.D. McCarty Center and the Veteran's Center. Staff is planning to meet with State officials as part of that effort. Staff has been unable to establish a meeting with MNTC. Though MNTC, JD McCarty, and Veterans Center are not onboard with installing master meters at this time, staff will work with USPS to install 2 additional meters at their facility. Our consultants for the Robinson water line project 24<sup>th</sup> NE to 12<sup>th</sup> NE have begun discussion with OMES and Department of Mental health regarding easements for both water line and meter vaults. Staff anticipates having an agreement established by August 2021.

Water Metering / Billing Audit Project – This project began in March 2018. Staff is working along with a meter consultant to randomly check approximately 130 domestic meters for accuracy. Meters were sent April 10, 2018 to a third party testing facility that will be used to verify accuracy of measurements. The consultant will compile findings within a report for staff review. Report was received October 2018 and after reviewing results, the ROI was not favorable on the meter inaccuracies alone but staff has contracted with E Source to lead Norman through the best path of obtaining Advanced Metering Infrastructure (AMI). This is the last report for this project and all reporting will be covered under the AMI project.

Robinson Water Line: 24<sup>th</sup> Ave NE to 12<sup>th</sup> Ave NE – Jacobs Engineering was selected as the consultant for the 30-inch water line project from 24<sup>th</sup> Ave NE to 12<sup>th</sup> Ave NE. The contract was approved by NUA on November 26, 2019, and project kickoff meeting was held January 14<sup>th</sup>, 2020. On May 6, 2020, a preliminary plan review meeting convened with NUA and Jacobs staff in attendance, and updated preliminary plans were approved in August 2020. In February 2021, 65% plans and specifications were submitted for NUA review, and, during March 2021, several Zoom calls convened to review NUA comments and address questions that arose from the comments. Based on these discussions and further review of existing conditions, Jacobs has proposed a fairly substantial revision to the alignment, which includes an open cut crossing of 12<sup>th</sup> Ave N.E. and relocating approximately 900 LF of the line into the traffic lanes of Robinson. NUA staff have reviewed this revision deemed it acceptable on the condition that City of Norman Public Works Department

approves. Public Works is reviewing at this time, and, to date, comments have been positive. It is expected that Public Works will approve alignment or furnish comments that will allow Jacobs to finalize alignment during the month of August 2021. Upon approval of the alignment, 65% plans will be completed and easement acquisition and preparation of final plans will commence. Easement acquisition is expected to take several months, and it is, therefore, anticipated that project will advertise in the late spring of 2022 and construction will commence no sooner than July 1, 2022.

Engineer: Jacobs Engineering (Lars Ostervold)

Water Line Replacement, Parsons Addition (WA0246): A contract (K-1819-87) with Cabiness Engineering, LLC was approved by NUA 12/11/18 to design the replacement of approximately 4,500 lineal feet of water line in the Parsons addition. Due to the project's close proximity to campus, the design process included public input from University of Oklahoma (OU), OU's sororities and fraternities, homeowners and landlords, and, based on that input and discussions with consultant and potential contractors, it was determined that the best of course of action would be to divide the project into two phases that would proceed generally during summer months when OU is not in regular session. As part of this process, it was also decided to install replacement mains in the streets rather than sidewalks wherever possible. Phase I was scheduled to begin July 1, 2019 and complete December 2019, and Phase II was scheduled to begin May 15, 2020 and complete August 15, 2020. Bids were opened for Phase I on June 13, 2019 and SW Water Works was low bidder at \$828,112. NUA approved contract June 25, 2019 and construction began July 8, 2019. Crews completed last concrete pours November 5, 2019. A final walk through by staff was performed on November 8, 2019, and NUA approved final as-bid to as-built quantities change order on January 28, 2020. In March 2020, Phase II was delayed until Spring of 2021. In March 2021, Phase II was delayed again until Spring of 2022. Project is now scheduled to bid in March and April of 2022 with construction scheduled to commence immediately upon the end of OU's spring 2022 semester on May 15, 2022. It is anticipated that construction would continue through summer and be completed before the start of the fall semester in August 2022.

Engineer: Cabiness Engineering, LLC (Sean Price)

Water Wells Water Line: 108<sup>th</sup> & Tecumseh – Cardinal Engineering was selected as the consultant for one of the well water line projects. The consultant prepared scope and fee for staff to consider and NUA approved contract November 12, 2019. Project design was completed during the first half of 2020, and project was advertised for bid on July 23 and July 30, 2020. Bids were opened August 13, 2020 and Hammer Construction was deemed lowest and best bidder. NUA approved Contract K-2021-11 with Hammer on September 8, 2020. Notice to Proceed with construction was issued on October 12, 2020, and Hammer mobilized on November 8, 2020. As of May 30, 2021, all 12" diameter well water line had been installed, tested, and was available for service when/if needed. Hammer has commenced restoration activities throughout the project, and a final inspection was attempted on June 28, 2021. However, heavy rains immediately before inspection date resulted in an extensive punchlist. NUA and NUA's inspector performed a followup inspection in July and, in late July, Hammer remobilized with the intention of addressing all punchlist items by early August and having project ready for final acceptance by the end of August 2021.

Engineer: Cardinal Engineering (Josh Risley)

Water Wells Water Line: 60<sup>th</sup> and Franklin – Garver Engineers were selected as the consultant for one of the well water line projects. The consultant prepared scope and fee for staff to consider and NUA approved contract November 26, 2019. Design was completed during the first half of 2020, and project was advertised for bid on July 16 and July 23, 2020. Bids were opened August 6, 2020, and SMC Utility Construction was deemed lowest and best bidder at \$1,082,550. NUA approved Contract K-2021-12 with SMC on August 25, 2020. Notice to Proceed with construction was issued on September 10, 2020, and SMC mobilized on October 1, 2020. As of June 18, 2021, all 12" diameter well water lines has been installed, tested and was ready for service when/if needed. SMC has also largely completed restoration. In late July, NUA and NUA's inspector completed an informal final inspection of the project and issued a punchlist to SMC. It is anticipated that SMC will address the punchlist during August 2021.

Engineer: Garver Engineers (Jeff Chavez)

Cascade Water Tower & Lindsey Water Tower – Dunham Engineering performed detailed inspections on these two towers May 11, 2020 and prepared engineered cost estimates to use for budgeting and planning purposes. NUA approved design contract with Dunham Engineering July 14, 2020 for the Cascade Tower Resurfacing Project. Design was completed in August 2020, and project was advertised September 3<sup>rd</sup> and 10<sup>th</sup>. Bids were opened on September 24,

2020. Bids were competitive with a total of eleven (11) bids received. G & L Tank Sandblasting and Coatings, LLC (G&L) was deemed the lowest and best bidder with a bid in the amount of \$79,400. Contract was awarded on January 26, 2021 and G&L mobilized and a kick-off meeting convened on February 25, 2021. Work was complete and a final inspection convened on March 19, 2021. Punch list was completed during the week of March 22, 2021 and G&L disinfected tank on March 26, 2021. Bacteriological tests passed on March 31, 2021 and project is complete. Backup documentation and request for final payment were received in June 2021 and project will be final accepted on July 13, 2021.

In July 2021, NUA requested that Dunham provide a proposed scope and fee for Lindsey Water Tower resurfacing. NUA expect to negotiate and execute a contract with Dunham to prepare design documents and furnish bidding and construction services for the Lindsey Tower Resurfacing project in September 2021. Design could then be completed and project bid in November/December 2021, awarded in January 2022 and resurfacing completed as soon as weather breaks in Spring 2022.

Engineer: Dunham Engineering (Joe Seiter)

Water Treatment Plant Filter Effluent Pipe Improvements – During construction of the Phase II improvements at the Water Treatment Plant, staff discovered that the existing filter effluent line at the plant did not include an isolation valve, and, as a result, any future inspections or repair work on the 60+ year old line would require shutting down the entire treatment plant. To address this, a valve and inspection port will be cut into the existing filter effluent line that would allow portions of the plant to remain in service even if filter effluent line must be inspected and/or repaired in the future. NUA approved a Contract with Carollo Engineers on November 24, 2020. Bids were opened on December 18, 2020, and Contract was awarded to W.E.B. Construction (W.E.B.) on January 12, 2021. Notice to Proceed was issued on January 25, 2021 and W.E.B. mobilized to the project site in February 2021. Final inspection convened on July 14, 2021 with representatives from W.E.B., Carollo and NUA in attendance, and all parties agreed work was complete. Final acceptance by City Council is expected on August 24, 2021.

Engineer: Carollo Engineers (Tom Crowley)

Water Distribution System Sampling Stations (WA0350): Project will install 43 sampling stations throughout the water distribution system in order to meet federal and state requirements of the Revised Total Coliform Rule. The number of sites and location of each site is approved by the Oklahoma Department of Environmental Quality (ODEQ). These stations will allow staff to collect samples representing the entire distribution system at all times, rather than staff collecting samples from homes and businesses which may not be accessible at certain times of the year. In addition, each station will be tapped directly into a main water line, which will give us a better representation of the water supplied by the City. Each station will be constructed of stainless steel, surrounded by a cover with Norman logo and cyber lock, with a concrete pad. NUA will purchase stations directly from vendor, who will send the stations directly to the approved contractor for storage and installation. Staff obtained 4 quotes for stations and Ferguson Waterworks was the low bidder. Invitation to bid was published on March 4 and March 11, 2021. Staff received 8 bids that ranged from \$85,100 – \$264,400; the low bidder being Sooner Sight Utility & Construction. City Council approved the contract with Sooner Sight Utility on April 27, 2021. Ferguson Waterworks informed staff that the stations would be sent to the contractor in about 8 weeks. The contractor's W9 was received and staff was able to create a PO for the construction. Submittals are still being received. The contract transmittal was sent on May 27, 2021 with a start date of June 29, 2021. Contractors started work on August 4, 2021. Seven sample stations have been installed so far. Testing and installation of the concrete pad will be completed once we have a few more installations. The locks and keys were received from the vendor this week and the inspector has been locking each station in the meantime.

As-Built Linking Project: Project is an engineering effort to develop a system for linking as-built records to a GIS interface to allow for staff to more efficiently find as-built records. Contract K-2021-72 was awarded to Meshek & Associates on December 1, 2020. The project will allow users to click on a water or sanitary sewer asset in a GIS viewer which will then provide the as-built record document in a new window for viewing or downloading. Additional internal staff discussion was required to determine naming conventions for the consultant to use that would create a standardized system that could be used for this project and any future projects. As such, the project deadlines were set back a couple of months. All existing as-built information was provided to the consultant for their use.

Blending of Wells 5, 6, and 52 at the Water Treatment Plant (WA0369): This project will blend wells 5, 6, and 52, at the Water Treatment Plant (WTP) before entering the distribution system. Blending these wells will only require samples be taken at the blending site as opposed to each well, which will minimize time and money spent on sampling each month. This project will require approximately 2,200 feet of 8-inch waterline to bring well 52 to the 36<sup>th</sup> Avenue NE and Robinson Street intersection where it will combine with the line coming from well 5. An existing 12-inch waterline will then be converted to a non-potable line as it moves west on Robinson Street before it combines with well 6 and the distribution system at the WTP. In addition, two bores consisting of approximately 260 linear feet of 8-inch and 6-inch waterline under Robinson Street will be required to connect the neighborhoods on the north side of Robinson Street with the existing high pressure line on the south side of Robinson Street. An existing 10-inch waterline and old 24-inch concrete line at the WTP will be abandoned as part of this project. As part of a previous project, Freese and Nichols, Inc. recently designed the project to extend water transmission lines from the WTP to 24<sup>th</sup> Avenue NE. Since they are familiar with the lines in the area and the interconnection requirements at the WTP and would be able to provide design services for this project, staff determined that it would be in the best interest of the NUA to contract with Freese and Nichols, Inc. for this project as well. City Council approved the contract with Freese and Nichols, Inc. on May 11, 2021 for \$47,850. Staff had a project kick-off meeting with engineers on May 27, 2021. Staff met with engineers this month to verify tie in locations, lines to be abandoned, and new line locations. They have requested as-builts for a few lines in the area and staff is working to acquire those if possible.

Jenkins Avenue Waterline Replacement (WA0353): This project will replace approximately 2,500 feet of existing 6-inch waterline with new 12-inch waterline in concert with the planned widening of Jenkins Avenue through the City of Norman Public Works Department. This project will also design a 1,000-foot extension of the Segment D transmission line recommended by the 2003 water meter plan. In addition, this project will install a non-potable reuse line from Imhoff Road to Constitution Street. Freese and Nichols, Inc. is currently under contract with Public Works to design the widening on Jenkins Avenue and also the intersection improvements at Jenkins Avenue/Constitution Street/Imhoff Street, so staff determined that it would be in the best interest of the NUA to contract with Freese and Nichols, Inc. for this waterline project in order to ensure a cohesive design for both street improvements and the new water lines in this area. The contract with Freese and Nichols was approved by council on April 27, 2021 in the amount of \$95,740. Staff had a project kick-off meeting with engineers on May 27, 2021. Staff met with Engineers this week during the 60% plan review for the streetscape of this project. Staff verified possible locations of the new line to be installed.

James Garner Ave Waterline Replacement from Main to Duffy (WA0336):

This project will replace the aging 6, 8, 12, and 16-inch waterlines between Main Street and Duffy Street along James Garner Avenue in conjunction with the Public Works Department James Garner Avenue Streetscape project currently being designed by Cowan Group Engineering, LLC. The waterlines in this area are over 50 years old and have experienced failures that disrupt water service and traffic flows. Replacement of these waterlines prior to the surface improvements would ensure good infrastructure and reduce the likelihood that the surface improvements have to be removed and replaced for future water line replacements work. NUA entered into a contract with Cowan Group Engineering, LLC in the amount of \$93,800 on June 22, 2021. A contract transmittal was sent with a start date of June 29, 2021. Changes are currently being made to the streetscape project and a kick-off meeting will be held once these changes are finalized to better understand the roadway corridor along James Garner.

Phase II – Porter Avenue Waterline Replacement (WA0354):

This project will replace approximately 1,500 feet of aging 8-inch and 5,000 feet of 12-inch waterline along Porter Avenue from Robinson Street to Alameda Street in conjunction with the Public Works Department Porter and Avenue Streetscape project. Part of this project (Main Street to Rich Street) was already completed as part of Public Work's ODOT funded Transportation Bond project. Replacement of these waterlines prior to the surface improvements will ensure good infrastructure and reduce the likelihood that the surface improvements have to be removed and replaced for future water line replacement work. NUA entered into a contract with Cabbiness Engineering, LLC (Garver Engineering) in February 2021 in the amount of \$58,100. Staff met with the Engineer this month to discuss revisions to the 65% plans.

Engineer: Garver Engineering (Bret Cabbiness)

### SANITATION CAPITAL PROJECTS:

Truck Wash Facility (SA0015)/ Container Maintenance Facility (SA0009) / Household Hazardous Waste Facility (SA0012): Project will provide an automated truck wash facility at the sanitation storage yard north of the WRF and will provide a new enlarged maintenance, and regulatory compliant welding and painting facility for solid waste collection containers. The Truck Wash Facility will be available to all City vehicles, but designed primarily for large equipment. For the container maintenance facility, the newly proposed location is on the site of the Transfer Station. Upon learning of the potential bus wash facility to be constructed at the North Base Campus, Utilities and Public Works have begun discussions regarding coordination of the facilities and the potential to combine efforts into facility capable of meeting needs for both departments and the City.

A Household Hazardous Waste Facility will also be included within this project. This Facility is necessary to allow for City residents a timely disposal option for household wastes that cannot be disposed using their normal polycart service. Currently, an annual collection day is held for City residents to dispose of their items but this has proven to be challenging in recent years.

Preliminary design efforts have identified potential improvements to the final product that warrant modifications to the project scope that required a contract amendment with the Architect. Amendment No. 1 was approved by City Council in February 2020 and included changes to the site for the Household Hazardous Waste and Container Maintenance facilities and entry drive modifications to the Transfer Station facility to improve accessibility and safety for vehicles entering and leaving the facility.

The property has been rezoned to add Municipal Use for the property to meet current code requirements. The final plans were completed and advertised. Bids were opened and contract K-2021-10 was awarded to the Landmark Construction Group on January 12, 2021. Work continues at both sites. The Household Hazardous Waste building structure is up and finish work is ongoing. The Container Maintenance has the steel structure constructed.

Work is ongoing at the site including site work and utilities:

1. Footings poured for both buildings.
2. Site utilities essentially completed for both buildings.
3. New drive is prepared at the HHW/Transfer Station awaiting final confirmation/redesign by the consultant to accommodate the new recycling center.
4. The building pad has been completed for the HHW building.

Architect: Studio Architects, LLC (George Winters)

New Sanitation Office Building: The Sanitation Department has outgrown their current office space. Because their existing facility cannot be readily expanded and because it is not laid out in a way that would allow for renovations to create a more efficient workspace, a new facility must be constructed. On January 12, 2021, Norman Municipal Utilities Authority (NMUA) approved a design contract with The McKinney Partnership Architects PC (TMP) to design this new facility, and design commenced immediately thereafter. Design Development plans have been submitted by TMP and approved for use as basis for Construction Manager at Risk (CMAR) RFP process. NUA is preparing front end documents for CMAR RFP in parallel with TMP's design work. RFP should be ready for internal review in August 2021 and RFP advertised in September 2021. CMAR should be selected and Contract approved during October 2021. Final design activities should continue until December 2021, and bidding of construction packages and construction activities should commence immediately thereafter. Construction should be complete during Fall 2022.

Architect: The McKinney Partnership Architects PC (Toni Bragg)

Processing and Marketing of Recycled Products from Norman Recycling Collection Centers (Bid 2021-41): The Sanitation Division's contract for recycling ended in 2020. The purpose of this bid is to obtain a contractor that will accept the six (6) recycling commodities (aluminum, plastics #1 and #2, tin cans, mixed paper, cardboard, and blended recyclables) that Norman procures from residents and commercial facilities. Contract will consist of processing and marketing

approximately 160 tons of recyclable products each month, and reporting weight of each commodity separately. The contract will last for one (1) year and may be extended up to four times in one-year intervals at no change in the bid. A virtual bid meeting was held on April 8, 2021, and three contractors submitted bids. Smurfit Kappa had the lowest residual disposal cost and low transport cost. Staff will meet to discuss the prices accordingly.

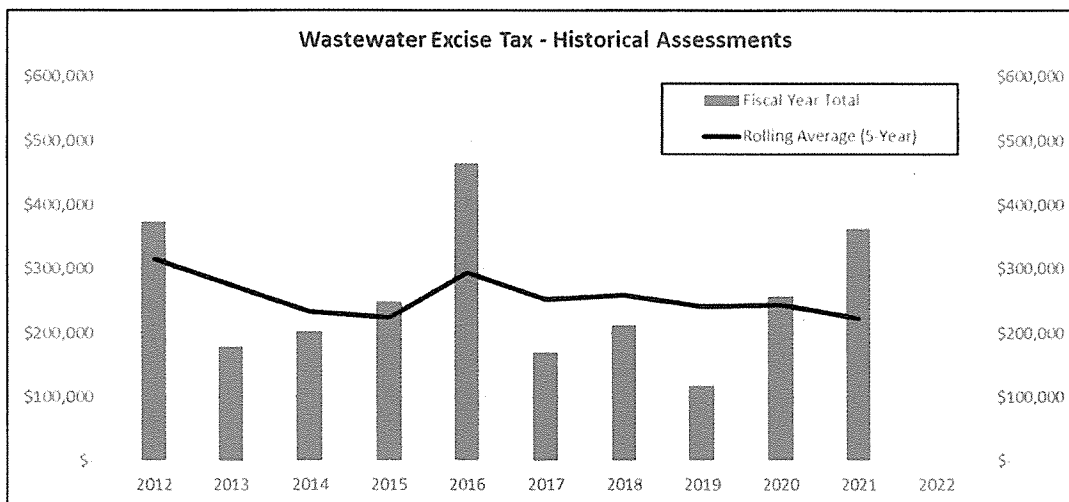
**Compost Facility Scale House (SA0019):**

This project will modify the existing City compost facility layout located at Bratcher Minor Road, west of Jenkins, to facilitate a more efficient operation for the public and facility, install scales used for weighing large loads of compost, and construction of a modular building with potable water and sanitary sewer for staff in charge of coordinating with customers. This building will also replace the prefabricated building purchased in 2003 that has become severely deteriorated and inadequate. Based on the project scope, staff appointed TriCore Group, LLC as the engineer responsible for design and bidding services. City Council approved the contract with TriCore Group this month in the amount of \$30,500. Staff met with the Engineer on June 16, 2021 for the kickoff meeting. The Engineer is currently working on the surveying for this project.  
Engineer: TriCore Group, LLC

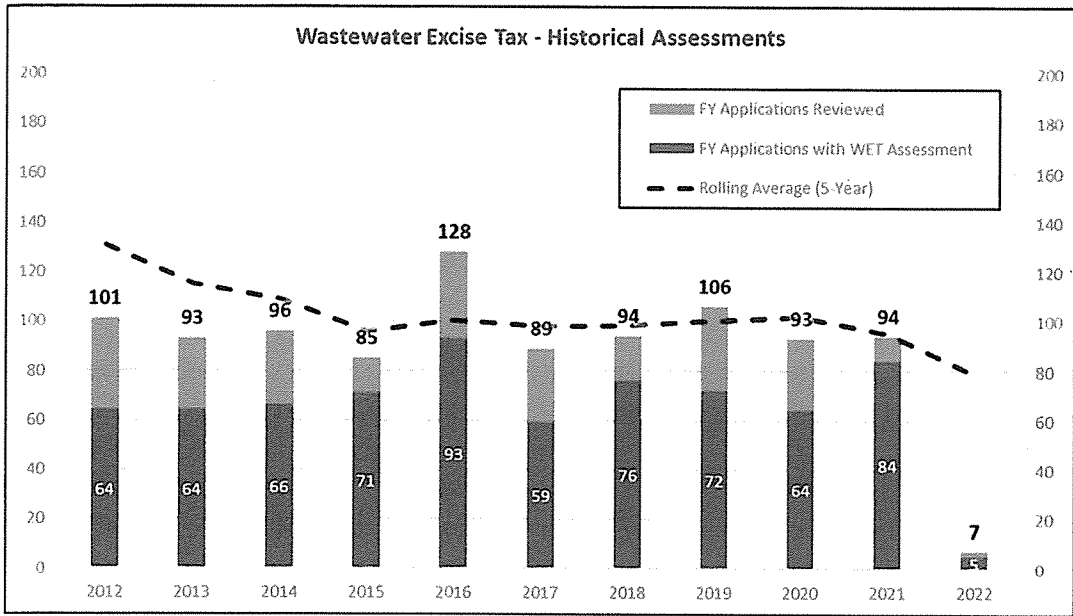
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**Wastewater Excise Tax – Non-Residential:**

**WRF Investment Fee/Wastewater Excise Tax:** Staff evaluated the Wastewater Excise Tax on 7 commercial entities last month. Of the seven applications, five applications were assessed since the applications were determined to increase wastewater flows over the previous use of the site. Through July, 7 commercial properties were reviewed and a total of \$1,995.64 was assessed to the 5 entities that will increase wastewater flows for the respective property. Below are graphs showing the amount assessed and the number reviewed.

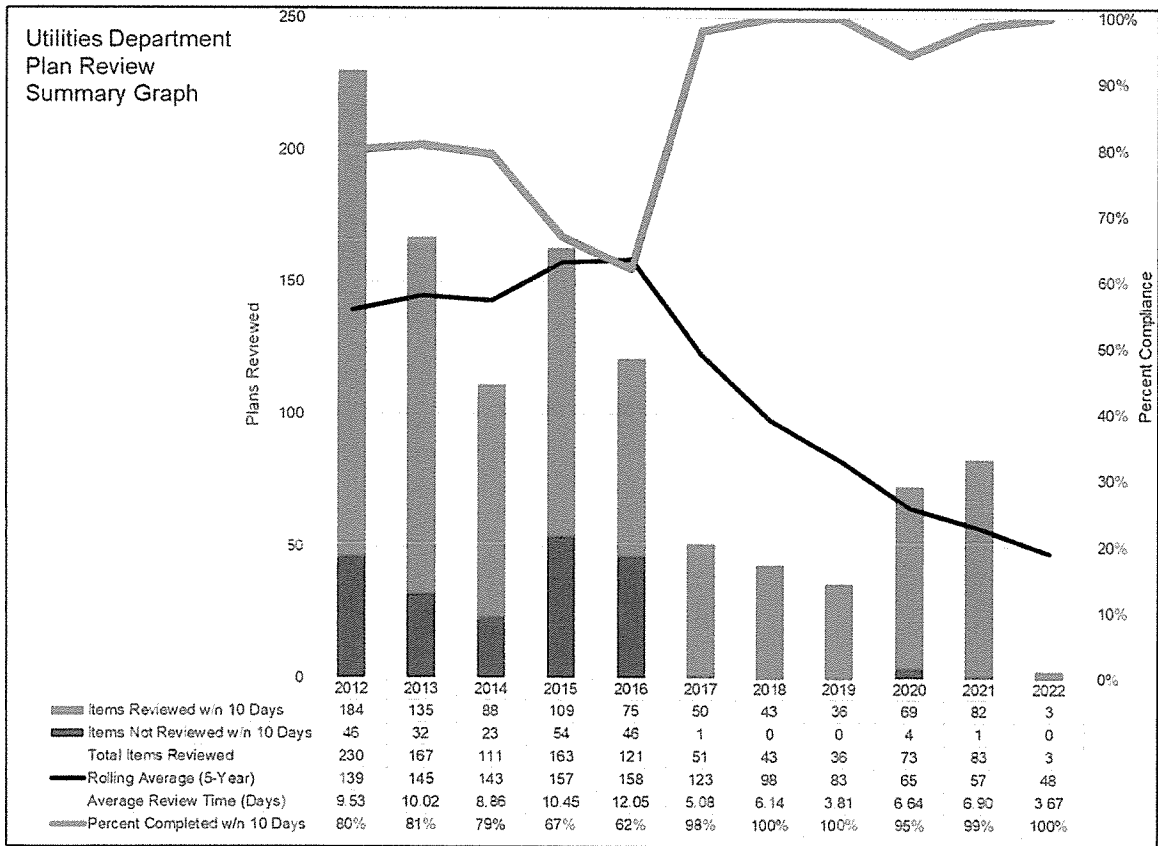






**PLAN REVIEW:**

Three plan sets were reviewed during July. Staff have reviewed 5 plans for FYE2022 with an average review time of 3.67 days and with 100 percent of plans reviewed within 10 days.



**RECOUPMENT PROJECTS:**

1. NW Sewer Study: 36th Interceptor & Force Main Payback projects established in 1998/1999: Because of abandonment of Carrington LS, two resolutions reducing number of parcels requiring payback approved 01/10/12. Releases for many properties now served by North interceptor system projects were filed of record in 2012. NUA approved appropriation of payback funds on 12/05/17. Collected payback fees of \$697 for Jolley Addition on 03/23/18. NUA approved appropriation of payback funds 12/10/19 allowing staff to issue payback checks to developers in late December 2019.
2. Sewer Service Area 5 Payback: Payback project established by R-0304-13 for NUA share of sewer improvements along Highway 9 from the Summit Valley Lift Station to the USPS.
3. North Porter Waterline Payback: Payback project established 04/12/05 for 12-inch waterline constructed by Calvary Free Will Baptist Church along Porter Avenue from Tecumseh Road north. Total payback to date is \$0.00 of potential \$61,177.
4. 36<sup>th</sup> Avenue NW Waterline Payback: Payback project established 08/24/99 for 24-inch waterline along 36th Avenue NW from Tecumseh Road to SE 34th in Moore. Total payback to date is \$65,123.
5. 24th Avenue NW Waterline Payback: Payback project established 04/22/08 for 24-inch waterline along 24th Avenue NW from convention center to Tecumseh Road. Medcore billed \$27,212 on 04/15/20; total payback to date is \$87,074 of original project cost of \$346,134.
6. Post Oak Lift Station Payback: Payback project approved 04/14/09 for sewer and lift station improvements to serve the Links development and other properties in SE Norman. Construction complete and final payback costs approved 01/25/11. Parcel 5 payback of \$15,717.09 paid 12/15/15; total of \$15,717.09 paid to date and will be returned to Links at end of fiscal year. Payback funds returned to Links in January 2018. Links check reissued in July 2019 as previous check was never cashed.
7. Interstate Drive Waterline Payback: NUA approved payback project on 04/22/14 for waterline improvements in University North Park in conjunction with the extension of Interstate Drive. Construction was complete in late 2015. Staff has finalized project costs, payback amounts and the Final Payback resolution approved 12/10/19. Hudiburg Subaru billed \$28,540 on 04/24/20 and UNP was billed \$32,963 for detention pond on 04/24/20.
8. Ruby Grant Waterline Payback: NUA will soon consider a new waterline payback project for waterline improvements along Franklin Road in conjunction with the Ruby Grant Park Improvements. Norman Forward through the Parks Department will fund 50% and the NUA will fund the remaining costs to be paid back over 20 years as property to the north develops. Design plans are complete and project will bid 07/25/19. Ruby Grant Waterline Payback project approved by Council 12/10/19; construction of 12-inch waterline is nearing completion. Battison Honda is considering new development along Interstate Drive north of Franklin Road that will connect to the Ruby Grant Waterline.

**Private Water Well Permits Issued**

2 Water Well Permits 21-3066 and 3104 were issued for the month of July.

**July 2021  
ENVIRONMENTAL SERVICES DIVISION  
MONTHLY REPORT**

**INSPECTIONS**

	<b>July</b>	<b>Year to date</b>
Fats, oil and grease (FOG) program	24	287
Food license approval	1	8
Significant Industrial Users	1	18
<b>Total inspections</b>	<b>26</b>	<b>313</b>

**ROUTINE ACTIVITIES**

	<b>July</b>	<b>Year to date</b>
Significant Industrial User sites sampled	1	19
Required annual 40 CFR Part 122, Appendix D, Table II monitoring completed (%)	0%	100%
Required quarterly 40 CFR Part 122, Appendix D, Table III monitoring completed (%)	25%	100%
Household hazardous waste disposal calls	26	347
Immediate assistance requested	0	7

**REVENUE**

	<b>July</b>	<b>Year to date</b>
FOG Program	\$200.00	\$34,650.00
Surcharge	\$8,864.07	\$81,931.60
Lab Analysis Recovery	\$0.00	\$2,996.07
Industrial Discharge Permit	\$0.00	\$3,500.00
<b>Total revenue</b>	<b>\$9,064.07</b>	<b>\$123,077.67</b>

**ENVIRONMENTAL CONTROL ADVISORY BOARD (ECAB)**

- 1 Provided staff liaison support including attending meetings, preparation of minutes, and issue research.
- 2 Facilitated Yard by Yard and Landfill Presentations, by Kevin Mink, USDA.
- 3 Members are working on public education material and proclamation to state July is "Waters Worth It" Month.
- 4 Subcommittee is researching implementation of the US Mayors' Climate Protection Agreement.
- 5 In person meeting resumed in June.

**MISCELLANEOUS ACTIVITIES**

- 1 Staff maintain and loan out recycling containers for special events. Containers are routinely used at the OKC Memorial Marathon, Earth Day, May Fair, Summer Breeze concerts, Midsummer Nights Fair, Groovefest, and 2nd Friday Art Walks.
- 2 Working on Phase II of the Fats, Oils and Grease Program (FOG) - to include OU businesses, fraternities, sororities, and long-term care facilities.
- 3 As of July 26, 2021 approximately \_46, 100\_ gallons of grease/solids had been prevented from entering the sanitary sewer in FYE 22 as a result of the FOG program.
- 4 Staff is working with other departments to increase energy efficiency - i.e. turning off computers, duplex printing, anti-idling, methane recovery, and retrofitting pumps with variable speed drives.
- 5 DEQ and staff are working with the Product Stewardship Institute on a statewide effort to initiate take-back programs similar to Oregon's take-back program for paint.
- 6 Implementing a Dental Amalgam Program to comply with new federal regulations.
- 7 Working on annual renewals for participants in the FOG Program.
- 8 Staff is assisting with plans for a permanent HHW facility. Attending progress meetings.
- 9 Staff has developed new technically based local limits. Delivered to ODEQ May 21, 2021.
- 10 Dukes Root Control completed treatment following protocols for chemical injections into POTW lines/manholes.

CITY OF NORMAN				
DEPARTMENT OF UTILITIES				
LINE MAINTENANCE DIVISION				
MONTHLY PROGRESS REPORT				
SEWER MAINTENANCE				
July, 2021	FYE 21		FYE 20	
	MONTH	YTD	MONTH	YTD
<b>Obstructions:</b>				
City Responsibility	2	2	1	1
Property Owner Responsibility	5	5	30	30
<b>TOTAL</b>	<b>7</b>	<b>7</b>	<b>31</b>	<b>31</b>
<b>Number of Feet of Sewer Cleaned:</b>				
Cleaned	108,675	108,675	72,443	72,443
Rodded	68,883	68,883	2,895	2,895
Foamed	66,068	66,068	73,117	73,117
SL-RAT	0	0	0	0
<b>TOTAL</b>	<b>243,626</b>	<b>243,626</b>	<b>148,455</b>	<b>148,455</b>
<b>Sewer Overflows:</b>				
Rainwater	0	0	0	0
Grease/Paper/Roots	0	0	0	0
Obstruction	0	0	1	1
Private	1	1	2	2
Other (Lift Station, Line Break, etc.)	0	0	0	0
<b>Total Overflows</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>
Feet of Sewer Lines Televised	17,629	17,629	21,260	21,260
Locates Completed	279	279	291	291
<b>Manholes:</b>				
Inspected	1,580	1,580	1,087	1,087
New	0	0	0	0
Rebuilt	0	0	0	0
Repaired	0	0	0	0
Feet of Sewer Lines Replaced/Repaired	4.00	4.00	0	0
Hours Worked at Lift Station	68.00	68.00	104	104
Hours Worked for Other Departments	0.00	0.00	0	0
OJI Percentage	0.00	0.00	0.00	0.00
Square Feet of Concrete	0	0	0	0
Average Response Time (Hours)	0.46	0.41	0.24	0.24
Claims Paid Per 10,000 People	0	0.0000	0	0.0000

CITY OF NORMAN				
DEPARTMENT OF UTILITIES				
LINE MAINTENANCE DIVISION				
MONTHLY PROGRESS REPORT				
WATER MAINTENANCE				
July, 2021	FYE 21		FYE 20	
	MONTH	YTD	MONTH	YTD
New Meter Sets:	39	39	42	42
Number Short Sets	39	39	42	42
Number Long Sets	0	0	0	0
Average Meter Set Time	4.46	4.46	5.36	5.36
Number of Work Orders:				
Service Calls	342	342	358	358
Meter Resets	1	1	1	1
Meter Removals	0	0	2	2
Meter Changes	23	23	58	58
Locates Completed	1,232	1,232	492	492
Number of Water Main Breaks	22	22	17	17
Average Time Water Off	2.77	2.77	2.50	2.50
Fire Hydrants:				
New	0	0	2	2
Replaced	0	0	0	0
Maintained	56	56	109	109
Number of Valves Exercised	139	139	232	232
Feet of Main Construction	0	0	472	472
Hours of Main Construction	162	162	607	607
Meter Changeovers	0	0	3	3
OJI Percentage	0.00	0.00	0.00	0.00
Hours Flushing/Testing New Mains	26.00	26	70	70
Hours Worked Outside of Division	0.00	0	6	6

City of Norman, Oklahoma  
Department of Utilities

Monthly Progress Report  
Water Reclamation Facility  
July 1-31,2021  
**Flow Statistics**

	<b>FYE 2022</b>		<b>FYE 2021</b>	
	<u>This Month</u>	<u>YTD</u>	<u>This Month</u>	<u>YTD</u>
Total Influent Flow (M.G.)	430.0	430.0	333.0	333.0
Total Effluent Flow (M.G.)	413.0	413.0	326.6	326.6
Influent Peak Flow (MGD)	25.5	25.5	12.2	12.2
Effluent Peak Flow (MGD)	25.5	25.5	12.2	12.2
Daily Avg. Influent Flow (MGD)	13.9	13.9	10.7	10.7
Daily Avg. Effluent Flow (MGD)	13.3	13.3	10.5	10.5
Precipitation (inches)	2.4	2.4	2.2	2.2

**Discharge Monitoring Report Stats**

5 day BOD:

EPA minimum percentage removal 85%

	Avg.	Avg.
Influent Total (mg/l)	137	91
Effluent Carbonaceous Total	2	3
Percent Removal	98.5	96.7
Total Suspended Solids:		
Influent (mg/L)	207	234
Effluent (mg/L)	3	3
Percent Removal	98.6	98.7
Dissolved Oxygen:		
Influent (min)	0.6	0.3
Effluent (min)	6.7	6.6
pH		
Influent (Low)	7.09	6.8
(High)	7.5	7.4
Effluent (Low)	7.1	7.0
(High)	7.5	7.5
Ammonia Nitrogen		
Influent (mg/L)	18.6	24.9
Effluent (mg/L)	0.4	0.7
Percent Removal	97.8	97.3

**Utilities**

Electrical

Total kWh Used (Plant wide)	450,280	450,280	491,260	491,260
Aeration Blowers & Headworks	323,580	323,580	191,000	191,000
UV Facility	120,000	120,000	64,600	64,600

Natural Gas

Total cubic feet/day (plant wide)	333,000	333,000	409,000	409,000
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Public Education (Tours)

	2	18	0	0
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Total Attendees FYE 22

	18		0	
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Reclaimed Water System (MG)

	0.0	0.0	0.0	0.0
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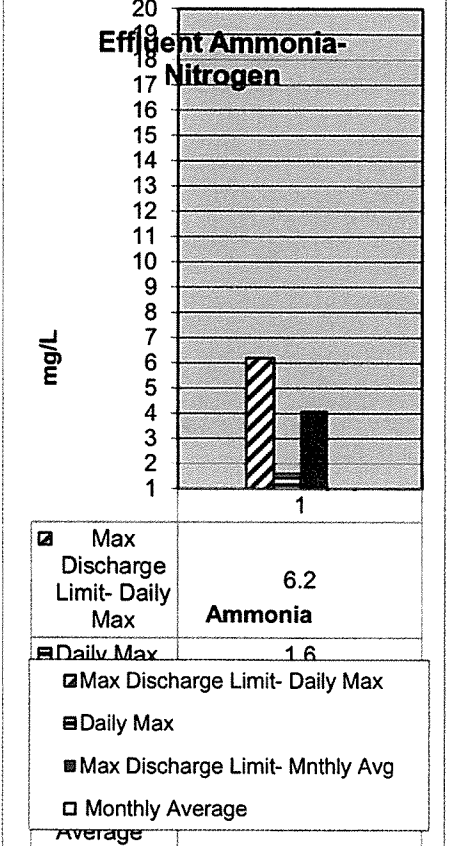
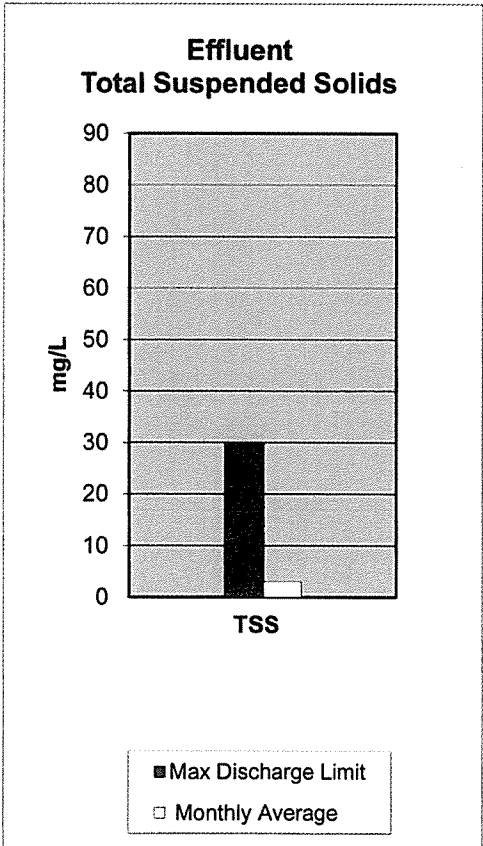
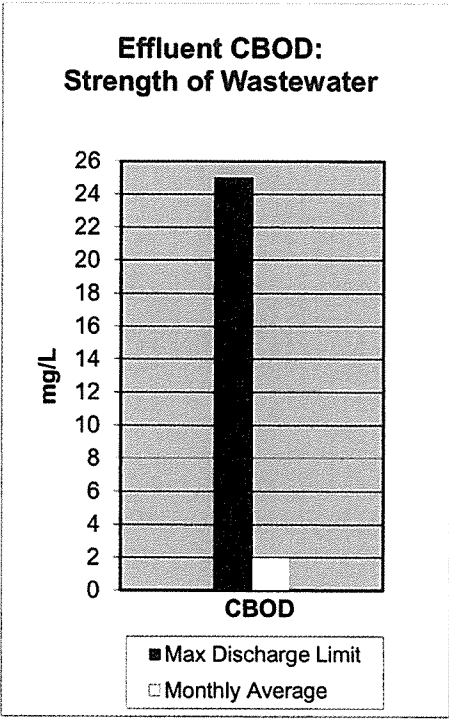
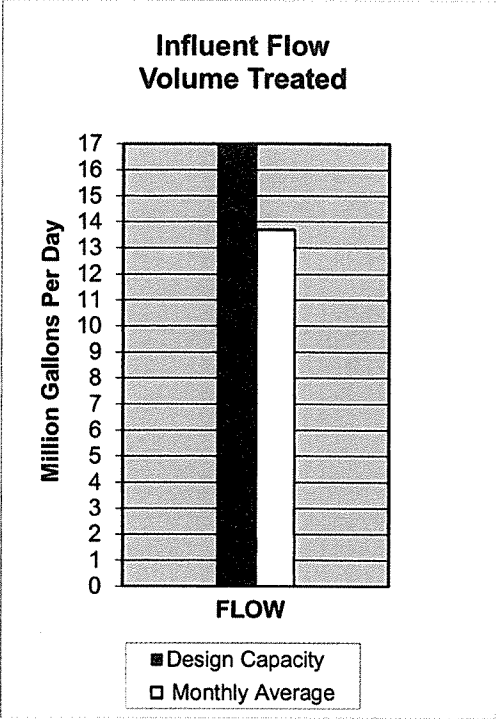
OU Golf Course (MG)

	12.9	12.9	11.3	11.3
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E. coli geometric mean for July **116 MPN** (Limit is 126)

**CITY OF NORMAN  
WATER RECLAMATION FACILITY  
July 2021**

Item 6.



Comments here

**CITY OF NORMAN, OKLAHOMA  
DEPARTMENT OF UTILITIES  
MONTHLY PROGRESS REPORT**

**WATER TREATMENT DIVISION**

**MONTH: July-2021**

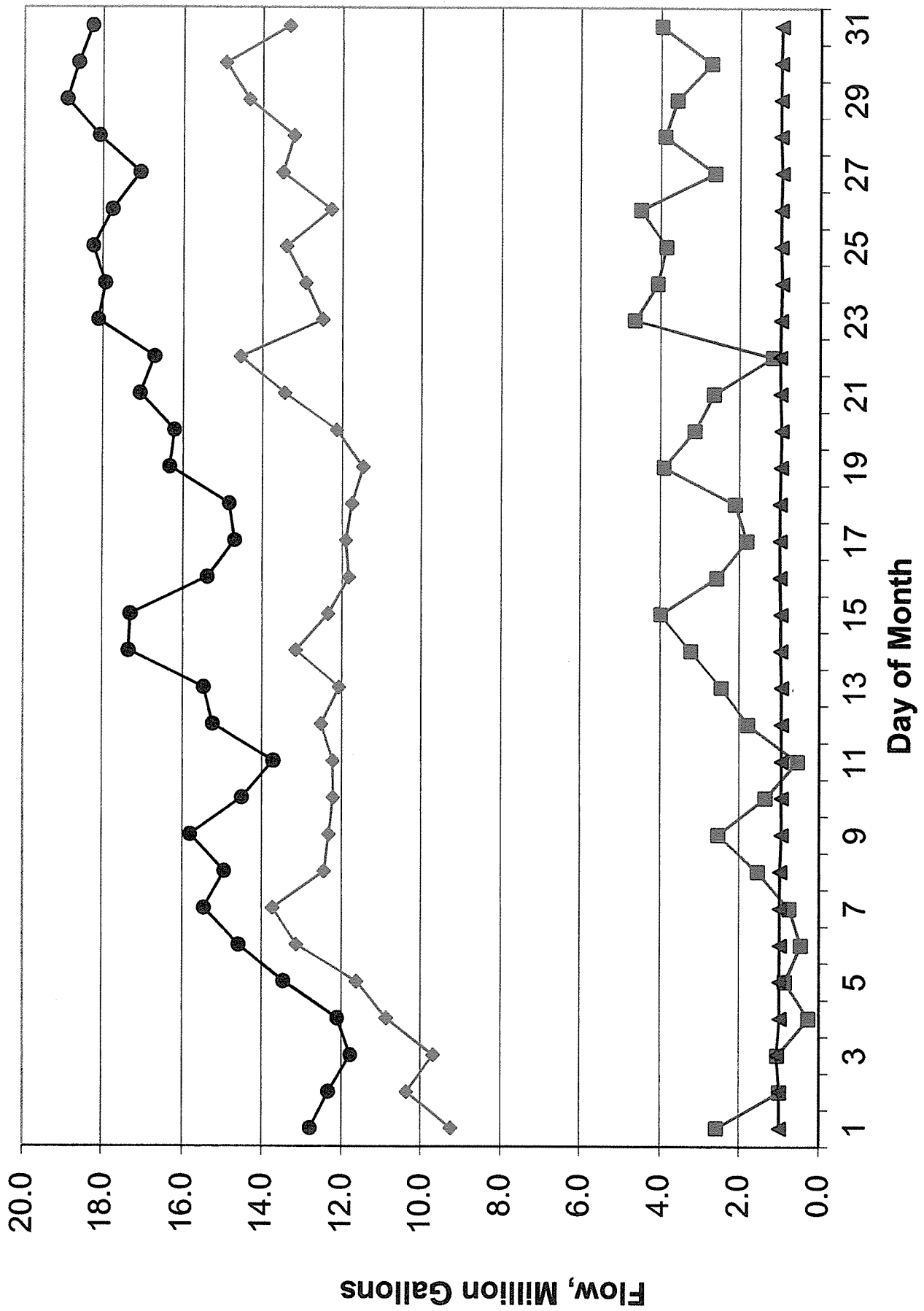
	<b>FYE 2022</b>		<b>FYE 2021</b>	
	<b>This month</b>	<b>Year to date</b>	<b>This month</b>	<b>Year to date</b>
<b>Water Supply</b>				
Plant Production (MG)	385.60	385.60	428.23	428.23
Well Production (MG)	75.51	75.51	104.61	104.61
Oklahoma City Water Used (MG)	30.06	30.06	30.90	30.90
Total Water Produced (MG)	491.16	491.16	563.73	563.73
Average Daily Production	15.84	15.84	18.18	18.18
<b>Peak Day Demand</b>				
Million Gallons	18.91	26.00	21.15	21.15
Date	7/29/2021	8/23/2020	7/8/2020	7/8/2020
System Capacity (see note 1)	23.35	23.35	23.35	23.35
Demand Above Capacity (Peak Day)	0.00	2.65	0.00	0.00
Note 1: Beginning June 2016 the System Capacity includes the Oklahoma City water line. (Plant + Wells + OKC)				
<b>Costs</b>				
Plant	\$696,489.53	\$696,489.53	\$696,959.08	\$696,959.08
Wells	\$223,878.26	\$223,878.26	\$229,481.62	\$229,481.62
OKC	\$79,267.00	\$79,267.00	\$73,253.63	\$73,253.63
Total	\$999,634.79	\$999,634.79	\$999,694.33	\$999,694.33
*Okc water bill was estimated - actual bill was not available at time of report.				
<b>Cost per Million Gallons</b>				
Plant	\$1,806.25	\$1,806.25	\$1,627.53	\$1,627.53
Wells	\$2,964.92	\$2,964.92	\$2,193.79	\$2,193.79
OKC	\$2,637.31	\$2,637.31	\$2,370.82	\$2,370.82
Total	\$2,035.24	\$2,035.24	\$1,773.35	\$1,773.35
<b>Water Quality</b>				
Total Number of Bacterial Samples	98	98	80	80
Bacterial Samples out of Compliance	0	0	0	0
Total number of inquiries (Note 2)	7	7	8	8
Total number of complaints (Note 2)	1	1	14	14
Number of complaints per 1000 service connections	0.02	0.02	0.35	0.35
Note 2: Prior to April 2016 complaints and inquiries were grouped together, listed as complaints, and not distinguished.				
<b>Safety</b>				
Hours lost to OJI	0	0	0	0
Hours lost to TTD	0	0	0	0
Total Hours Lost	0	0	0	0
Safety Training Sessions Held	1	1	0	0
<b>Public Education</b>				
Number of tours conducted	2	2	0	0
Number of people on tours	9	9	0	0

**Notes:**

Solid contact clarifier #4 was placed in service. Powder activated carbon system has been installed and placed in service. Repaired solenoid on water well #40. Repacked slurry loop pump #2 and 3. Pump/motor for well 38 scheduled for install next week. Staff cleaned sodium hypochlorite generator #2. Staff repositioned antenna on high pressure plain water tower to provide better communication to the water plant.



# Water Production for July 2021



Legend:  
—◆— Plant (MG)  
—■— Well (MG)  
—▲— OKC (MG)  
—●— Total (MG)

## MONTHLY TRANSFER STATION REPORT

July 2021

	TONS PER MONTH	REVENUE PER MONTH
O.U. TONS	221.86	\$11,168.35
STANDARD TONS	2,298.33	\$135,820.32
CASH TONS:	415.83	\$18,703.00
<b>TOTALS:</b>	<b>2,936.02</b>	<b>\$165,691.67</b>

	MONTH
# OF LOADS TRANSPORTED TO OKC LANDFILL BY TRANSFER STATION TRUCKS.	469.00
# OF TONS TRANSPORTED TO OKC LANDFILL BY TRANSFER STATION TRUCKS.	10265.94
# OF LOADS TRANSPORTED TO OKC LANDFILL BY INDIVIDUAL SANITATION TRUCKS.	0.00
# OF TONS TRANSPORTED TO OKC LANDFILL BY INDIVIDUAL SANITATION TRUCKS:	0.00
<b>TOTAL LOADS BROUGHT TO LANDFILLS:</b>	<b>469.00</b>
<b>GRAND TOTAL TONS TO LANDFILLS</b>	<b>10,265.94</b>
DISPOSAL COST PER TON (OKC)	\$20.31
TIPPING FEE'S FOR DUMPING AT OKC:	\$208,501.24
<b>GRAND TOTAL TIPPING FEE'S</b>	<b>\$208,501.24</b>
# OF LOADS BROUGHT TO TRANSFER STATION BY COMMERCIAL SANITATION TRUCKS:	777.00
# OF TONS BROUGHT TO TRANSFER STATION BY COMMERCIAL SANITATION TRUCKS:	4152.66
# OF LOADS BROUGHT TO TRANSFER STATION BY RESIDENTIAL SANITATION TRUCKS:	400.00
# OF TONS BROUGHT TO TRANSFER STATION BY RESIDENTIAL SANITATION TRUCKS:	3584.63
<b>TOTAL LOADS BROUGHT TO TRANSFER STATION:</b>	<b>1177.00</b>
<b>TOTAL TONS BROUGHT TO TRANSFER STATION:</b>	<b>7737.29</b>
MISCELLANEOUS TONS BROUGHT BY OTHER DEPTS.:	119.15
<b>TOTAL TONS RECEIVED AT TRANSFER STATION</b>	<b>21058.40</b>

## Drop Center Report JULY 2021

MONTHLY UNIT PRICES	Revenue per ton	Proc. Fee	lbs Rejected	Tons Rejected	%	LNDFL Fee	Tons Diverted	\$ Diverted
ALUMINUM:	\$1,140.00	\$0.00		0	0%	\$20.88	\$1,574.87	\$32,883.29
PLASTICS:	\$15.00	\$0.00						
STEEL CANS:	\$0.00	\$0.00						
MIXED OFFICE PAPER:	\$55.00	\$0.00						
CARDBOARD:	\$125.00	\$0.00						

RECYCLING CENTER DATA:	#9	Westwood		Hollywood		Transfer		Total Tons	PRO/FEE	Revenues	Net
		TONS	TONS	TONS	TONS	TONS	TONS				
ALUMINUM:		0.32	0.1	0.1	0.48	0	0	0.9	\$0.00	\$1,026.00	\$1,026.00
PLASTICS:		1.64	0.3	0.3	3.66	0	0	5.6	\$0.00	\$84.00	\$84.00
STEEL CANS:		0.18	0.03	0.03	0.43	0	0	0.64	\$0.00	\$0.00	\$0.00
MIXED OFFICE PAPER:		0	1.21	1.21	12.38	0	0	13.59	\$0.00	\$747.45	\$747.45
CARDBOARD:		11.44	9.58	25.07	42.02	0.83	0.83	46.92	\$0.00	\$5,865.00	\$5,865.00
<b>RECYCLING CENTER TOTALS:</b>		<b>13.58</b>	<b>11.22</b>	<b>42.02</b>	<b>0.83</b>	<b>67.65</b>	<b>67.65</b>		<b>\$0.00</b>	<b>\$7,722.45</b>	<b>\$7,722.45</b>

Other Cardboard Containers	Revenues	Compactors	Revenues	Wood	Revenues	Glass	Revenues	Metal	Revenues	Net
TONS	59.09	TONS	12.03	TONS	4.48	TONS	25.42	TONS	1.87	\$243.10
	\$7,386.25		\$1,503.75		\$0.00		\$0.00		\$0.00	\$0.00
										Cost
										Profit
										\$243.10

Expenses	Average hrly+ benefits	Cardboard	Occ Compact	MXD Office	Total
Hours	30	209.75	6	10	255.75
Labor \$	\$803.40	\$5,617.11	\$160.68	\$267.80	\$6,848.99
Vehicle cost	\$39.96	\$84.26	\$7.98	\$13.36	\$145.56
Revenue	Income	Expense	Net	Customer Revenue	
	\$28,567.67	\$6,994.55	\$21,573.13	\$11,712.12	

Total All Recycle and Cardboard	Revenues	Total Recycle Only	Revenues	Total Cardboard	Revenues
TONS	170.54	TONS	52.5	TONS	118.04
	\$16,855.55		\$2,100.55		\$14,755.00

**CURBSIDE MONTHLY RECYCLING REPORT**

**JULY**

**PROGRAM STATISTICS**

	<b>AVERAGE MONTH</b>
SET OUT/PARTICIPATION RATE:	91%
AVERAGE TONS PER DAY :	12.24
POUNDS PER HOME:	21.8

**COMMODITY BY TON**

	<b>% of Total</b>	<b>TONS</b>
ALUMINUM BEVERAGE CAN	1.96%	7.2
#1 PET	4.08%	14.98
NEWS	0.00%	0
GLASS CONTAINERS	10.07%	36.98
MIX PAPER	29.67%	108.95
PLASTIC FILM	0.60%	2.2
#2 NATURAL	1.11%	4.08
#2 COLOR	1.66%	6.1
#3-#7	0.00%	0
METAL	0.30%	1.1
RIGIDS	0.26%	0.95
TIN-STEEL SCRAP	2.14%	7.86
TRASH	27.91%	102.49
OCC	20.24%	74.33
<b>TOTAL</b>	<b>100.00%</b>	<b>367.22</b>

	<b>MONTH</b>
SERVICE CALLS (MISSES)	44
HOUSESIDE	9
REMINDER	5
SCATTERED	0
MISC.	3
REPAIR	23
NEW	34
ADD	4
MISSING	13
EXCHANGE	2
REPLACE	7
PICK UP	22
<b>TOTAL CALLS</b>	<b>166.00</b>

	<b>MONTH</b>
<b>LANDFILL COST AVOIDANCE</b>	<b>\$7,252.60</b>

**SANITATION DIVISION PROGRESS REPORT**  
SUMMARY 2022

	FYE 21		FYE 22	
	MONTH	YR-TO-DATE	MONTH	YR-TO-DATE
<u>Vehicle Accidents</u>	0	0	1	1
<u>On The Job Injuries</u>	0	0	0	0
<u>Bulk Pickups</u>	34	34	43	43
<u>Refuse Complaints</u>	90	90	98	98
<u>New Polycarts Requests</u>	74	74	55	55
<u>Polycarts Exchanges</u>	8	8	14	14
<u>Additional Polycart Requests</u>	75	75	117	117
<u>Replaced Stolen Polycarts</u>	38	38	32	32
<u>Replaced Damaged Polycarts</u>	121	121	135	135
<u>Polycarts Repaired</u>	49	49	86	86

**COMPOST MONTHLY REPORT**

JULY

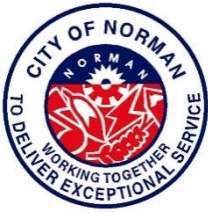
	MONTH
TONS BROUGHT IN BY COMPOST CREWS:	578.31
LANDFILL TIPPING FEE'S	\$ 20.31
SAVINGS FROM NOT DUMPING AT LANDFILL:	\$ 11,745.48
TONS BROUGHT IN BY PUBLIC:	720.00
TONS BROUGHT IN BY CONTRACTORS :	1,960.00
TONS BROUGHT IN BY OTHER CITY DEPARTMENTS:	46.00
LANDFILL TIPPING FEE'S	\$ 20.31
SAVINGS FROM NOT DUMPING AT LANDFILL:	\$ 55,365.06
TOTAL SAVINGS FROM NOT DUMPING AT LANDFILL:	\$ 67,110.54
REVENUE COLLECTED FROM COMPOST SALES:	\$1,160.00
REVENUE COLLECTED FROM MULCH SALES:	\$0.00
TOTAL TONS COLLECTED	3,304.31

	MULCH CUBIC YDS	COMPOST CUBIC YDS
	MONTH	MONTH
PARKS DEPT.		
ROAD & CHANNEL		
LINE MAINTENANCE		
STREET DEPT.		
WATER TREATMENT		
MURPHY PRODUCTS OKC		
SELF LOADING BIN	60	
DRYING BEDS	18,620	
COMPOST SOLD BY CUBIC YARDS		348
MULCH SOLD BY CUBIC YARDS	12,600	
TOTAL:	31,280	348



**File Attachments for Item:**

7. ACTING AS THE NORMAN UTILITIES AUTHORITY, CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AN AUTHORIZATION TO PURCHASE ONE (1) HORIZONTAL WOOD GRINDER FROM ROTOCHOPPER, INC., IN THE AMOUNT OF \$805,476 UTILIZING GENERAL SERVICE ADMINISTRATION (GSA) CONTRACT GS-30F-004DA.



## CITY OF NORMAN, OK STAFF REPORT

## Item 7

**MEETING DATE:** 08/24/2021

**REQUESTER:** Rachel Croft, Staff Engineer

**PRESENTER:** Nathan Madenwald, Utilities Engineer

**ITEM TITLE:** ACTING AS THE NORMAN UTILITIES AUTHORITY, CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AN AUTHORIZATION TO PURCHASE ONE (1) HORIZONTAL WOOD GRINDER FROM ROTOCHOPPER, INC., IN THE AMOUNT OF \$805,476 UTILIZING GENERAL SERVICE ADMINISTRATION (GSA) CONTRACT GS-30F-004DA.

### BACKGROUND:

The Compost Facility operates year round and allows citizens to bring in grass clippings, branches, and leaves to be ground into mulch. City staff also collects this same yard waste from residents. Once mulched, windrows are formed and processed into compost. The process takes approximately 60-90 days. The compost is then made available to citizens who want to use the mulch for their gardens and flower beds which also benefits the City by diverting it from the landfill.

On November 11, 2020, the City's tub grinder, which was used to grind wood materials, caught fire and burned beyond repair. Prior to this incident, Vermeer had responded to a clutch problem and had completed repairs on November 10, 2020. A post fire inspection determined that one of the hydraulic hoses was loose which may have resulted in the fire. The City of Norman Legal Department is working with an expert to investigate the cause and determine whether compensation can be obtained from Vermeer.

The fiscal period of July 1, 2020 – June 30, 2021 (FYE2021) included both the October 2020 ice storm and the February 2021 extreme freeze, which caused the Compost Facility to receive 85,000 tons of yard debris compared to the normal average of 30,000 tons per year. In the interim of not having a functional grinder, staff hired a contractor to grind wood materials on site at a cost of \$4.45 per ton, equating to an average cost of \$30,000 per month. In May, staff switched to a more cost effective solution by renting a grinder and having our crews operate it for a cost of \$20,000 per month.

### DISCUSSION:

With the rental agreement expiring at the end of July 2021, staff would like to proceed with purchasing a replacement unit rather than continuing to spend \$20,000 per month for the rental



unit. The pay back is approximately 3 years and the equipment life is rated at 20 years. City Legal is in agreement that the NMA proceed with purchasing another unit while they continue to pursue possible compensation for the damaged unit.

Staff selected the B-66T Horizontal Grinder from Rotochopper, Inc. based on past experience with the unit and favorable interviews with references. Rotochopper, Inc. is a vendor with General Service Administration (GSA) Contract GS-30F-004DA which allows the City to direct purchase this unit since it has already met the State Competitive Bidding requirements. The City Code, Section 8-204 (b.4) exempts from City competitive bidding requirements "equipment....when purchased at a price not exceeding a price set therefor by the state purchasing agency....for things purchased by the state". The cost for the unit is \$805,476 and includes an integral fire suppression system and equipment monitoring by the manufacturer for a 60-month period.

Funds for this equipment were budgeted for FYE 2022 in the Sanitation Fund. The Service Equipment – Other account (33955165-45099) currently has \$817,599 in available funds.

**RECOMMENDATION:**

Staff recommends the authorization to purchase be approved for the purchase of one Horizontal Wood Grinder in the amount of \$805,476 from Rotochopper, Inc. utilizing the state's General Service Administration Contract (GS-30F-004DA).



Contract Number  
GS-30F-004DA

Item 7.

Rotochopper, Inc. | 217 West Street; PO Box 295 | St. Martin, MN 56376 | P: 320-548-3586 | F: 320-548-3372

For: Bret Scovill  
City of Norman  
1301 Da Vinci  
Norman, OK 73069

QUOTATION BB: 37620  
Quoted by: Preston McIntyre  
On: 7/25/2021  
Estimated shipping date: 12-14 weeks from date of order  
Terms: 20% deposit, 80% prior to shipment  
FOB: St. Martin, MN

Ship To Same As Billing

### B66T Track Trailable

755 HP CAT C18 Tier 4 / Stage 4 engine with automatic load regulation, PT Tech hydraulic clutch, 340 gallon / 1,280 Liter fuel tank

Reversible radiator fan with adjustable purge cycles and pre-cleaner

Hydraulic oil cooler

Domed slat infeed conveyor with dual radial piston hydraulic drives (66" W x 16' L / 1,677mm W X 4,877mm L)

High torque powerfeed with Ultra "V" cleats and internal radial piston drive (32" D x 66" W)

Patented concentric powerfeed lift with proportional hydraulic pressure system (38" / 96.52 cm throat opening)

Gap-less infeed transition and patented Slab Ramp adjustable shear plane

Down-cut mill designed for precise particle size and texture control

Patented replaceable mount rotor with 24 tooth mounts (42" D x 66" W / 1,067mm D X 1,677mm W)

Weld-on rotor rakers

Hydraulic screen installation system with shear pin protection

Grinding chamber water injection dust control system

Roller-bed under rotor conveyor (48" W X 21' L / 1,219mm W X 6,400mm L)

Folding truck loading discharge conveyor with magnetic head pulley

Digital control system with advanced monitoring and diagnostics

Wireless remote control system

Track undercarriage with 600 mm grousers

StopWatch monitoring system

Standard Factory Machine Warranty - 1 Year

CAT Engine Warranty: 5 year, 5000 hour Platinum Plus

4" Forestry Baffled square hole screen (3/4 T-1 Steel)

4" Forestry Baffled square hole screen (3/4 T-1 Steel)

Hardfaced indexable teeth (single hardface overlay per side; 1 bolt, nut, & lock washer per tooth)

Commissioning & Training

Delivery to Norman, OK

\$9,000.00

**Subtotal**

**\$761,476.00**

Total

**\$761,476.00**

#### Additional Suggested Options Not Included in Price Total

		Check to include	Customer initials	Sales Rep initials
AFEX Fire Suppression System	\$32,000.00	—	_____	_____
RotoLink remote monitoring system 60 months subscription	\$12,000.00	—	_____	_____

#### Notes:

- This quotation is valid for 30 days from the date above. All taxes, levies, duties, or other governmental fees are the responsibility of the buyer.
- Two screens are required for operation.
- Unless otherwise noted, all prices are shown in US dollars (\$).
- Fuel surcharge may apply.
- Rotochopper Standard Terms and Conditions are incorporated herein by reference; they can be reviewed at <https://www.rotachopper.com/rotachopper-standard-terms-conditions-3/>



Contract Number  
GS-30F-004DA

Rotochopper, Inc. | 217 West Street; PO Box 295 | St. Martin, MN 56376 | P: 320-548-3586 | F: 320-548-3372

For: Bret Scovill  
City of Norman  
1301 Da Vinci  
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QUOTATION BB: 37620  
Quoted by: Preston McIntyre  
On: 7/25/2021  
Estimated shipping date: 12-14 weeks from date of order  
Terms: 20% deposit, 80% prior to shipment  
FOB: St. Martin, MN

Ship To Same As Billing

B66T Track Trailerable

Quoted By: \_\_\_\_\_

Accepted By: \_\_\_\_\_

Date: \_\_\_\_\_

**File Attachments for Item:**

8. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DONATION IN THE AMOUNT OF \$9,985 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY TAX COMMITTEE TO BE USED TO PURCHASE AIR BAGS AND CHEMICAL MONITORS FOR FIRE STATIONS 5 AND 6 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.



## CITY OF NORMAN, OK STAFF REPORT

## Item 8

**MEETING DATE:** 08/24/2021

**REQUESTER:** Joel Chesser

**PRESENTER:** Travis King, Fire Chief

**ITEM TITLE:** CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DONATION IN THE AMOUNT OF \$9,985 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY TAX COMMITTEE TO BE USED TO PURCHASE AIR BAGS AND CHEMICAL MONITORS FOR FIRE STATIONS 5 AND 6 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

### **BACKGROUND:**

Section 8-111 of the City Code requires that the City Council accept all donations received by the City prior to the use or disbursement of same. Therefore, it is requested that Council review and consider the following items for acceptance and use by the Norman Fire Department.

The Norman Fire Department is a member of the Cleveland County Public Safety Sales Tax Committee (CCPSST). The Cleveland County Public Safety Sales Tax has been created to supplement the budget of emergency response providers in Cleveland County to help provide needed equipment for those departments.

### **DISCUSSION:**

During last month's meeting, Norman Fire Department submitted two agenda items. A request for airbags for Stations 5 and 6 in the amount of \$7,510.00 was made along with a request for new chlorine and ammonia hazmat monitors in the amount of \$2,475.00. The committee conducted its monthly meeting, and our agenda items were reviewed and voted on by committee members. Norman Fire was awarded the funds to purchase the requested items.

Funds for these items has been received by the City and we are authorized to purchase the items and then submit proof of purchase to the CCPSST Chair, George Mauldin.

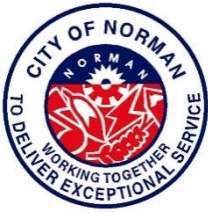
### **RECOMMENDATION:**

It is recommended that City Council accept the donation of \$7,510.00 and \$2,475.00 and deposit the funds into Donations-Public Safety (account 106-363376), and appropriate the funds into Fire Suppression: Other Supplies/Materials/Firefighting (account 10664143-43122) for the

purchase of airbags for Fire Stations 5 and 6 and two (2) chlorine and one (1) ammonia hazmat monitors for the Norman Fire Department.

**File Attachments for Item:**

9. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A DONATION IN THE AMOUNT OF \$45,965.21 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY SALES TAX COMMISSION TO BE USED TO PURCHASE ONE (1) ZOLL X SERIES CARDIAC MONITOR FOR THE NORMAN FIRE DEPARTMENT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.



## CITY OF NORMAN, OK STAFF REPORT

## Item 9

**MEETING DATE:** 08/24/2021

**REQUESTER:** Justin Garrett, EMS Director

**PRESENTER:** Travis King, Fire Chief

**ITEM TITLE:** CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A DONATION IN THE AMOUNT OF \$45,965.21 FROM THE CLEVELAND COUNTY JUSTICE AUTHORITY ACTING AS THE CLEVELAND COUNTY PUBLIC SAFETY SALES TAX COMMISSION TO BE USED TO PURCHASE ONE (1) ZOLL X SERIES CARDIAC MONITOR FOR THE NORMAN FIRE DEPARTMENT AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

### BACKGROUND:

Section 8-111 of the City Code requires that the City Council accept all donations received by the City prior to the use or disbursement of same. Therefore, it is requested that Council review and consider the following item for acceptance and use by the Norman Fire Department.

The Norman Fire Department is a member of the Cleveland County Public Safety Sales Tax Committee (CCPSST). The Cleveland County Public Safety Sales Tax has been created to supplement the budget of emergency response providers in Cleveland County to help provide needed equipment for those departments.

### DISCUSSION:

Norman Fire Department submitted a request for a ZOLL X Series Cardiac Monitor in the amount of \$45,965.21 on the July 13<sup>th</sup> agenda for the Cleveland County Public Safety Sales Tax meeting. This ZOLL X Series Monitor is the same version of the one that is currently being utilized by our EMS service (EMSstat). This monitor has the capabilities of recognizing an ST Elevated Myocardial Infarction (STEMI) and allowing the receiving hospital ample time to prepare the Catheterization Laboratory for the incoming patient. This monitor can also perform Defibrillation (if someone's heart has stopped), Transcutaneous Pacing (if the heart is beating too slow) and Synchronized Cardioversion (if the heart is beating too fast) procedures. After a presentation from the Norman Fire Department, the funds were approved unanimously by the Committee.

Funds have been received by the City and we are authorized to purchase the item and then submit proof of purchase to the CCPSST Chair, George Mauldin.

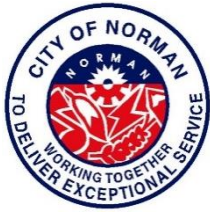


**RECOMMENDATION:**

It is recommended that City Council accept the donation of \$45,965.21 and deposit the funds into Donations-Public Safety (account 106-363376), and appropriate the funds into Fire Suppression: Plant and Operating Equipment: Rescue (account 10664143-45114), for the purchase of one (1) ZOLL X Series Monitor for the Norman Fire Department.

**File Attachments for Item:**

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. TWO TO CONTRACT K-2021-6 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, L.L.C., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$44,624.51 FOR A REVISED CONTRACT AMOUNT OF \$1,138,447.99 FOR THE FYE 2021 URBAN CONCRETE PROJECT, 2021 LOCATIONS, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$56,922.41.



## CITY OF NORMAN, OK STAFF REPORT

# Item 10

**MEETING DATE:** 08/24/2021

**REQUESTER:** Joseph Hill, Streets Program Manager

**PRESENTER:** Shawn O'Leary, Director of Public Works

**TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. TWO TO CONTRACT K-2021-6 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, L.L.C., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$44,624.51 FOR A REVISED CONTRACT AMOUNT OF \$1,138,447.99 FOR THE FYE 2021 URBAN CONCRETE PROJECT, 2021 LOCATIONS, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$56,922.41.

### BACKGROUND:

In the Norman General Obligation Bond Election of 2016, voters approved the Street Maintenance Bond Program, a 5-year, 4-phase program to address maintenance needs on neighborhood streets. The four categories include (1) Urban Asphalt Street Rehabilitation, (2) Urban Concrete Street Rehabilitation, (3) Urban Road Reconstruction and (4) Rural Road Rehabilitation. Prior to the election, the City provided a list of all streets included in the program based upon the pavement condition data from the City's current Pavement Management System. The following is the list of the FYE 2021 Urban Concrete Pavement project locations included in this bid:

1. Shiloh Dr. (Boyd St. / Alameda St.)
2. Briar Meadow Rd. (High Trail Rd. / Fairlawn Dr.)
3. High Meadows Dr. (12th Ave. NE / Sandalwood Dr.)
4. Northcrest Dr. (Northcliff Ave. / Abe Martin Dr.)
5. Fairlawn Dr. (High Trail Rd. / Wind Hill Rd.)
6. Westfield Cir. (High Meadows Dr. / N.1500 Blk)
7. Tenkiller Ln. (Lakecrest Dr. / N.1300 Blk)
8. Huron St. (Erie Ave. / Superior Ave.)
9. Cripple Creek Dr. (Woodcrest Creek Dr. / Woodbriar Dr.)
10. Chisholm Trail (Sequoyah Trail / Woodside Dr.)
11. Woodcrest Dr. (Sequoyah Trail / Weatherford Dr.)
12. Cheyenne Way (Sequoyah Trail / N.2700 Blk (end))
13. Osage Way (Sequoyah Trail / N.2700 Blk (end))
14. Rock Hollow Dr. (Queenston Ave. / Briarcliff)
15. Kingston Rd. (12th Ave. NE / Queenston Ave.)
16. Parkview Terrace (Clearview Dr. / Fleetwood Dr.)

17. Nicole Cir. (Castlerock Rd. / W.3800 Blk (end))
18. Nicole Pl. (Castlerock Rd. / W.4100 Blk (end))
19. Dorchester Dr. (Highland Pkwy. / Highland Pkwy.)

The roadways included in this project are located in established residential neighborhoods. The current roadways are constructed of concrete pavement. The concrete pavement is in poor condition. This project involves rehabilitation of the existing pavement including panel replacement.

On July 14, 2020, City Council approved Contract K-2021-6 for the Street Maintenance Bond Program, Urban Concrete, FYE 2021 Locations in the amount of \$1,183,072.50 to RDNJ LLC., dba A-Tech Paving of Edmond, Oklahoma.

As of April 2, 2021, all work has been completed at the locations identified in Contract K-2021-6.

### **DISCUSSION:**

Construction projects are awarded to the lowest responsible bidder. Contractor bids are determined using estimated plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represents the contractor's bid. During construction, each quantity is verified in the field and the contractor is to be reimbursed based on the actual quantity of materials and/or labor used.

Of the twenty-five (25) bid items, all items had a quantity change. Twelve (12) quantity changes resulted in increased cost, while thirteen (13) quantity changes resulted in decreased cost for an overall contract decrease of \$44,624.51 or 3.77%. The contract decreased from \$1,183,072.50 to \$1,138,447.99. The two bid items that accounted for the largest percentage of the decreased cost were the removal and replacement of 6" concrete pavement. Because the focus of this work is the rehabilitation of poor quality concrete panels, discrepancies in estimates and actual quantities can exist. Please see the attached Change Order No. 1 for a complete list of bid item cost increases and decreases.

The final payment amount owed to RDNJ LLC., dba A-Tech Paving is \$56,922.41, which includes the full 5% retainage.

Project numbers for the projects noted above include BP0468 (Shiloh Heights Addition), BP0469 (High Meadows Addition), BP470 (Woodcrest Addition), BP0471 (Lakecrest Estates Addition), BP0472 (Wildwood Green Addition), BP0474 (Kingston Heights Addition), BP0475 (University Place Addition), BP0476 (Castlerock Addition) and BP0477 (Woodslawn Addition); account number 50593393-46101.

### **RECOMMENDATION 1:**

Staff recommends that Change Order No. 2, decreasing Contract K-2021-9 for the Interstate Drive Reconstruction Project with RDNJ LLC., dba A-Tech Paving from \$1,183,072.50 to \$1,138,447.99 be approved.

### **RECOMMENDATION 2:**

Staff further recommends final acceptance of the Street Maintenance Bond Program, Urban

Concrete FYE 2021 Locations Project, Contract K-2021-6, and final payment to RDNJ LLC., dba A-Tech Paving be approved in the amount of \$56,922.41.

CHANGE ORDER SUMMARY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

Item 10.

CHANGE ORDER NO. 1

DATE: August 24, 2021

CONTRACT NO.: K-2021-6

SUBMITTED BY: Joseph Hill

PROJECT: Street Maintenance Bond Program, Urban Concrete, FYE 2021 Locations

CONTRACTOR: RDNJ, LLC DBA A-Tech Paving  
PO Box 2865  
Edmond, Oklahoma 73083

Original Completion Date: May 7, 2021

Previous Completion Date: May 7, 2021

ORIGINAL CONTRACT AMOUNT \$ 1,183,072.50

(Increase) this change order 46 Calendar Days

New Completion Date: June 22, 2021

PRESENT CONTRACT AMOUNT \$ 1,183,072.50

DESCRIPTION	INCREASE	DECREASE
Change in Pay Quantities	\$60,114.28	-\$104,738.79

NET CHANGE -\$44,624.51

REVISED CONTRACT AMOUNT \$1,138,447.99

See Detailed Quantity Change on Page 2 of 2:

Detailed Quantity Change:

ITEM NO.	ITEM DESCRIPTION	UNITS	QUANTITY INCREASE	QUANTITY DECREASE	COST INCREASE	COST DECREASE
1	MOBILIZATION	L.S.	0.48		\$12,000.00	
2	TRAFFIC CONTROL	L.S.	0.10		\$2,000.00	
3	UNDERCUT	C.Y.		-50.00		-\$750.00
4	SAW CUT PAVEMENT FULL DEPTH	L.F.		-3708.60		-\$1,854.30
5	REMOVE CURB & GUTTER	L.F.	29.70		\$207.90	
6	REMOVE INTEGRAL CURB W/ SLAB	L.F.	2202.00		\$6,606.00	
7	REMOVE EXISTING PAVEMENT	S.Y.		-1666.05		-\$11,662.35
8	TYPE A ODOT AGGREGATE BASE	TON	80.22		\$3,609.90	
9	REPAIR INLET BOX AND ADJUST TO GRADE	EA		-2.00		-\$1,140.00
10	3000 PSI CONCRETE FOR 6" PAVEMENT	S.Y.		-1862.52		-\$82,882.14
11	3000 PSI HES CONCRETE 6" PAVEMENT	S.Y.	124.00		\$6,200.00	
12	REMOVE SIDEWALK	S.Y.	151.19		\$1,209.52	
13	3000 PSI CONCRETE 4" SIDEWALK	S.Y.	146.10		\$7,305.00	
14	3000 PSI CONCRETE SIDEWALK RAMPS	S.Y.	3.96		\$277.20	
15	DETECTABLE WANRNING SURFACE	S.F.	4.00		\$120.00	
16	CLEAN TOPSOIL	C.Y.		-20.00		-\$900.00
17	SLAB SOD	S.Y.	380.86		\$2,285.16	
18	ADJUST MANHOLE RING TO GRADE	EA		-5.00		-\$875.00
19	ADJUST WATER VALVE	EA		-2.00		-\$300.00
20	REPAIR EXISTING SPRINKLER HEAD	EA		-5.00		-\$375.00
21	REPAIR EXISTING SPRINKLER LINE	L.F.		-200.00		-\$1,600.00
22	6" INTEGRAL CURB	L.F.	2286.70		\$18,293.60	
23	STABILIZE SUBRADE	S.Y.		-100.00		-\$800.00
24	REPLACE INLET GRATE	EA		-2.00		-\$600.00
25	REPLACE INLET HOOD	EA		-2.00		-\$1,000.00
<b>TOTALS</b>					\$60,114.28	-\$104,738.79
<b>DIFFERENCE</b>					-\$44,624.51	

CONTRACTOR: *W. White*  
 ENGINEER: *Brandon Green*  
 CITY ATTORNEY: \_\_\_\_\_  
 ACCEPTED BY: \_\_\_\_\_  
 (Mayor)

DATE: *8/3/21*  
 DATE: *8/3/21*  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

**BID 2021-3 STREET MAINTENANCE BOND PROGRAM - URBAN CONCRETE PAVEMENT,  
FYE 2021 LOCATIONS**

**APPLICATION AND CERTIFICATE FOR PAYMENT**

LOCATION: \_\_\_\_\_ ENGINEER: \_\_\_\_\_  
 TO: CITY OF NORMAN: \_\_\_\_\_ CONTRACTOR: A-Tech Paving  
 APPLICATION DATE: 6/30/2021 APPLICATION NO. 11  
 PERIOD FROM: 6/1/2021 TO: 6/30/2021

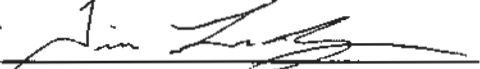
**CHANGE ORDER SUMMARY**

Application is made for Payment, as shown below, in connection with the Contract. The present status of the account for this Contract is as follows:

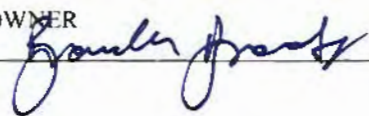
Change Orders approved in previous months by Owner	ADDITIONS \$	DEDUCTIONS \$
TOTAL		
<u>Subsequent Change Orders</u>		
Number	Approved (Date)	
TOTALS		
Net change by Change Orders	\$	_____

ORIGINAL CONTRACT SUM	\$	<u>1,183,072.50</u>
Net change by Change Orders	\$	_____
CONTRACT SUM TO DATE	\$	<u>1,183,072.50</u>
<hr/>		
TOTAL COMPLETED & STORED TO DATE	\$	<u>1,138,448.00</u>
RETAINAGE <u>0</u> %	\$	<u>0.00</u>
TOTAL EARNED LESS RETAINAGE	\$	<u>1,138,448.00</u>
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	<u>1,081,525.59</u>
	\$	<u>56,922.41</u>

The undersigned Contractor certifies that the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for work for which previous Certificates for Payment were issued and payments received from the City, and that the current payment shown herein is now due.

CONTRACTOR  
By:  Date: 6/30/2021

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Inspector certifies to the City that to the best of the Inspector's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. \$ \_\_\_\_\_

INSPECTOR: \_\_\_\_\_ ENGINEER/OWNER  
BY: \_\_\_\_\_ 



City of Norman  
Purchasing Division  
P.O. Box 370  
Norman, OK 73070

### AFFIDAVIT

State of Oklahoma

PO No. \_\_\_\_\_

County of Oklahoma

Invoice No. 4729RET

Amount \$ 56,922.41

In accordance with the Constitution of the State of Oklahoma Title 62, Section 310.9, this form must be completed and Submitted before any invoice over \$12,500.00 can be processed for payment.

The undersigned CONTRACTOR, of lawful age, being duly sworn, on oath says that this invoice or claim is true and correct and that (s)he is authorized to submit the invoice pursuant to an approved Contract. Affidavit further states that the work as shown by this invoice have been completed in accordance with the plans, specifications furnished the Affidavit. Affidavit further states that (s)he has made no payment, given, or donated or agreed to pay, give or donate, either directly or indirectly, to any elected official, officer or employee of the City of Norman, or money or any other thing of value to obtain payment of the invoice or procure award of this Contract order pursuant to which an invoice is submitted.

Company Name

A-Tech Paving

*[Signature]*

By: Architect, Contractor, Supplier,  
Engineer or Supervisory

Official

Subscribed and sworn to before me this 8th day of July, 20 21.

*[Signature]*  
Notary Public  
(or officer having power to administer oaths)

My Commission Expires:  
8/12/23



**PAY ESTIMATE: 11**  
**Invoice Date: 6/30/21**

TO: City of Norman A-Tech Paving  
PO Box 2865  
Edmond, OK 73083

RE: 2021-3 Street Maintenance Bond Program - Urban Concrete Pavement Work Completed Through: June 30, 2021

ITEM #	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	ESTIMATED CONTRACT VALUE	QUANTITY THIS ESTIMATE	PREVIOUS ESTIMATED QUANTITY	PERCENT COMPLETE	VALUE OF WORK THIS ESTIMATE	VALUE OF WORK TO DATE
<b>BASE BID</b>										
1	Mobilization	LS	1.00	\$25,000.00	\$ 25,000.00	0.28	1.200	1.48	\$ 7,000.00	\$ 37,000.00
2	Traffic Control (11,12,13)	LS	1.00	\$20,000.00	\$ 20,000.00	0.00	1.100	1.10	\$ -	\$ 22,000.00
3	Undercut (2)	CY	50.00	\$15.00	\$ 750.00	0.00	0.000	0.00	\$ -	\$ -
4	Saw Cut Pavement Full Depth	LF	5,000.00	\$0.50	\$ 2,500.00	48.00	1243.400	1,291.40	\$ 24.00	\$ 645.70
5	Remove Curb & Gutter (6)	LF	50.00	\$7.00	\$ 350.00	0.00	79.700	159.40%	\$ -	\$ 557.90
6	Remove Integral Curb W/Slab (6)	LF	5,100.00	\$3.00	\$ 15,300.00	0.00	7302.000	7,302.00	\$ -	\$ 21,906.00
7	Remove Existing Pavement (1,6)	SY	20,435.00	\$7.00	\$ 143,045.00	224.00	18544.950	18,768.95	\$ 1,568.00	\$ 131,382.65
8	Type A ODOT Aggregate Base	TN	50.00	\$45.00	\$ 2,250.00	0.00	130.220	260.44%	\$ -	\$ 5,859.90
9	Repair Inlet Box and Adjust to Grade (3)	EA	2.00	\$570.00	\$ 1,140.00	0.00	0.000	0.00	\$ -	\$ -
10	3000 PSI Concrete for 6" Pavement (5,9,10,14)	SY	20,435.00	\$44.50	\$ 909,357.50	0.00	18572.480	18,572.48	\$ -	\$ 826,475.36
11	3000 PSI High-Early Strength Concrete 6" Pavement (5,9,10,14)	SY	100.00	\$50.00	\$ 5,000.00	224.00	0.000	224.00%	\$ 11,200.00	\$ 11,200.00
12	Remove Sidewalk (6)	SY	25.00	\$8.00	\$ 200.00	0.00	176.190	704.76%	\$ -	\$ 1,409.52
13	3000 Concrete 4" Sidewalk (8,10)	SY	50.00	\$50.00	\$ 2,500.00	0.00	196.100	392.20%	\$ -	\$ 9,805.00
14	3000 Concrete Sidewalk Ramps (8,10)	SY	54.00	\$70.00	\$ 3,780.00	0.00	57.960	107.33%	\$ -	\$ 4,057.20
15	Detectable Warning Surface	SF	120.00	\$30.00	\$ 3,600.00	0.00	124.000	103.33%	\$ -	\$ 3,720.00
16	Clean Topsoil	CY	20.00	\$45.00	\$ 900.00	0.00	0.000	0.00	\$ -	\$ -
17	Slab Sod (4)	SY	100.00	\$6.00	\$ 600.00	166.66	314.200	480.86	\$ 999.96	\$ 2,885.16
18	Adjust Manhole Ring to Grade	EA	5.00	\$175.00	\$ 875.00	0.00	0.000	0.00	\$ -	\$ -
19	Adjust Water Valve	EA	5.00	\$150.00	\$ 750.00	0.00	3.000	3.00	\$ -	\$ 450.00
20	Repair Existing Sprinkler Head	EA	5.00	\$75.00	\$ 375.00	0.00	0.000	0.00	\$ -	\$ -
21	Repair Existing Sprinkler Line	LF	200.00	\$8.00	\$ 1,600.00	0.00	0.000	0.00	\$ -	\$ -
22	6" Integral Curb	LF	5,100.00	\$8.00	\$ 40,800.00	0.00	7386.700	7,386.70	\$ -	\$ 59,093.60
23	Stabilize Subgrade (7)	SY	100.00	\$8.00	\$ 800.00	0.00	0.000	0.00	\$ -	\$ -
24	Replace Inlet Grate (15)	EA	2.00	\$300.00	\$ 600.00	0.00	0.000	0.00	\$ -	\$ -
25	Replace Inlet Hood (15)	EA	2.00	\$500.00	\$ 1,000.00	0.00	0.000	0.00	\$ -	\$ -
<b>TOTALS:</b>					<b>\$ 1,183,072.50</b>				<b>\$ 20,791.96</b>	<b>\$ 1,138,448.00</b>

**GRAND TOTAL \$ 1,183,072.50 \$ 20,791.96 \$ 1,138,448.00**

Original Contract Amount	\$ 1,183,072.50				
Change Orders					
New Contract Amount	\$ 1,183,072.50				
Contract Amendments	\$ -				
Current Contract Amount	\$ 1,183,072.50				

	Previous Estimates:	Payment Amount:	
Pay App #1		\$ 48,590.17	EARNINGS TO DATE: \$ 1,138,448.00
Pay App #2		\$ 134,354.08	LESS 0.00% RETAINAGE \$ -
Pay App #3		\$ 125,524.86	LESS PREVIOUS ESTIMATES \$ (1,081,525.59)
Pay App #4		\$ 139,452.78	<b>Total Due this Estimate: \$ 56,922.41</b>
Pay App #5		\$ 203,916.26	
Pay App #6		\$ 105,452.89	
Pay App #7		\$ 140,524.34	
Pay App #8		\$ 158,219.92	
Pay App #9		\$ 5,737.91	
Pay App #10		\$ 19,752.38	
		Total to Date: \$ 1,081,525.59	

A-Tech Paving  
PO Box 2865  
Edmond, OK 73083

# INVOICE



Phone: 405.418.4741  
Fax: 405.418.4743

Invoice Date: 6/30/21  
PO#: 2009  
Invoice #: 4729RET

Bill To:	Project Details:
City of Norman	2021-3 Street Maintenance Bond Program Urban Concrete Pavement

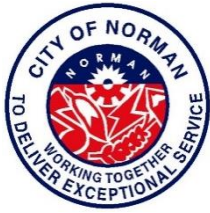
Payment Terms	Contract Number	Invoice Due Date
30 days		7/30/2021

Description	Invoice Amount	Retainage	Amount Due
Pay App #11	\$ -	-\$56,922.41	\$56,922.41

**Total Invoice Amount Due: \$56,922.41**

**File Attachments for Item:**

11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT CHANGE ORDER NO. TWO TO CONTRACT K-2021-9 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, LLC., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$4,745.20 FOR A REVISED CONTRACT AMOUNT OF \$989,517.59, FOR THE INTERSTATE DRIVE RECONSTRUCTION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$49,475.88.



## CITY OF NORMAN, OK STAFF REPORT

### Item 11

**MEETING DATE:** 08/24/2021

**REQUESTER:** Joseph Hill, Streets Program Manager

**PRESENTER:** Shawn O’Leary, Director of Public Works

**TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT CHANGE ORDER NO. TWO TO CONTRACT K-2021-9 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, LLC., D/B/A A-TECH PAVING DECREASING THE CONTRACT AMOUNT BY \$4,745.20 FOR A REVISED CONTRACT AMOUNT OF \$989,517.59, FOR THE INTERSTATE DRIVE RECONSTRUCTION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$49,475.88.

#### **BACKGROUND:**

The City’s FYE 2019 Street Maintenance Capital Improvement Program includes a project to mill and repave East Interstate Drive from Main Street to Robinson Street. East Interstate Drive, also known as the “Mile of Cars”, has several auto dealerships and other businesses located throughout the corridor.

Site investigations and inspections of East Interstate Drive from Main Street to Robinson Street revealed that the substructure has failed in several locations, and several potholes have developed over time. This is mainly due to the high volume of heavy trucks and drainage issues. Mill and repave of the existing roadway will not correct the problems identified. To effectively address these problems, it was determined that East Interstate Drive should be reconstructed from approximately 1,440 feet north of Main Street as measured along Interstate Drive to Robinson Street.

On December 11, 2018, City Council approved Resolution R-1819-53, appropriating \$1,104,154.00 of surplus 2010 Street Maintenance Bond Program Funds to Project BP0415, East Interstate Drive – Main Street to Robinson Street (account 50593385-46101).

On April 9, 2019, City Council approved Amendment No. 1 to Contract K-1314-127 with Freese and Nichols, Inc. in the amount of \$160,000 for the design of the East Interstate Drive Reconstruction Project - Main Street to Robinson Street.

On October 27, 2020, City Council approved Contract K-2021-9 in the amount of \$915,412.41 for the Interstate Drive Reconstruction Project with RDNJ, LLC dba A-Tech Paving of Edmond, Oklahoma.

On February 23, 2021, City Council approved Change Order No. 1 to Contract K-2021-9 in the amount of \$78,850.38 for the Interstate Drive Reconstruction Project with RDNJ, LLC dba A-Tech Paving of Edmond, Oklahoma.

**DISCUSSION:**

Construction projects are awarded to the lowest responsible bidder. Contractor bids are determined using estimated plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represents the contractor's bid. During construction, each quantity is verified in the field and the contractor is to be reimbursed based on the actual quantity of materials and/or labor used.

Of the forty-five (45) bid items, thirty-five (35) items had a quantity change. Ten (10) quantity changes resulted in increased cost, while twenty-five (25) quantity changes resulted in decreased cost for an overall contract decrease of \$4,745.20 or 0.5%. The contract decreased from \$994,262.79 to \$989,517.59. Please see the attached Change Order No. 1 for a complete list of bid item cost increases and decreases.

The final payment amount owed to RDNJ LLC., dba A-Tech Paving is \$49,475.88, which includes the full 5% retainage.

**RECOMMENDATION 1:**

Staff recommends that Change Order No. 2, decreasing Contract K-2021-9 for the Interstate Drive Reconstruction Project with RDNJ LLC., dba A-Tech Paving from \$994,262.79 to \$989,517.59 be approved.

**RECOMMENDATION 2:**

Staff further recommends final acceptance of the Interstate Drive Reconstruction Project, Contract K-2021-9, and final payment to RDNJ LLC., dba A-Tech Paving be approved in the amount of \$49,475.88.

Reviewed by: Joseph Hill, Streets Program Manager  
Scott Sturtz, City Engineer  
Shawn O'Leary, Director of Public Works  
Clint Mercer, Chief Accountant  
Anthony Francisco, Director of Finance  
Jane Hudson, Director of Planning and Community Development  
Kathryn Walker, City Attorney  
Darrel Pyle, City Manager

CHANGE ORDER SUMMARY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

Item 11.

CHANGE ORDER NO. 2

DATE: August 24, 2021

CONTRACT NO.: K-2021-9

SUBMITTED BY: Joseph Hill

PROJECT: Interstate Drive Reconstruction Project

CONTRACTOR: RDNJ, LLC DBA A-Tech Paving  
PO Box 2865  
Edmond, Oklahoma 73083

Original Completion Date: February 14, 2021

Previous Completion Date: February 28, 2021

ORIGINAL CONTRACT AMOUNT \$ 915,412.41

(Increase) this change order 80 Calendar Days

New Completion Date: May 19, 2021

PRESENT CONTRACT AMOUNT \$ 994,262.79

DESCRIPTION	INCREASE	DECREASE
Change in Pay Quantities	\$64,503.16	-\$69,248.37

NET CHANGE -\$4,745.20

REVISED CONTRACT AMOUNT \$989,517.59

See Detailed Quantity Change on Page 2 of 2:

Detailed Quantity Change:

ITEM NO.	ITEM DESCRIPTION	UNITS	QUANTITY INCREASE	QUANTITY DECREASE	COST INCREASE	COST DECREASE
3	Removal of Asphalt Pavement	S.Y.	701.42		\$4,208.52	
4	Removal of Concrete Driveway	S.Y.		-14.70		-\$132.30
5	Removal of Curb	L.F.		-19.00		-\$161.50
6	Removal of Sidewalk	S.Y.		-27.00		-\$243.00
7	Unclassified Excavation	C.Y.	245.47		\$4,970.77	
8	Unclassified Borrow	C.Y.	315.00		\$10,977.75	
11	Temporary Silt Dike	L.F.		-18.00		-\$165.60
12	Solid Slab Sodding	S.Y.	2495.50		\$7,436.59	
13	Aggregate Base	C.Y.	122.82		\$5,784.82	
14	Lime (4%)	TON		-0.06		-\$11.26
15	Lime Stabilized Subgrade	S.Y.	998.90		\$2,047.75	
16	Tack Coat	GAL		-1678.00		-\$7,467.10
17	Prime Coat	GAL		-637.00		-\$3,312.40
18	Superpave Type S3 (PG 64-22 OK)	TON	254.53		\$17,448.03	
19	Superpave Type S4 (PG 64-22 OK)	TON	81.53		\$5,756.02	
22	2'-8" Comb. Curb & Gutter (6" Barrier)	L.F.		-21.00		-\$598.92
23	4" Concrete Sidewalk	S.Y.		-71.34		-\$4,815.45
24	8" Concrete Driveway	S.Y.		-15.12		-\$1,087.88
25	Tactile Warning Device - New (Type B)	S.F.		-10.00		-\$421.50
26	2" PVC SCH. 40 Plastic Conduit Trenched	L.F.		-300.00		-\$6,105.00
27	Pull Box	EA.		-4.00		-\$2,760.00
28	Removal of Pull Box	EA.		-4.00		-\$933.80
29	Removal of Existing Signs	EA.		-5.00		-\$325.00
30	(PL) Reset of Pull Box	EA.		-8.00		-\$3,854.80
31	1/C No. 10 Elect. Conduit	L.F.		-900.00		-\$945.00
32	Sheet Aluminum Signs	S.F.		-6.00		-\$124.20
33	2" Square Tube Post	L.F.		-43.00		-\$494.50
34	Delineators (Type 1, Code 1)	EA.		-5.00		-\$86.25
35	Traffic Stripe (Plastic)(4" Wide)	L.F.		-1049.00		-\$1,206.35
36	Traffic Stripe (Plastic)(6" Wide)	L.F.	2139.00		\$3,700.47	
37	Traffic Stripe (Plastic)(8" Wide)	L.F.		-160.00		-\$552.00
38	Traffic Stripe (Plastic)(24" Wide)	L.F.		-154.00		-\$1,062.60
39	Pavement Markers	EA.		-441.77		-\$27,941.95
41	Class AA Concrete	C.Y.	3.50		\$2,172.45	
45	Mirafi MTK Paving Fabric	L.F.		-200.00		-\$4,440.00
				TOTALS	\$64,503.16	-\$69,248.37
				DIFFERENCE		-\$4,745.20

CONTRACTOR:   
ENGINEER:   
CITY ATTORNEY: \_\_\_\_\_  
ACCEPTED BY: \_\_\_\_\_  
(Mayor)

DATE: 8/3/21  
DATE: 8/3/21  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_



**BID 2021-10 Interstate Drive Reconstruction**

**APPLICATION AND CERTIFICATE FOR PAYMENT**

LOCATION: \_\_\_\_\_ ENGINEER: \_\_\_\_\_  
 TO: CITY OF NORMAN: \_\_\_\_\_ CONTRACTOR: **A-Tech Paving**  
 APPLICATION DATE: 7/16/2021 APPLICATION NO. 9  
 PERIOD FROM: 6/1/2021 TO: 6/30/2021

**CHANGE ORDER SUMMARY**

Application is made for Payment, as shown below, in connection with the Contract. The present status of the account for this Contract is as follows:

Change Orders approved in previous months by Owner	ADDITIONS \$	DEDUCTIONS \$
TOTAL	<b>78,850.38</b>	

ORIGINAL CONTRACT SUM	\$ <u>915,412.41</u>
Net change by Change Orders	\$ <u>78,850.38</u>
CONTRACT SUM TO DATE	\$ <u>994,262.79</u>

Subsequent Change Orders

Number	Approved (Date)
_____	_____

TOTAL COMPLETED & STORED TO DATE	\$ <u>989,517.50</u>
RETAINAGE <u>0</u> %	\$ <u>0.00</u>
TOTAL EARNED LESS RETAINAGE	\$ <u>989,517.50</u>
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ <u>940,041.62</u>
	\$ <u>49,475.88</u>

TOTALS	
Net change by Change Orders	\$ <u>78,850.38</u>

The undersigned Contractor certifies that the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for work for which previous Certificates for Payment were issued and payments received from the City, and that the current payment shown herein is now due.

CONTRACTOR: By: Jim Lunday Date: 7/16/2021

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Inspector certifies to the City that to the best of the Inspector's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. \$ \_\_\_\_\_

INSPECTOR: BY: \_\_\_\_\_ ENGINEER/OWNER BY: Brandon Brook

City of Norman  
Purchasing Division  
P.O. Box 370  
Norman, OK 73070

# AFFIDAVIT

State of Oklahoma

PO No. \_\_\_\_\_

County of Oklahoma

Invoice No. 4720RET

Amount \$ 49,475.88

In accordance with the Constitution of the State of Oklahoma Title 62, Section 310.9, this form must be completed and Submitted before any invoice over \$12,500.00 can be processed for payment.

The undersigned CONTRACTOR, of lawful age, being duly sworn, on oath says that this invoice or claim is true and correct and that (s)he is authorized to submit the invoice pursuant to an approved Contract. Affidavit further states that the work as shown by this invoice have been completed in accordance with the plans, specifications furnished the Affidavit. Affidavit further states that (s)he has made no payment, given, or donated or agreed to pay, give or donate, either directly or indirectly, to any elected official, officer or employee of the City of Norman, or money or any other thing of value to obtain payment of the invoice or procure award of this Contract order pursuant to which an invoice is submitted.

Timothy Lunday

Company Name

A-Tech Paving

By: Architect, Contractor, Supplier,  
Engineer or Supervisory

Official

Subscribed and sworn to before me this 16th day of July, 2021.

Natalie DO

Notary Public  
(or officer having power to administer oaths)

My Commission Expires:

8/12/23



PAY ESTIMATE: 09 Invoice Date: 7/16/2021											
TO: City of Norman										A-Tech Paving PO Box 2865 Edmond, OK 73083	
RE: East Interstate Drive Reconstruction										Work Completed Through: June 30, 2021	
ITEM #	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	ESTIMATED CONTRACT VALUE	QUANTITY THIS ESTIMATE	PREVIOUS ESTIMATED QUANTITY	QUANTITY TO DATE	PERCENT COMPLETE	VALUE OF WORK THIS ESTIMATE	VALUE OF WORK TO DATE
	<b>BASE BID</b>										
1	MOBILIZATION	LSUM	1.00	\$38,100.00	\$ 38,100.00		1.00	1.00	100.00%	\$ -	\$ 38,100.00
2	CONSTRUCTION STAKING LEVEL II	LSUM	1.00	\$6,500.00	\$ 6,500.00		1.00	1.00	100.00%	\$ -	\$ 6,500.00
3	REMOVAL OF ASPHALT PAVEMENT	SY	11,578.00	\$6.00	\$ 69,468.00		12,279.42	12,279.42	106.06%	\$ -	\$ 73,676.52
4	REMOVAL OF CONCRETE DRIVEWAY	SY	100.00	\$9.00	\$ 900.00		85.30	85.30	85.30%	\$ -	\$ 767.70
5	REMOVAL OF CURB	LF	333.00	\$8.50	\$ 2,830.50		314.00	314.00	94.29%	\$ -	\$ 2,669.00
6	REMOVAL OF SIDEWALK	SY	88.00	\$9.00	\$ 792.00		61.00	61.00	69.32%	\$ -	\$ 549.00
7	UNCLASSIFIED EXCAVATION	CY	3,767.00	\$20.25	\$ 76,281.75		4,012.47	4,012.47	106.52%	\$ -	\$ 81,252.42
8	UNCLASSIFIED BORROW	CY	499.00	\$34.85	\$ 17,390.15		814.00	814.00	163.13%	\$ -	\$ 28,367.90
9	TEMPORARY FIBER LOG	LF	450.00	\$3.45	\$ 1,552.50		450.00	450.00	100.00%	\$ -	\$ 1,552.50
10	TEMPORARY SILT FENCE	LF	3,254.00	\$1.73	\$ 5,629.42		3,254.00	3,254.00	100.00%	\$ -	\$ 5,629.42
11	TEMPORARY SILT DIKE	LF	60.00	\$9.20	\$ 552.00		42.00	42.00	70.00%	\$ -	\$ 386.40
12	SOLID SLAB SODDING	SY	6,207.00	\$2.98	\$ 18,496.86		8,702.50	8,702.50	140.20%	\$ -	\$ 25,933.45
13	AGGREGATE BASE	CY	2,000.00	\$47.10	\$ 94,200.00		2,122.82	2,122.82	106.14%	\$ -	\$ 99,984.82
14	LIME (4%)	TON	143.00	\$187.70	\$ 26,841.10		142.94	142.94	99.96%	\$ -	\$ 26,829.84
15	LIME STABILIZED SUBGRADE	SY	11,496.00	\$2.05	\$ 23,566.80		12,494.90	12,494.90	108.69%	\$ -	\$ 25,614.55
16	TACK COAT	GAL	3,449.00	\$4.45	\$ 15,348.05		2,126.00	2,126.00	61.64%	\$ -	\$ 9,460.70
17	PRIME COAT	GAL	6,898.00	\$5.20	\$ 35,869.60		6,261.00	6,261.00	90.77%	\$ -	\$ 32,557.20
18	SUPERPAVE TYPE S3 (PG 64-22 OK)	TON	3,863.00	\$68.55	\$ 264,808.65		4,117.53	4,117.53	106.59%	\$ -	\$ 282,256.68
19	SUPERPAVE TYPE S4 (PG 64-22 OK)	TON	1,288.00	\$70.60	\$ 90,932.80		1,369.53	1,369.53	106.33%	\$ -	\$ 96,688.82
20	HANDRAILING	LF	20.00	\$455.00	\$ 9,100.00		20.00	20.00	100.00%	\$ -	\$ 9,100.00
21	1'-8" COMB. CURB & GUTTER (6" BARRIER)	LF	168.00	\$28.25	\$ 4,746.00		168.00	168.00	100.00%	\$ -	\$ 4,746.00
22	2'-8" COMB. CURB & GUTTER (6" BARRIER)	LF	164.00	\$28.52	\$ 4,677.28		143.00	143.00	87.20%	\$ -	\$ 4,078.36
23	4" CONCRETE SIDEWALK	SY	98.00	\$67.50	\$ 6,615.00		26.66	26.66	27.20%	\$ -	\$ 1,799.55
24	8" CONCRETE DRIVEWAY	SY	100.00	\$71.95	\$ 7,195.00		84.88	84.88	84.88%	\$ -	\$ 6,107.12
25	TACTILE WARNING DEVICE- NEW (TYPE B)	SF	30.00	\$42.15	\$ 1,264.50		20.00	20.00	66.67%	\$ -	\$ 843.00
26	2" PVC SCH. 40 PLASTIC CONDUIT TRFNCHIED	LF	300.00	\$20.35	\$ 6,105.00		0.00	0.00	0.00%	\$ -	\$ -
27	PULL BOX	EA	4.00	\$690.00	\$ 2,760.00		0.00	0.00	0.00%	\$ -	\$ -
28	REMOVAL OF PULL BOX	EA	4.00	\$233.45	\$ 933.80		0.00	0.00	0.00%	\$ -	\$ -
29	REMOVAL OF EXISTING SIGNS	EA	5.00	\$65.00	\$ 325.00		0.00	0.00	0.00%	\$ -	\$ -
30	(PL) RESET OF PULL BOX	EA	9.00	\$481.85	\$ 4,336.65		1.00	1.00	11.11%	\$ -	\$ 481.85
31	1/C NO. 10 ELECT. COND.	LF	900.00	\$1.05	\$ 945.00		0.00	0.00	0.00%	\$ -	\$ -
32	SHEET ALUMINUM SIGNS	SF	36.00	\$20.70	\$ 745.20		30.00	30.00	83.33%	\$ -	\$ 621.00
33	2" SQUARE TUBE POST	LF	55.00	\$11.50	\$ 632.50		12.00	12.00	21.82%	\$ -	\$ 138.00
34	DELINEATORS (TYPE 1, CODE 1)	EA	17.00	\$17.25	\$ 293.25		12.00	12.00	70.59%	\$ -	\$ 207.00
35	TRAFFIC STRIPE (PLASTIC) (4" WIDE)	LF	8,810.00	\$1.15	\$ 10,131.50		7,761.00	7,761.00	88.09%	\$ -	\$ 8,925.15
36	TRAFFIC STRIPE (PLASTIC) (6" WIDE)	LF	7,515.00	\$1.73	\$ 13,000.95		9,654.00	9,654.00	128.46%	\$ -	\$ 16,701.42
37	TRAFFIC STRIPE (PLASTIC) (8" WIDE)	LF	160.00	\$3.45	\$ 552.00		0.00	0.00	0.00%	\$ -	\$ -
38	TRAFFIC STRIPE (PLASTIC) (24" WIDE)	LF	260.00	\$6.90	\$ 1,794.00		106.00	106.00	40.77%	\$ -	\$ 731.40
39	PAVEMENT MARKERS	EA	456.00	\$63.25	\$ 28,842.00		14.23	14.23	3.12%	\$ -	\$ 900.05
40	TRAFFIC CONTROL	LSUM	1.00	\$15,000.00	\$ 15,000.00		1.00	1.00	100.00%	\$ -	\$ 15,000.00
41	CLASS AA CONCRETE	CY	8.00	\$620.70	\$ 4,965.60		11.50	11.50	143.75%	\$ -	\$ 7,138.05
42	REINFORCING STEEL	LB	49.00	\$8.00	\$ 392.00		49.00	49.00	100.00%	\$ -	\$ 392.00
				<b>TOTALS:</b>	<b>\$ 915,412.41</b>					<b>\$ -</b>	<b>\$ 916,686.87</b>
	<b>CHANGE ORDER #1</b>										
5	REMOVAL OF CURB	LF	74.00	\$8.50	\$ 629.00		74.00	74.00	100.00%	\$ -	\$ 629.00

8	UNCLASSIFIED BORROW	CY	3.00	\$34.85	\$	104.55		3.00	3.00	100.00%	\$	-	\$	104.55
13	SOLID SLAB SODDING	SY	33.00	\$2.98	\$	98.34		33.00	33.00	100.00%	\$	-	\$	98.34
17	TACK COAT	GAL	805.00	\$4.45	\$	3,582.25		450.00	450.00	55.90%	\$	-	\$	2,002.50
20	SUPERPAVE TYPE S4 (PG 64-22 OK)	TON	455.00	\$70.60	\$	32,123.00		455.00	455.00	100.00%	\$	-	\$	32,123.00
23	2'-8" COMB. CURB & GUTTER (6" BARRIER)	LF	74.00	\$28.52	\$	2,110.48		74.00	74.00	100.00%	\$	-	\$	2,110.48
36	TRAFFIC STRIPE (PLASTIC) (4" WIDE)	LF	3,648.00	\$1.15	\$	4,195.20		3,648.00	3,648.00	100.00%	\$	-	\$	4,195.20
41A	TRAFFIC CONTROL	LSUM	1.00	\$4,000.00	\$	4,000.00		1.00	1.00	100.00%	\$	-	\$	4,000.00
44	REMOVAL OF ASPHALT PAVEMENT (MILL 2")	DAY	1.00	\$14,283.78	\$	14,283.78		1.00	1.00	100.00%	\$	-	\$	14,283.78
45	PROFILE MILL BUMPS UP TO 1/4" DEPTH	DAY	1.00	\$13,283.78	\$	13,283.78		1.00	1.00	100.00%	\$	-	\$	13,283.78
46	MIRAFIMTK PAVING FABRIK	LF	200.00	\$22.20	\$	4,440.00		0.00	0.00	0.00%	\$	-	\$	-
				<b>TOTALS:</b>	<b>\$</b>	<b>78,850.38</b>					<b>\$</b>	<b>-</b>	<b>\$</b>	<b>72,830.63</b>

**GRAND TOTAL \$ 994,262.79 \$ - \$ 989,517.50**

Original Contract Amount	\$	915,412.41	Previous Estimates:	Payment Amount:	EARNINGS TO DATE:	\$	989,517.50
Change Orders	\$	78,850.38	Pay App #1	\$	96,315.48	LESS 0.00% RETAINAGE:	\$ -
New Contract Amount	\$	994,262.79	Pay App #2	\$	227,217.98	LESS PREVIOUS ESTIMATES	\$ (940,041.62)
Contract Amendments	\$	-	Pay App #3	\$	125,001.91	<b>Total Due this Estimate:</b>	<b>\$ 49,475.88</b>
Current Contract Amount	\$	994,262.79	Pay App #4	\$	51,428.20		
			Pay App #5	\$	137,463.95		
			Pay App #6	\$	157,966.18		
			Pay App #7	\$	129,483.32		
			Pay App #8	\$	15,164.60		
			<b>Total to Date</b>	<b>\$</b>	<b>940,041.62</b>		

A-Tech Paving  
PO Box 2865  
Edmond, OK 73083

# INVOICE



Phone: 405.418.4741  
Fax: 405.418.4743

Invoice Date: 7/16/2021  
PO#: 2014  
Invoice #: 4720RET

<b>Bill To:</b> City of Norman	<b>Project Details:</b> East Interstate Drive Reconstruction
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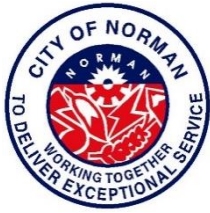
<b>Payment Terms</b> Upon Receipt	<b>Contract Number</b>	<b>Invoice Due Date</b> 7/16/2021
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Description	Invoice Amount	Retainage	Amount Due
Pay App #9 Final Retainage	\$ -	-\$49,475.88	\$49,475.88

**Total Invoice Amount Due: \$49,475.88**

**File Attachments for Item:**

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-77: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND W.E.B. CONSTRUCTION INC., INCREASING THE CONTRACT AMOUNT BY \$2,824.50 FOR A REVISED CONTRACT AMOUNT OF \$340,824.50: FOR THE NORMAN WATER TREATMENT PLANT 36-INCH FILTER EFFLUENT PIPE IMPROVEMENTS PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$20,306.85.



## CITY OF NORMAN, OK STAFF REPORT

## Item 12

**MEETING DATE:** 08/10/2021

**REQUESTER:** Ken Giannone, P.E.

**PRESENTER:** Ken Giannone, P.E., Capital Project Engineer

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-77: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND W.E.B. CONSTRUCTION INC., INCREASING THE CONTRACT AMOUNT BY \$2,824.50 FOR A REVISED CONTRACT AMOUNT OF \$340,824.50: FOR THE NORMAN WATER TREATMENT PLANT 36-INCH FILTER EFFLUENT PIPE IMPROVEMENTS PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$20,306.85.

**BACKGROUND:** During construction of the recent Phase II improvements project at the Norman Water Treatment Plant, staff discovered that the existing 36-inch filter effluent line at the plant, which dates back to original plant construction more than 60 years ago, had neither an isolation valve nor a means of egress to inspect the line. As a result, any future repairs on, or even inspections of, the 60+ year old filter effluent line would require a complete shutdown of the Norman Water Treatment Plant. Carollo Engineers, who was the design engineer for the Phase II Plant Improvements project, was given a contract to design a solution that would include both a new inspection port and a 36" isolation valve being cut into the existing filter effluent line. This would allow sections of the filter effluent line to be isolated and regularly inspected and, when necessary, for repairs to be made, without removing the entire plant from service.

Design of this project was completed in November 2020. The project was advertised on November 27 and December 4, 2020. Bids were opened on December 18, 2020 and W.E.B. Construction, Inc. (WEB) was deemed the lowest and best bidder with a Bid of \$338,000. Contract was awarded to WEB on January 12, 2021 and Notice to Proceed was issued on January 25, 2021. The project was completed in July 2021.

**DISCUSSION:** The project was bid largely on a lump sum basis; however, the bid included several unit price items for readily-measurable restoration activities and, in order to minimize contingencies in bid prices, the bid also included three (3) allowance items that covered work activities that could not be fully quantified until excavation had been completed and the effluent pipe exposed. These allowance items called for the contractor to be reimbursed the allowed amount for actual direct cost for these work activities. Any justifiable costs over or under the allowance amount would then either be added or deducted from the contract once they were quantified.

During the work, one of the restoration line items, for *solid slab sodding*, overran its contract quantity based on mutual agreement with contractor to sod additional areas just beyond their contract limits that did not have good groundcover prior to this project and might thus be subject to erosion once restoration on this project was completed. In addition, two of the three allowance items were actually completed for costs that were less than the allowance amount in the Contract and, as a result, those savings can be deducted from the contract cost. These revisions are included in Change Order No. 1, which is a net increase in contract cost in the amount of \$2,824.50. This would increase final contract value to \$340,824.50, an increase of 0.84% over the original contract amount. Carollo Engineers has approved this change order.

Work on the project has been completed and final inspection was made on July 14, 2021 with representatives from Norman Utilities Authority, W.E.B. Construction, Inc. and our consultant, Carollo Engineers, in attendance. Carollo Engineers recommends final acceptance and final payment for the project. The contractor has been paid \$320,517.65 of the \$340,824.50 final contract total. Final payment will be for a total of \$20,306.85, which includes \$16,869.35 in retainage and \$3,437.50 for final restoration activities. Funds are available for this final contract in Water Treatment Plant Improvements, Construction (Account 31999939-46101; Project WA0291).

**RECOMMENDATION:** Staff recommends the NUA approve Change Order No. 1; accept the Norman Water Treatment Plant 36-Inch Filter Effluent Line Improvements project; and authorize final payment in the amount of \$20,306.85 to W.E.B. Construction, Inc.



NORMAN UTILITIES AUTHORITY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

DATE: July 8, 2021  
CHANGE ORDER NO.: One (1)  
CONTRACT NO.: K-2021-77  
PROJECT: WA0291 - Norman WTP 36-Inch Filter Effluent Pipe Improv  
CONTRACTOR: W.E.B. Construction  
3316 Red Maple Lane, Moore, OK 73170

	Contract Time		Contract Amount	
ORIGINAL:	180	calendar days	\$338,000.00	
PREVIOUS CHANGE ORDERS:	0	calendar days	\$0.00	
THIS CHANGE ORDER:	0	calendar days	\$2,824.50	0.84%
REVISED AMOUNT:	180	calendar days	\$340,824.50	
ORIGINAL START DATE:	January 25, 2021			
ORIGINAL COMPLETION DATE:	July 24, 2021			
PREVIOUS COMPLETION DATE:	July 24, 2021			
NEW COMPLETION DATE:	July 24, 2021			

DESCRIPTION:	Increase / Decrease (\$)
<b>CO 1 - Final Quantity Adjustment</b> - Revise quantities for Line Items 5, 7, and 9 to match actual quantity of each line item that was required to finish the project.	\$2,824.50

W.E.B. Construction Inc. agrees to complete the work as amended and modified by Change Order No. 1 as described above.

SUBMITTED BY *William Beck* Date: 7-10-21  
CONTRACTOR: W.E.B. Construction

RECOMMENDED BY *Thomas O. Crowley* Date: 07/12/2021  
ENGINEER: Benjamin Haecherl, Carroll  
Thomas Crowley

APPROVED AS TO FORM AND LEGALITY: \_\_\_\_\_ Date: \_\_\_\_\_  
City Attorney

ACCEPTED BY \_\_\_\_\_ Date: \_\_\_\_\_  
NORMAN UTILITIES AUTHORITY: City Manager

Change Order No. 1  
Contract K-2021-77

Attachment 1

BID ITEMS:

Bid Item	Description	Units	Original Contract Quantity	Unit Price	Original Contract Amount	Proposed		Cost Increase / Decrease	Percent Change
						Quantity Increase / Decrease	Cost Increase / Decrease		
5	Allowance - Filler Effluent Pipe Repair	LS	1	\$30,000.00	\$30,000.00	-1.65%	-\$495.00	-1.65%	
7	Allowance - Additional Electrical Work	LS	1	\$15,000.00	\$15,000.00	-0.79%	-\$118.00	-0.79%	
9	Additional Solid Slab Sodding	SY	100	\$5.00	\$500.00	687.50	\$3,437.50	687.50%	

Total Additional Bid Items = \$2,824.50 0.84%

CHANGE ORDER PAY ITEMS

CO 1	N/A	0	\$0.00	\$0.00	0.00	\$0.00	N/A
CO 2	N/A	0	\$0.00	\$0.00	0.00	\$0.00	N/A
CO 3	N/A	0	\$0.00	\$0.00	0.00	\$0.00	N/A
CO 4	N/A	0	\$0.00	\$0.00	0.00	\$0.00	N/A
CO 5	N/A	0	\$0.00	\$0.00	0.00	\$0.00	N/A

Total Non-Bid Item Extras = \$0.00 0.00%

SUBTOTAL

**Original Contract Amount**  
Change Order No. 1  
Change Order No. 2  
Change Order No. 3  
Change Order No. 4  
Change Order No. 5  
**Revised Contract Amount**

**\$338,000.00**  
\$2,824.50  
\$0.00  
\$0.00  
\$0.00  
\$0.00  
**\$340,824.50**

0.84%  
0.00%  
0.00%  
0.00%  
0.00%

### APPLICATION AND CERTIFICATE FOR PAYMENT

Owner: Norman Utilities Authority, 201-C West Gray, Norman, OK 73070  
 Project Name: WA0291 -Norman Water Treatment Plant 36-Inch Filter Effluent Pipe Improvements  
 Contract No. K-2021-77 PO No. 21007241  
 Start Date: January 25, 2021 End Date: July 24, 2021

Contractor: W.E.B. Construction Inc.  
 Address: 3316 Red Maple Lane, Moore, OK, 73170

Application No. 6 Application Date: July 15, 2021

For the period: July 1, 2021 thru July 24, 2021, inclusive.

### CONTRACTOR'S APPLICATION FOR PAYMENT

1	Original Contract Amount	<u>\$338,000.00</u>
2	Net Change by Change Order(s)	<u>\$2,824.50</u>
3	Revised Contract Amount ( Line 1 + Line 2)	<u>\$340,824.50</u>
4	Total Completed To Date	<u>\$340,824.50</u>
5	Stored Materials This Date	<u>\$0.00</u>
6	Total Completed and Stored (Line 4 + Line 5)	<u>\$340,824.50</u>
7	Retainage:	
	a Completed Work at _____ of Line 4	<u>\$0.00</u>
	b Stored Materials at _____ of Line 5	<u>\$0.00</u>
	Total Retainage (Lines 7a + 7b)	<u>\$0.00</u>
8	Total Earned Less Retainage (Line 6 less Line 7)	<u>\$340,824.50</u>
9	Previous Payments:	
	a Previously Paid to Contractor	<u>\$237,829.08</u>
	b Previously Paid to Vendors	<u>\$82,688.57</u>
	Total Previously Paid (Lines 9a + 9b)	<u>\$320,517.65</u>
10	Amount Due This Estimate	
	a Invoices to be Paid by NUA (new materials stored)	<u>\$0.00</u>
	b Amount Due to Contractor	<u>\$20,306.85</u>
	Total Amount Due This Estimate (Line 8 less Line 9)	<u>\$20,306.85</u>
11	Balance to Complete, Including Retainage	<u>\$0.00</u>

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown is now due.

Contractor: W.E.B. Construction Inc.

By: *[Signature]*  
W.E.B. Construction Project Manager

Date: 7/24/2021

State of: Oklahoma

County of: Oklahoma

Subscribed and sworn to before me this

24 day of JULY, 2021.

Notary Public: *[Signature]*  
Rebecca Barks  
My Commission expires: 8-2-21



### ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the Contract Documents, and the Contractor is entitled to the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$20,306.85

Engineer: Carollo Engineering

By: *[Signature]*, P.E.  
Thomas O. Crowley, Project Manager

Date: 07-21-21

Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this contract.

### APPROVAL OF THE OWNER

Owner: Norman Utilities Authority

By: *[Signature]*  
Ken Giannone, Capital Proj. Engr.

Date: 7/15/2021

WA0291 -Norman Water Treatment Plant 36-Inch Filter Effluent Pipe Improvement: Payment Request No. 6						Period Ending: 07/24/21						
W.E.B. Construction Inc. Work Completed						Page 4 of 6						
3316 Red Maple Lane, Moore, OK, 73170												
Bid	Description	Qty.	Units	Unit Price	Total Price	Qty. This Estimate	Qty. Previous Estimates	Qty. To Date	Amount This Estimate	Amount Previous Estimates	Amount To Date	% Complete
1	Mobilization and Insurance	1	LS	\$ 30,000.00	\$30,000.00	0.00	1	1.00	\$ -	\$ 30,000.00	\$ 30,000.00	100.000%
2	36-Inch Filter Effluent Pipe Improvements	1	LS	\$ 85,000.00	\$85,000.00	0.00	1	1.00	\$ -	\$ 85,000.00	\$ 85,000.00	100.000%
3	Removal of Existing Excavation Shoring	1	LS	\$ 50,000.00	\$50,000.00	0.00	1	1.00	\$ -	\$ 50,000.00	\$ 50,000.00	100.000%
4	New Excavation Shoring and Protection	1	LS	\$ 75,000.00	\$75,000.00	0.00	1	1.00	\$ -	\$ 75,000.00	\$ 75,000.00	100.000%
5	Allowance - Filter Effluent Pipe Repair	1	LS	\$ 30,000.00	\$30,000.00	0.02	0.9835	1.00	\$ 495.00	\$ 29,505.00	\$ 30,000.00	100.000%
6	Allowance - Relocation of Unknown Existing Utilities	1	LS	\$ 15,000.00	\$15,000.00	0.00	1	1.00	\$ -	\$ 15,000.00	\$ 15,000.00	100.000%
7	Allowance - Additional Electrical Work	1	LS	\$ 15,000.00	\$15,000.00	0.01	0.99	1.00	\$ 118.00	\$ 14,882.00	\$ 15,000.00	100.000%
8	Sidewalk Removal and Replacement	20	SY	\$ 125.00	\$2,500.00	0.00	20	20.00	\$ -	\$ 2,500.00	\$ 2,500.00	100.000%
9	Additional Slab Sodding	100	EA	\$ 5.00	\$500.00	0.00	100	100.00	\$ -	\$ 500.00	\$ 500.00	100.000%
10	OSHA Trench Safety	1	EA	\$ 30,000.00	\$30,000.00	0.00	1	1.00	\$ -	\$ 30,000.00	\$ 30,000.00	100.000%
11	Erosion Control	1	EA	\$ 5,000.00	\$5,000.00	0.00	1	1.00	\$ -	\$ 5,000.00	\$ 5,000.00	100.000%
CO1	Line Item No 5 Update Allowance to Match Amount Actually Needed	1	LS	\$ (495.00)	\$ (495.00)	1	0	1	\$ (495.00)	\$ -	\$ (495.00)	100.00%
CO1	Line Item No 7 Update Allowance to Match Amount Actually Needed	1	LS	\$ (118.00)	\$ (118.00)	1	0	1	\$ (118.00)	\$ -	\$ (118.00)	100.00%
CO1	Line Item No 9 Update Quantity to Match Actual sod	687.5	SY	\$ 5.00	\$ 3,437.50	687.5	0	687.5	\$ 3,437.50	\$ -	\$ 3,437.50	100.00%
<b>TOTALS =</b>					<b>\$340,824.50</b>				<b>\$3,437.50</b>	<b>\$337,387.00</b>	<b>\$340,824.50</b>	<b>100.000%</b>



July 22, 2021

Kenneth Giannone, PE  
City of Norman  
201 West Gray, Building C  
Norman, OK 73069  
Subject: WA0291-Norman Water Treatment Plant 36-inch Filter Effluent Pipe Improvements  
Contract No. K-2021-77  
**Certification of Final Completion**

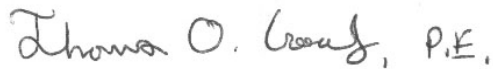
Dear Mr. Giannone:

As the Engineer of Record for Project WA0291-Norman Water Treatment Plant 36-inch Filter Effluent Pipe Improvements, Contract K-2021-77, we conducted a final inspection of the Work on July 14, 2021. Based on this final inspection, we consider this project to be complete and ready for final acceptance. We therefore recommend that it be accepted, and final payment made to contractor.

Please contact me at (816) 682-2233 should you require additional clarification.

Sincerely,

CAROLLO ENGINEERS, INC.



Thomas O. Crowley, PE  
Project Manager

Enclosures: PCO documentation

cc: Ben Haecherl, Carollo

**File Attachments for Item:**

13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-32: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRT ENTERPRISES, L.L.C., D/B/A STRATEGIC JANITORIAL SOLUTIONS, TO PROVIDE CUSTODIAL SERVICES FOR THE CITY'S PUBLIC TRANSPORTATION FLEET AND FLEET MAINTENANCE FACILITIES FOR THE TOTAL MONTHLY FEE OF \$9,495.





**CITY OF NORMAN, OK  
COUNCIL MEMO**

**Item 13**

**MEETING DATE:** 8/24/2021

**REQUESTER:** Mike White; Fleet Program Manager

**PRESENTER:** Shawn O’Leary; Director of Public Works

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-32: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRT ENTERPRISES, L.L.C., D/B/A STRATEGIC JANITORIAL SOLUTIONS, TO PROVIDE CUSTODIAL SERVICES FOR THE CITY’S PUBLIC TRANSPORTATION FLEET AND FLEET MAINTENANCE FACILITIES FOR THE TOTAL MONTHLY FEE OF \$9,495.

**BACKGROUND:**

On July 1, 2019, the City of Norman assumed operation of public transportation services in the Norman area. City Council approved an Interlocal Agreement, Contract K-1920-30, with the Central Oklahoma Transportation and Parking Authority (COTPA), doing business as (d/b/a) EMBARK, for EMBARK to provide transportation services for the City, including operation of the City’s fixed routes and paratransit services. This agreement provides that the City is responsible for the external and internal cleaning of the EMBARK Norman fleet. The City previously had two overnight employees who had been performing these cleaning duties in addition to daily fueling and minor mechanic work as needed, but it quickly became apparent that additional resources were needed to adequately maintain the custodial services required for on-going cleaning of the fleet of twenty-eight vehicles. The City entered a short-term agreement with TRT Enterprises, LLC, d/b/a Strategic Janitorial Solutions (“Strategic”), from January 20, 2020, through March 20, 2020, to provide immediate relief and allow the City’s two employees to focus their efforts and attention on their other fueling and mechanical maintenance duties while the City sought proposals for a long-term agreement. Through RFP-1920-54, the City selected and City Council awarded contract K-1920-100 to TRT Enterprises, L.L.C., D/B/A Strategic Janitorial Solutions on March 10, 2020. Since approval of the original contract, the City added Saturday bus operations and Amendment One to Contract K-1920-100 was approved by City Council on August 25, 2020 to cover those additional janitorial services.

Staff have identified a need for janitorial services to cover the existing Fleet Maintenance Facility at Northbase (1301 Da Vinci Street), as well as the new Electric Vehicle/Transit Maintenance Facility (1310 Da Vinci Street) that will be completed on Northbase later this calendar year. Currently, the existing Fleet Maintenance Facility is being cleaned by certified mechanics as time

allows, rather than performing much needed preventive maintenance and repairs on City vehicles.

Due to the need to provide janitorial services to the Public Transportation Fleet, current Fleet Maintenance Facility, and new EVT/Transit Maintenance Facility, staff felt it would be efficient to package these needs together into one request.

### **DISCUSSION:**

The City sought proposals through Request for Quote RFQ-2122-9. Three proposals to provide custodial services for the Norman public transportation fleet as well as the two Fleet facilities were received from Strategic, Oklahoma City; Capitol Cleaning OKC, Oklahoma City; and Alliance Maintenance, Inc., Norman.

Proposals were reviewed and evaluated by Mike White; Fleet Program Manager, Brian Churchwell; Fleet Equipment Support Supervisor, Bill Nance; Fleet HD Supervisor and Brenna Diggs; Fleet Administrative Technician III based upon price, quality, and experience providing similar services. Strategic proposed the lowest cost and is the current Public Transportation Fleet janitorial services contractor. Fleet staff also expressed satisfaction with the work currently performed by Strategic during the current agreement.

### **Public Transportation Fleet Cleaning Services - \$5,100/Month**

The proposal submitted by Strategic includes a flat fee of \$5,100 per month to provide the following services for the public transportation fleet:

- **Daily** (6 times/week; only fleet vehicles used in service that day) – empty all trash cans, clean receptacles, reline trash cans with fresh liners, remove any loose items from the floor, remove gum or like debris from flooring and seating as needed, sweep and mop floor, and complete post cleaning inspection form provided by the City;
- **Weekly** (all fleet vehicles) – vacuum, sweep, and mop bus floors; sanitize and clean handrails; dust and clean driver areas; sweep and mop stairs and handicap ramps; and clean all door/window glass and interior mirrors to a streak-free finish, including windshields; and
- **Monthly** (all fleet vehicles) - vacuum seating; clean walls and ceilings; and clean doors.

### **Fleet Facility Cleaning Services - \$1,885/Month**

The proposal submitted by Strategic also includes a flat fee of \$1,885 for 1301 Da Vinci Street per month for the following services for the Fleet Facility:

- **Daily** (5 times/week)– vacuum and/or sweep flooring, empty all trash cans, clean receptacles, reline trash cans with fresh liners, remove any loose items from the floor, remove debris from flooring and seating as needed, sweep and mop floor, clean and disinfect the restrooms, and replace all paper towels and toiletries and soaps as needed.
- **Weekly** (on Thursdays) –mop hard floors; clean all facility windows to a streak-free finish. Administer a hospital/industrial grade disinfectant to the interior of the facility.
- **Monthly** (Last Thursday of the month) - Polish hard flooring with a buffing machine with appropriate chemicals, remove any expired items in the breakroom refrigerators.

### **Transit/EVT Facility Cleaning Services - \$2,510/Month**

The proposal submitted by Strategic also includes a flat fee of \$2,510 per month for 1310 Da Vinci Street to provide the following services for the new EVT/Transit Maintenance Facility (this portion of the agreement will not go into effect until the facility is completed in approximately November 2021):

- **Daily** (5 times/week) – vacuum and/or sweep flooring, empty all trash cans, clean receptacles, reline trash cans with fresh liners, remove any loose items from the floor, remove gum or like debris from flooring and seating as needed, sweep and mop floor, clean and disinfect the restrooms, and replace all paper towels and toiletries and soaps as needed.
- **Weekly** (on Thursdays) –mop hard floors; clean all facility windows to a streak-free finish. Administer a hospital/industrial grade disinfectant to the interior of the facility.
- **Monthly** (Last Thursday of the month) - Polish hard flooring with a buffing machine with appropriate chemicals, remove any expired items in the breakrooms refrigerators.

The vendor's monthly fee includes provision of all cleaning supplies, chemicals, equipment, cleaners, and disinfectant. The FYE 2022 Budget includes funding for these services in the Public Transit Fund, Maintenance & Repair Contract – Building (account 27550276-44227); and the General Fund, Maintenance & Repair Contract – Building (account 10550170-44227).

The effective date of the agreement is proposed to be August 24, 2021, and will extend through August 23, 2022, subject to annual appropriation of sufficient funding by City Council. The Agreement is auto-renewable subject to annual appropriation of sufficient funding and includes a ninety (90) day written notice termination provision.

#### **RECOMMENDATION:**

Staff recommends that Contract K-2122-32 with TRT Enterprises, LLC, d/b/a Strategic Janitorial Solutions, be approved.

CITY OF NORMAN  
 BID ITEM: RFQ –  
 JANITORIAL SERVICES  
 RFQ NO: 2022-9  
 DATE: 7/02/2021

Item 13.

	Strategic Janitorial	Capitol Cleaning	Alliance				
Fleet Facility - 1301 Da Vinci	\$1,885.00	\$1,347.60	\$2,962.50				
Transit/EVT Facility - 1310 Da Vinci	\$2,510.00	\$8,310.40	\$2,962.50				
Buses	\$5,100.00	\$6,864.00	\$17,521.00				
Monthly Total	\$9,495.00	\$16,522.00	\$23,446.00				
Annual Total	\$113,940.00	\$198,264.00	\$281,352.00				

Received and Opened 07/06/2021

**AGREEMENT FOR PROFESSIONAL CUSTODIAL SERVICES FOR CITY OF  
NORMAN PUBLIC TRANSPORTATION FLEET AND FLEET FACILITIES**

THIS AGREEMENT is entered into between the *City of Norman (City)* and *TRT Enterprises, LLC, d/b/a Strategic Janitorial Solutions (Strategic)* for the following reasons:

1. The *City* requires custodial services for the City of Norman public transportation fleet;  
and
2. *Strategic* is prepared to provide such custodial services as outlined herein.

WHEREFORE, in consideration of the promises contained in this Agreement, *City* and *Strategic* agree as follows:

**ARTICLE 1 - EFFECTIVE DATE AND TERM**

The effective date of this Agreement shall be determined due to construction.

**ARTICLE 2 - GOVERNING LAW AND JURISDICTION**

This Agreement shall be governed by the laws of the State of Oklahoma, without giving force and effect to its choice of law provisions, and the United States of America. Any legal action in connection with this Agreement shall be filed in the District Court of Cleveland County, State of Oklahoma, or the United States District Court for the Western District of Oklahoma.

**ARTICLE 3 - SCOPE OF SERVICES**

Strategic, as a separate and independent contractor, shall provide cleaning services to the City's public transportation fleet six (6) times weekly as follows:

**Section I**

**North Base Facilities 1301 & 1310 Da Vinci Street**

**Daily:**

-Sweep/vacuum flooring in offices, conference rooms, & hallways.

- Dust window ledges, tables, workstations, phones, etc., while making every attempt not to disturb the items contained on and around any workstation.
- Remove full (to the rim & not overflowing) trash can liners and haul to the appropriate large refuse receptacle. Reline trash can liner, supplied by the winning contract cleaning company.
- Ensure walkways and common areas are free of trash and debris to include any trip or health hazard.
- Wipe down with an appropriate disinfectant cleaner the restrooms sinks, counters, toilet, toilet area, shower stall, and the door handle areas.
- Mop with disinfectant cleaner the flooring in the restrooms.
- Replace toilet paper rolls, paper hand towels, soap, etc., in the restrooms as needed.

### **Weekly:**

- Mop hard surfaces in offices, conference rooms, hallways, etc., with appropriate disinfecting cleaner and a clean mop head.
- Clean all interior windows to a streak-free finish.
- Administer an industrial/hospital grade disinfecting agent to the interior of the building via fogging unit or other aerosol methods. This agent should leave no residue on surfaces or an overly dissatisfying aroma that lingers for a reasonable amount of time after being administered. This will include all interior door handles and common touch surfaces, etc.

### **Monthly:**

- Polish by means of a floor buffing machine and appropriate chemical, all hard flooring surfaces in the "office area" of the Fleet facilities.
- Remove any expired item in the breakroom refrigerator.

## **Section II**

### **Transit Buses**

#### **Daily:**

- Remove all trash/debris from the interior of the buses, including gum removal. This will include on, behind, and under the various seating in the buses.

- Clean all interior windows with approved, non-streaking window cleaner and fresh towels. The windshield shall be cleaned to a standard acceptable to pass a D.O.T. pre-trip inspection
- Dust and/or wipe down all HVAC vents to include the return air vent.
- Empty trash receptacle, dispose of liner in approving City-owned “dumpster,” reline trash can with liners supplied by the contractor.
- Wipe down all interior surfaces, including handrails with a disinfectant multi-surface cleaner and clean towels.
- Wipe down all door panels, including door handles, pockets, and/or storage areas with multi-purpose disinfectant cleaner and clean towels. Vacuum pockets and/or storage areas with appropriate vacuum attachments.
- Wipe down passenger and driver seating with multi-purpose disinfectant cleaner and clean towels.
- Wipe down dash and driver controls. Apply interior dust control products to these surfaces while avoiding any areas that could create a safety hazard for the driver or bus patrons.
- Vacuum under driver’s seat (when applicable), using a brush attachment to remove debris.
- Sweep and/or vacuum floors
- Mop floors.

#### **ARTICLE 4 – FORCE MAJEURE**

*Strategic* will not be held in default of this Agreement if services are prevented from being performed hereunder by conditions beyond its control, such as, but not limited to, acts of God, strikes, war, terrorism, or other emergencies making performance impossible or illegal.

#### **ARTICLE 5 – COMPENSATION**

*Strategic* shall provide all cleaning supplies and chemicals, including all equipment, cleaners, and disinfectant, and trash liners at its sole expense. *City* shall furnish all paper towels, toilet issue, and hand soap at its sole expense

In consideration for these services provided, *City* shall pay to *Strategic* the sum of:

-1301 Da Vinci Street: One Thousand Eight Hundred And Eighty-Five (\$1,885.00)

-1310 Da Vinci Street: Two Thousand Five Hundred and Ten (\$2,510.00)

-Transit Buses: Five Thousand One Hundred (\$5,100)

*City* shall pay this invoice within thirty (30) days after receipt.

## ARTICLE 6 – INDEMNIFICATION AND LIABILITY

Indemnification. *Strategic* agrees to defend, indemnify, and hold harmless the *City*, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of *Strategic* in the performance of services under this Agreement. The *City* agrees to defend, indemnify, and hold harmless *Strategic*, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of the *City* in the performance of services under this Agreement, provided such indemnification shall be applicable only to the extent sovereign immunity has been waived pursuant to Oklahoma law. *Strategic* and the *City* each agree to promptly serve notice on the other party of any claims arising hereunder and shall cooperate in the defense of such claims. The acceptance by the *City* or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by *Strategic* shall in no event be deemed a waiver of any of the provisions of this indemnity provision. None of the foregoing provisions shall deprive the *City* of any action, right, or remedy otherwise available to the *City* at common law.

Survival. The terms and conditions of this Article shall survive completion of the Services or any termination of this Agreement.

## ARTICLE 7 – INSURANCE

During the performance of the Services under this Agreement, *Strategic* shall maintain Workers' Compensation insurance in accordance with State of Oklahoma Laws and Employer's Liability Insurance in the following amounts:

- (a) Property Damage Liability – Limits shall be carried in the amount of not less than Twenty-Five Thousand Dollars (\$25,000.00) to any one person for any number of claims for damage to or destruction of property including but not limited to consequential damages arising out of a single accident or occurrence.
- (b) All Other Liability – In an amount not less than One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for claims including accidental death, personal injury, and all other claims to any one person out of a single accident or occurrence.
- (c) Single Occurrence or Accident Liability – In an amount not less than One Million Dollars (\$1,000,000.00) for any number of claims arising out of a single occurrence or accident.

The insurance policies shall be issued by a company approved by the City of Norman. The *City* shall be furnished with a Certificate of Insurance which shall provide that such



insurance shall not be changed or canceled without ten (10) days prior written notice to the City of Norman. Certificates of Insurance shall be delivered to the City of Norman prior to the commencement of the agreement.

Subcontractors shall not be used unless *Strategic* has received prior written approval from the City of Norman Public Works Director or his designee for the use of the subcontractors. Failure of *Strategic* to comply with this subsection shall constitute cause for termination of the contract. Approved subcontractors shall be required to submit the same insurance certificate required of *Strategic*. It is *Strategic's* responsibility to notify subcontractors of the City's insurance requirements and obtain and submit the insurance certificate to the City of Norman prior to any services being provided. It is *Strategic's* responsibility to ensure any approved subcontractors abide by all terms and conditions of this agreement.

**ARTICLE 8 – NOTICES**

Any notice required by this Agreement shall be made in writing to the address specified below:

***CITY:***

Darrel Pyle  
City Manager  
City of Norman  
P.O. Box 370  
Norman, OK 73070  
(405) 366-540

***STRATEGIC:***

Alison Tays  
Regional Director  
Strategic Janitorial Solutions  
14333 Proton Rd.  
Dallas, TX 75244  
(972) 789-9400

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of the *City* and *Strategic*.

**ARTICLE 9 – Disputes**

In the event of a dispute between *City* and *Strategic* arising out of or related to this Agreement, the aggrieved party shall notify the other party of the dispute within a reasonable

time after such dispute arises. If the parties cannot thereafter resolve the dispute, each party shall nominate a senior officer of its management to meet to resolve the dispute by direct negotiation or mediation.

Should the parties to this Agreement be unable to resolve between themselves any dispute arising from any of the provisions of this Agreement, each party shall have recourse under applicable law. In the event that either party commences an action in law or in equity to enforce any provision of this Agreement, the losing party shall pay to the prevailing party reasonable attorneys' fees as set by a court of competent jurisdiction.

#### **ARTICLE 10 – EQUAL EMPLOYMENT OPPORTUNITY**

*Strategic* agrees not to discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, age, place of birth, disability, sex, sexual orientation, gender identity or expression, familial status, or marital status, including marriage to a person of the same sex. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruiting or recruitment, advertising, lay-off, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. *Strategic* hereby agrees to post in a conspicuous place, available to employees and applicants for employment, notices setting forth the provisions in this section. In the event of *Strategic's* noncompliance with this nondiscrimination clause, the contract may be canceled or terminated, and *Strategic* may be declared by *City* ineligible for further contracts until satisfactory proof of intent to comply shall be made by *Strategic*. *Strategic* agrees to include this nondiscrimination clause in any subcontracts connected with the performance of this agreement.

As applicable, the provisions of Exec. Order No. 11246, as amended by Exec. Order No. 11375, Exec. Order No. 11141, Exec. Order No. 13665 and as supplemented in Department of Labor Regulations, 41 C.F.R. §§ 60 et seq., are incorporated into this Agreement and must be included in any subcontracts awarded involving this Agreement. The parties represent that they are in compliance with all applicable federal and state laws and regulations and do not discriminate on the basis of race, color, national origin, sex, sexual orientation, genetic information, gender identity, gender expression, age (40 or older), religion, disability, political beliefs, or status as a veteran in any of their respective policies, practices, or procedures. In addition, the parties agree to comply with the applicable provisions of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212.

*Strategic* hereby certifies that it does not and will not employ any individual registered under the Sex Offenders Registration Act, 57 O.S. §§ 581, et seq., or the Mary Rippy Violent Crime Offenders Registration Act, 57 O.S. §§ 591, et seq. *Strategic* agrees to obtain signed statements from all employees and agents performing services pursuant to this agreement that

such employee or agent is not currently required to register under the provisions of the Sex Offenders Registration Act, 57 O.S. §§ 581, et seq., or the Mary Rippy Violent Crime Offenders Registration Act, 57 O.S. §§ 591, et seq.

*Strategic* certifies that it and all proposed subcontractors, whether known or unknown at the time this contract is executed or awarded, are in compliance with 25 O.S. §1313 and participate in the Status Verification System. The Status Verification System is defined in 25 O.S. §1312 and includes but is not limited to the free Employee Verification Program (E-Verify) available at [www.dhs.gov/e-verify](http://www.dhs.gov/e-verify).

#### **ARTICLE 11 – WAIVER**

A waiver by either *City* or *Strategic* of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

#### **ARTICLE 12 – SEVERABILITY**

The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

#### **ARTICLE 13 – ENTIRE AGREEMENT/AMENDMENTS**

This Agreement contains all the terms and conditions agreed upon by the parties hereto and supersedes all prior and/or contemporaneous discussions, representations, or agreements of the parties relating the work to be performed, whether written or oral. This Agreement may only be modified by prior mutual written approval of the parties to any such amendment.

#### **ARTICLE 14 – ASSIGNMENT**

Neither *City* nor *Strategic* shall assign any rights or duties under this Agreement without the prior written consent of the other party.

### **ARTICLE 15 – NO THIRD PARTY RIGHTS**

The Services provided for in this Agreement are for the sole use and benefit of City and Strategic. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than *City* and *Strategic*.

### **ARTICLE 16 – LIMITED BUILDING ACCESS**

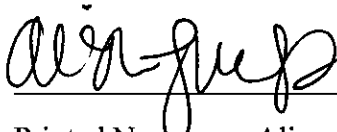
*Strategic* hereby acknowledges that the services to be performed under this Agreement are to be performed on University of Oklahoma owned property located at 510 Chesapeake Street, commonly known as the OU Transportation Operations Center, parts of which *City* is leasing from the University of Oklahoma for public transportation operations. *Strategic* acknowledges that the performance of services under this Agreement shall take place on that University property while *City* staff is also on-site and acknowledges that access to the inside of that building shall be limited to access provided by and supervised by *City* staff in accordance with *City's* lease agreement with the University. Services are also to include facilities located at 1301 & 1310 Da Vinci Street.

[The remainder of this page is intentionally left blank.]

IN WITNESS THEREOF, this Agreement is entered into this 26~~th~~ day of July, 2021.

TRT Enterprises, LLC.

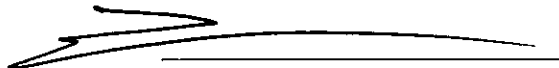
CITY OF NORMAN



Printed Name: Alison Tays

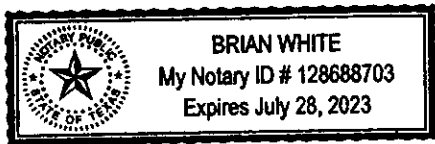
Printed Name: \_\_\_\_\_

Subscribed and sworn to before me on this 26~~th~~ day of July, 2021.



My commission expires on: 07/28/2023

NOTARY PUBLIC (or Judge)



**REQUEST FOR QUOTE**  
**CITY OF NORMAN FLEET DIVISION**  
**JANITORIAL SERVICES CONTRACT**

**RFQ NO. 2122-9**

**Friday, July 2, 2021**  
**5:00 P.M.**

**Mandatory Pre-Bid Meeting**  
**Friday, June 11, 2021**  
**R.S.V.P For Scheduled Time**

**CITY OF NORMAN, OKLAHOMA**  
**CLEVELAND COUNTY**



Public Works Department  
Fleet Division  
1301 Da Vinci Street  
Norman, Oklahoma 73069-6560  
Phone: (405) 292-9709

**PUBLIC NOTICE  
REQUEST FOR QUOTE  
RFQ NO. 2122-9**

INVITATION TO BID NUMBER 2122-9

The City of Norman, Oklahoma, is soliciting proposals from interested parties for the JANITORIAL SERVICES CONTRACT

Any correspondence, questions, or requests for copies of the **Request for Quote** should be directed to: Brian Churchwell, Fleet Program Manager, 1301 Da Vinci Street, Norman, Oklahoma 73069, Telephone No. (405) 292-9709.

Proposals will be received in the Fleet Program Manager's office at 1301 Da Vinci Street, Norman, Oklahoma 73069, until 5:00 P.M., Friday, July 2, 2020. Any bidders must R.S.V.P. for a scheduled time to attend a MANDATORY Pre-Bid Meeting on June 11, 2021, to qualify.

All proposals must be marked with the following statement: "City of Norman Janitorial Services Contract."

Bids shall be made in accordance with the Notice to Bidders, Requirements for Bidders, Plans or Specifications, and Bidders Proposal, which are on file and available for examination at the Office of the Purchasing Division.

All bids shall remain on file at least forty-eight (48) hours before a contract can be made and entered into thereon.

Bids received more than ninety-six (96) hours, excluding Saturdays, Sundays, and holidays, before the time set for opening of bids, as well as bids received after the time set for opening of bids, will not be considered and will be returned unopened.

The City Council of the City of Norman reserves the right to reject any and all bids and to waive any or all formalities of the bidding process.

City of Norman

# REQUEST FOR QUOTE

Please review the following and respond where necessary.

#	Name	Note	Response
1	Compliance with Specifications	Acknowledge by stating yes or no that you understand and are in compliance with the material specifications. If not in full compliance, you must provide documentation detailing the areas of non-compliance. <b>State YES or NO</b>  Only RFQs that include an acceptance of specifications Form for Bidders, Affidavit of Non-Collusion, and/or documentation of non-compliance will be considered.	<u>YES</u> (Required)
2	Auto-Renewal Annually	The City shall have the option to renew this contract annually, provided that the services and process continue to be acceptable to both parties. Pricing shall be reviewed at the beginning of each renewal period, at which time the Fleet Superintendent will determine whether to renew or rebid.	<u>YES</u> (Required)
3	Negotiate Like Items	The City shall have the option to negotiate pricing for any additional item(s) or like item(s) not listed in this solicitation, under the terms, conditions, and specifications of the Request to Quote. <b>State YES or NO</b>	<u>YES</u> (Required)
4	References	Provide the names and phone numbers of five (5) accounts for which you have provided goods or services similar to those specified, preferable ones in government or municipality service. Include Company Name, Contact Name, Contact Phone Number, and E-mail (if available). Note if any are similar to the City of Norman. Use a separate sheet. Mark it "Attachment A."	
5	Non-Collusion Affidavit	The Non-Collusion Form must be printed, executed, and returned to the Fleet Division upon award of bid to your company, along with the Form for Bidders.	<u>included</u> (Required)

Reviewed and approved:

\_\_\_\_\_  
Mike White  
Fleet Program Manager

\_\_\_\_\_  
Date



**CITY OF NORMAN**  
**PUBLIC WORKS**  
 Fleet Division

**FORM FOR BIDDERS**  
**Request for Quote No. 2122-9**

Opening of Bids  
 City of Norman  
 Fleet Administration  
 1301 Da Vinci Street  
 Norman, Oklahoma 73069

Bid Opening  
 June 11, 2021  
 5:00 P.M.

Dear Bidder:

The undersigned bidder declares that before preparing this bid, the detailed specifications were carefully read and that this bid is made with full knowledge of the kind, quality, and quantity of the materials or services to be furnished.

The undersigned bidder offers and proposes to furnish the materials, equipment, or other services hereinafter set forth, in the manner and under the conditions and in accordance with the specifications on file in the Office of the Purchasing Agent.

The quantity of this product to be purchased by the City of Norman may be any number in the anticipated quantity range hereinafter listed. This is an estimated quantity to be purchased but does not in any way bind the City of Norman to purchase said quantity. Purchase orders are applicable for one year from the Council approval date. All bids are to be made on a per-unit basis.

**Section I**

Unit Price  
 (To include all fees)

**North Base Facilities 1301 & 1310 Da Vinci Street**

**Daily:**

	<u>1301</u>	<u>1310</u>
Sweep/vacuum flooring in offices, conference rooms, & hallways.	\$ 225. <sup>00</sup>	\$ 400. <sup>00</sup>
Dust window ledges, tables, workstations, phones, etc., while making every attempt not to disturb the items contained on and around any workstation.	\$ 200. <sup>00</sup>	\$ 300. <sup>00</sup>
Remove full (to the rim & not overflowing) trash can liners and haul to the appropriate large refuse receptacle. Reline trash can liner, supplied by the winning contract cleaning company.	\$ 200. <sup>00</sup>	\$ 325. <sup>00</sup>
Ensure walkways and common areas are free of trash and debris to include any trip or health hazard.	\$ 125. <sup>00</sup>	\$ 225. <sup>00</sup>
Wipe down with an appropriate disinfectant cleaner the restrooms sinks, counters, toilet, toilet area, shower stall, and the door handle areas.	\$ 200. <sup>00</sup>	\$ 250. <sup>00</sup>
Mop with disinfectant cleaner the flooring in the restrooms.	\$ 150. <sup>00</sup>	\$ 250. <sup>00</sup>
Replace toilet paper rolls, paper hand towels, soap, etc., in the restrooms as needed.	\$ 100. <sup>00</sup>	\$ 175. <sup>00</sup>

**Weekly:**

Mop hard surfaces in offices, conference rooms, hallways, etc., with appropriate disinfecting cleaner and a clean mop head.

<u>1301</u>	<u>1310</u>
\$ 150. <sup>00</sup>	\$ 150. <sup>00</sup>

Clean all interior windows to a streak-free finish.

<u>\$ 100.<sup>00</sup></u>	<u>\$ 175.<sup>00</sup></u>
-----------------------------	-----------------------------

Administer an industrial/hospital grade disinfecting agent to the interior of the building via fogging unit or other aerosol methods. This agent should leave no residue on surfaces or an overly dissatisfying aroma that lingers for a reasonable amount of time after being administered. This will include all interior door handles and common touch surfaces, etc.

<u>\$ 100.<sup>00</sup></u>	<u>\$ 100.<sup>00</sup></u>
-----------------------------	-----------------------------

*(ELECTROSTATIC BACKPACK PROVIDED)*

**Monthly:**

Polish by means of a floor buffing machine and appropriate chemical, all hard flooring surfaces in the "office area" of the Fleet facilities.

<u>\$ 200.<sup>00</sup></u>	<u>VINYL PLANK</u>
-----------------------------	--------------------

*Yearly Strip & Refinish includes*

Remove any expired item in the breakroom refrigerator

<u>\$ 75.<sup>00</sup></u>	<u>NO BUFF FLOORS</u>
----------------------------	-----------------------

**1301 Da Vinci Street Monthly Total: \$ 1,885.<sup>00</sup>**

**1310 Da Vinci Street Monthly Total: \$ 2,510.<sup>00</sup>**

**Section II**

Unit Price  
(To include all fees)

**Transit Buses**

The City's transit buses will need to be cleaned Monday through Saturday, beginning at 21:30 to the time at which all tasks are completed to the standards set forth by the City. A list of buses operated that day will be provided by the Night Support Staff from the City each night. This list averages between eleven (11) - seventeen (17) buses to be cleaned nightly. This is dependent on our usage for the day and will vary throughout the year. This cleaning includes only the interior of the buses; City staff will handle the exterior portion.

Remove all trash/debris from the interior of the buses, including gum removal. This will include on, behind, and under the various seating in the buses.

<u>\$ 750.<sup>00</sup></u>
-----------------------------

Clean all interior windows with approved, non-streaking window cleaner and fresh towels. The windshield shall be cleaned to a standard acceptable to pass a D.O.T. pre-trip inspection.

<u>\$ 1050.<sup>00</sup></u>
------------------------------

Dust and/or wipe down all HVAC vents to include the return air vent.

<u>\$ 375.<sup>00</sup></u>
-----------------------------

Empty trash receptacle, dispose of liner in approving City-owned "dumpster," reline trash can with liners supplied by the contractor.

<u>\$ 300.<sup>00</sup></u>
-----------------------------

Wipe down all interior surfaces, including handrails with a disinfectant multi-surface cleaner and clean towels.

<u>\$ 500.<sup>00</sup></u>
-----------------------------

Wipe down all door panels, including door handles, pockets, and/or storage areas with multi-purpose disinfectant cleaner and clean towels. Vacuum pockets and/or storage areas with appropriate vacuum attachments.

\$ 500.<sup>00</sup>

Wipe down passenger and driver seating with multi-purpose disinfectant cleaner and clean towels.

\$ 350.<sup>00</sup>

Wipe down dash and driver controls. Apply interior dust control products to these surfaces while avoiding any areas that could create a safety hazard for the driver or bus patrons.

\$ 625.<sup>00</sup>

Vacuum under driver's seat (when applicable), using a brush attachment to remove debris.

\$ 350.<sup>00</sup>

Sweep and/or vacuum floors

\$ 400.<sup>00</sup>

Mop floors.

\$ 350.<sup>00</sup>

The contractor will keep all onsite stored items in a clean and organized fashion at all times. Any item left out of the designated area will be deemed discarded and thus be handled as refuse.

\$  $\phi$

**Transit Bus Monthly Total:** \$ 5,100.<sup>00</sup>

NOTE:

- 1) The winning contractor shall supply all needed cleaning chemicals, trash can liners, towels, vacuums & attachments, and any other tool and/or consumables needed to complete the above requests to the standards agreed upon with Fleet Division staff.
- 2) The CON will supply the winning contractor with reasonable storage space for onsite tooling and chemical storage.
- 3) The contractor will not be required to clean the "shop area," only the walkways around this it to include emptying the shop trash receptacles *as needed* and relining the bins with heavy-duty trash liners.

All items or materials shall be delivered within one (1) business day to the City of Norman with transportation charges prepaid by the bidder. The City shall complete payment within 30 days of invoice receipt.

### AFFIDAVIT OF NON-COLLUSION

STATE Texas

COUNTY OF Dallas ) ss

ALISON TAYS, of lawful age, being first duly sworn, on oath says, that (s)he is the agent authorized by the bidder to submit the attached bid. Affidavit further states that the bidder has not been a party to any collusion among bidders in restraint to freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to the quantity, quality, or price in the prospective contract, or any other terms of the prospective contract; or in any discussion between bidders and any city official concerning the exchange of money or other things of value for special consideration in the letting of a contract; that the bidder/contractor has not paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Norman, Oklahoma any money or other thing of value, either directly or indirectly, in the procuring of the award of a contract pursuant to this bid.

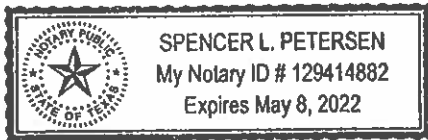
Strategic Janitorial  
Bidder

By: ALISON TAYS

Subscribed and sworn to before me on this 30<sup>th</sup> day of June, 2021.

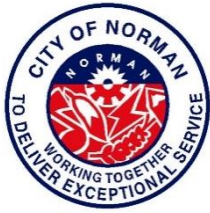
[Signature]  
NOTARY PUBLIC (or Judge)

My commission expires on: 5-8-2022



**File Attachments for Item:**

14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-104 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND H&H PLUMBING AND UTILITIES, INC. DECREASING THE CONTRACT AMOUNT BY \$3,225 FOR A REVISED CONTRACT AMOUNT OF \$46,715 FOR THE 12<sup>TH</sup> AVENUE SE DRAINAGE IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT



## CITY OF NORMAN, OK STAFF REPORT

### Item 14

**MEETING DATE:** 08/24/2021

**REQUESTER:** Paul D'Andrea, Capital Projects Engineer

**PRESENTER:** Paul D'Andrea, Capital Projects Engineer

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-104 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND H&H PLUMBING AND UTILITIES, INC. DECREASING THE CONTRACT AMOUNT BY \$3,225 FOR A REVISED CONTRACT AMOUNT OF \$46,715 FOR THE 12<sup>TH</sup> AVENUE SE DRAINAGE IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT

#### BACKGROUND:

There is a short section of 12<sup>th</sup> Avenue SE south of East Cedar Lane Road near Sawgrass Drive, in the Cobblestone Creek III Addition, that was in need of drainage and paving improvements to tie into existing and proposed improvements on either side of the section. Deferral funds for these improvements were required when Cobblestone Creek III Addition was developed. However, due to the age of the development and the narrow frontage on 12<sup>th</sup> Avenue SE, the deferral funds collected at the time, were not adequate to complete the improvements now. It was also not anticipated that underground storm pipelines would be included.

The preferred public improvements include curb and gutter along 12<sup>th</sup> Avenue SE, underground storm sewer, new sidewalks to complete the accessible path in the right of way, and modifications to the cul-de-sac on Sawgrass Drive to eliminate the emergency access drive onto 12<sup>th</sup> Avenue SE.

H&H Plumbing and Utilities, Inc. was concurrently installing storm sewer on-site for Sage Cobblestone Creek Addition directly to the south and adjacent to this section of necessary improvements. The 12<sup>th</sup> Avenue SE project's storm sewer component needed to connect to the new storm sewer being constructed at Sage Cobblestone Creek. Staff contacted the contractor doing the current work, for a quote. The quote, for just the portion of the project required to complete the grading and drainage improvements, was \$49,940.

On February 10, 2021 the City Manager approved Contract No. K-2021-104 with H&H Plumbing and Utilities, Inc. in the amount of \$49,940.

All storm drainage work associated with Contract K-2021-104 was completed by March 24, 2021.

**DISCUSSION:**

For projects like this, contractor bids are determined using plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represents the contractor's bid. During construction, each quantity is verified in the field and the contractor is to be reimbursed, based on the actual quantity.

Of the sixteen (16) bid items, three (3) items had a quantity change. All three (3) bid items resulted in decreased cost for an overall contract decrease of \$3,225.00 or 6.46%. The contract amount decreased from \$49,940 to \$46,715. The major underrun item was Slab Sod. Please see the attached Change Order No.1 for a complete list of bid items cost increases and decreases.

Since Change Order No.1 resulted in a contract decrease, all construction costs were covered by previously approved payments and no final payment is required with this change order.

**RECOMMENDATION NO. 1:**

Staff recommends that Change Order No. 1, decreasing Contract K-2021-104 with H&H Plumbing and Utilities, Inc. by \$3,225.00 be approved.

**RECOMMENDATION NO. 2:**

Staff further recommends final acceptance of the 12<sup>th</sup> Avenue SE Drainage Improvements near Sawgrass Drive Project Contract K-2021-104.

CHANGE ORDER SUMMARY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1

DATE: August 10, 2021

CONTRACT NO.: K-2021-104

SUBMITTED BY: Paul D'Andrea

PROJECT: 12<sup>th</sup> Avenue SE Storm Drainage at Sawgrass Drive

CONTRACTOR: H&H Plumbing & Utilities, Inc.  
381 W. Adkins Hill Road  
Norman, Oklahoma 73072

Original Completion Date: N/A

Previous Completion Date: N/A

ORIGINAL CONTRACT AMOUNT \$ 49,940.00

(Increase) this change order 0 Calendar days

New Completion Date: N/A

PRESENT CONTRACT AMOUNT \$ N/A

DESCRIPTION	DECREASE	INCREASE
Change in Pay Quantities	\$3,225.00	\$0.00

NET CHANGE -\$3,225.00

REVISED CONTRACT AMOUNT \$46,715.00

See Detailed Quantity Change Summary on Page 2 of 2.



ITEM NO.	CODE NO.	DESCRIPTION	UNIT	UNIT CHANGE	UNIT PRICE	INCREASE	DECREASE
4		Variable Width Concrete Flume w/ Curb and Gutter	SY	-4	\$200.00		-\$800.00
6		Slab Sod	SY	-425	\$5.00		-\$2,125.00
7		Repair Existing Sprinkler Head	EA	-3.00	\$100.00		-\$300.00

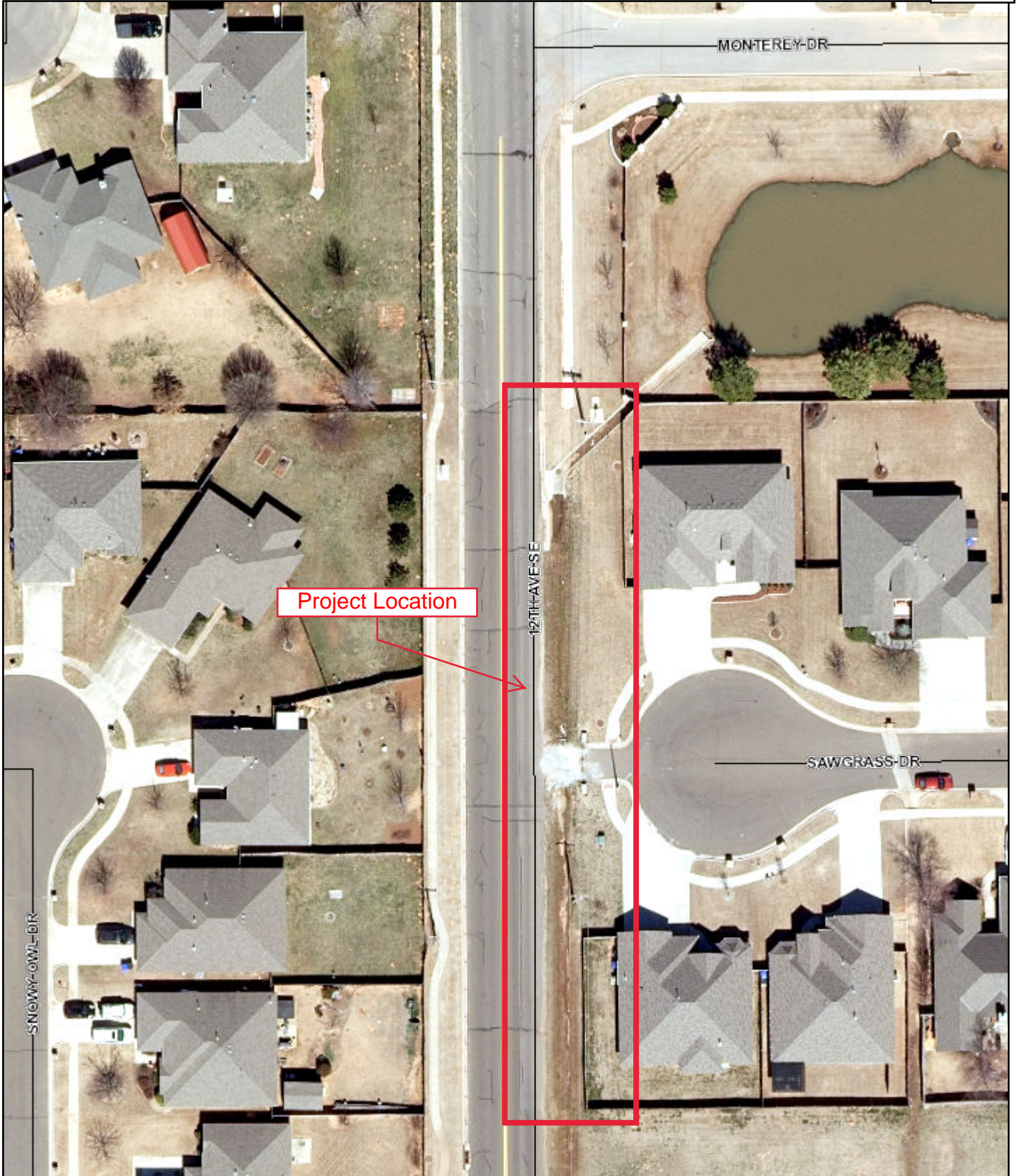
Totals                              \$0.00                              -\$3,225.00  
Difference                                                                                        -\$3,225.00

CONTRACTOR: \_\_\_\_\_  
ENGINEER: \_\_\_\_\_  
CITY ATTORNEY: \_\_\_\_\_  
ACCEPTED BY: \_\_\_\_\_  
(Mayor)

DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

# 12th Avenue SE Location Map

Item 14.



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OU

Centerline Labels (10,000+)

Park

AerialPhoto2019

Lake Thunderbird

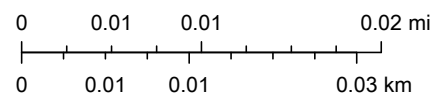
Red: Band\_1

Railroad

Green: Band\_2

Streets

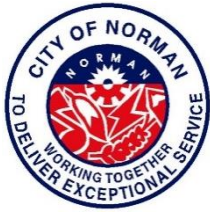
Blue: Band\_3



The Sanborn Map Company LLC, City of Norman, GIS Services Division

**File Attachments for Item:**

15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-112 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY DECREASING THE CONTRACT AMOUNT BY \$156 FOR A REVISED CONTRACT AMOUNT OF \$28,377 FOR THE 12<sup>TH</sup> AVENUE S.E. PAVING IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.



## CITY OF NORMAN, OK STAFF REPORT

## Item 15

**MEETING DATE:** 08/24/2021

**REQUESTER:** Paul D'Andrea, Capital Projects Engineer

**PRESENTER:** Shawn O'Leary, Public Works Director

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2021-112 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY DECREASING THE CONTRACT AMOUNT BY \$156 FOR A REVISED CONTRACT AMOUNT OF \$28,377 FOR THE 12<sup>TH</sup> AVENUE S.E. PAVING IMPROVEMENTS NEAR SAWGRASS DRIVE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

### BACKGROUND:

There is a short section of 12<sup>th</sup> Avenue SE south of East Cedar Lane Road near Sawgrass Drive, in the Cobblestone Creek III Addition, that was in need of drainage and paving improvements to tie into existing and proposed improvements on either side of the section. Deferral funds for these improvements were required when Cobblestone Creek III Addition was developed. However, due to the age of the development and the narrow frontage on 12<sup>th</sup> Avenue SE, the deferral funds collected at the time, were not adequate to complete the improvements now. It was also not anticipated that underground storm pipelines would be included.

The preferred public improvements included curb and gutter along 12<sup>th</sup> Avenue SE, underground storm sewer, new sidewalks to complete the accessible path in the right of way, and modifications to the cul-de-sac on Sawgrass Drive to eliminate the emergency access drive onto 12<sup>th</sup> Avenue SE.

On February 10, 2021 the City Manager approved Contract K-2021-104 with H&H Plumbing and Utilities, Inc. in the amount of \$49,940.

All storm drainage work associated with Contract K-2021-104 was completed by March 24, 2021.

On April 2, 2021 the City Manager approved Contract K-2021-112 with Nash Construction in the amount of \$28,533 for construction of the remaining paving improvements at 12<sup>th</sup> Avenue SE near Sawgrass Drive.

All Paving improvements associated with Contract K-2021-112 were complete on June 16, 2021.

**DISCUSSION:**

For projects like this, contractor bids are determined using plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represents the contractor's bid. During construction, each quantity is verified in the field and the contractor is to be reimbursed, based on the actual quantity.

Of the thirteen (13) bid items, four (4) items had a quantity change and one (1) new item was added to complete the work per plan. Three (3) bid items resulted in increased cost of \$10,590 and three (3) bid items resulted in decreased cost of \$10,746 for an overall contract decrease of \$156 or -0.55%. The contract amount decreased from \$28,533 to \$28,377. The major underrun item was 4' Wide Sidewalk and the major overrun item was 5' Wide Sidewalk. Please see the attached Change Order No.1 for a complete list of bid items cost increases and decreases.

Since Change Order No.1 resulted in a contract decrease, all construction costs were covered by previously approved payments and no final payment is required with this change order.

**RECOMMENDATION NO. 1:**

Staff recommends that Change Order No. 1, decreasing Contract K-2021-112 with Nash Construction by \$156 be approved.

**RECOMMENDATION NO. 2:**

Staff further recommends final acceptance of the 12<sup>th</sup> Avenue SE Paving Improvements near Sawgrass Drive Project Contract K-2021-112.

CHANGE ORDER SUMMARY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1

DATE: August 10, 2021

CONTRACT NO.: K-2021-112

SUBMITTED BY: Paul D'Andrea

PROJECT: 12<sup>th</sup> Avenue SE Paving at Sawgrass Drive

CONTRACTOR: Nash Construction  
700 South Irving  
Oklahoma City, Oklahoma 73129

Original Completion Date: N/A

Previous Completion Date: N/A

ORIGINAL CONTRACT AMOUNT \$ 28,533.00

(Increase) this change order 0 Calendar days

New Completion Date: September 27, 2021

PRESENT CONTRACT AMOUNT \$ N/A

DESCRIPTION	DECREASE	INCREASE
Change in Pay Quantities	\$156.00	\$0.00

NET CHANGE -\$156.00

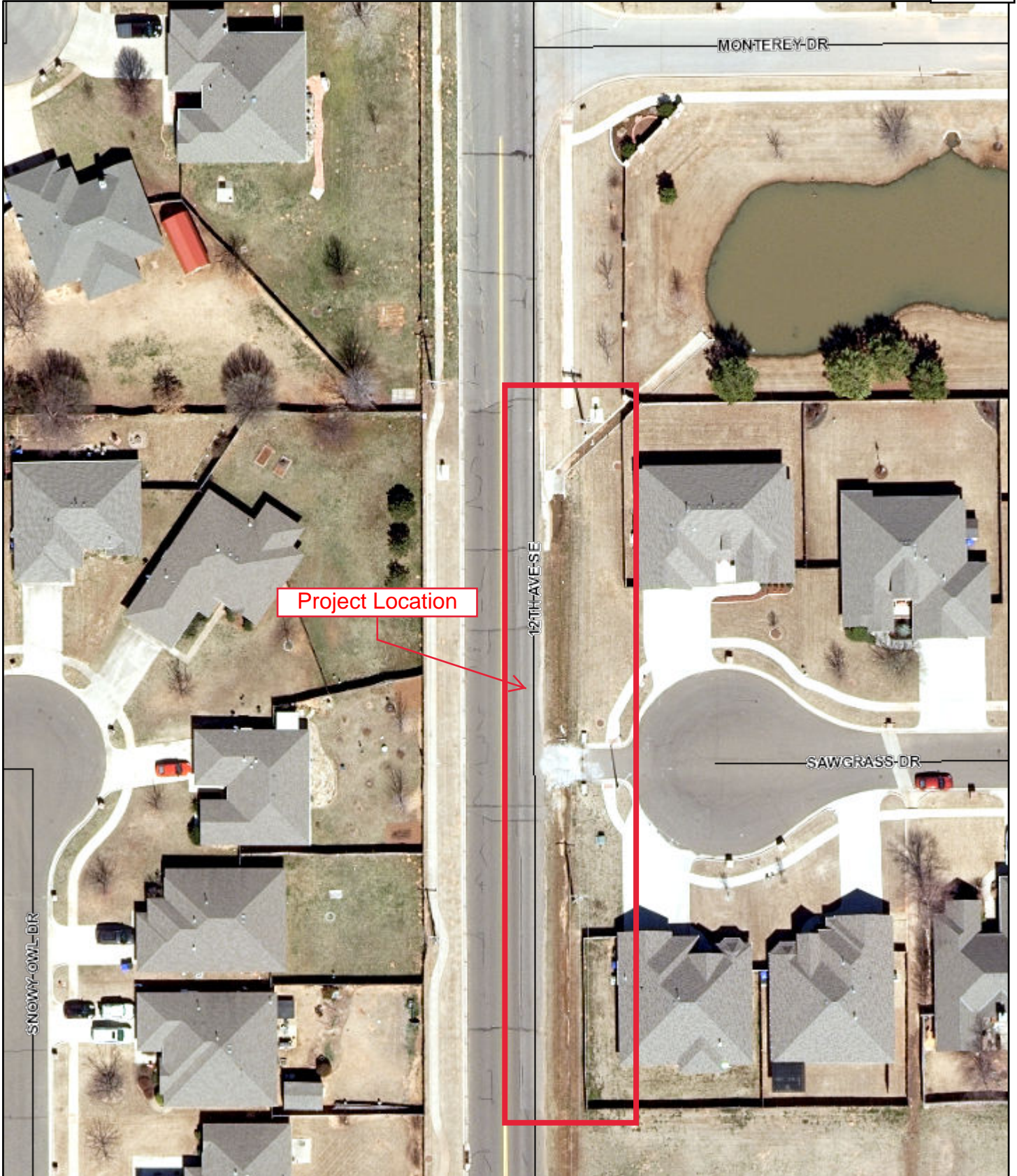
REVISED CONTRACT AMOUNT \$28,377.00

See Detailed Quantity Change Summary on Page 2 of 2.



# 12th Avenue SE Location Map

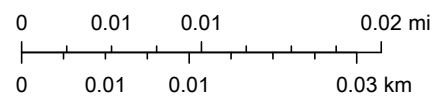
Item 15.



2/9/2021, 3:45:40 PM

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- OU
  - Park
  - Lake Thunderbird
  - Railroad
  - Streets
- Centerline Labels (10,000+)
- AerialPhoto2019
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



The Sanborn Map Company LLC, City of Norman, GIS Services Division



**File Attachments for Item:**

16. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2122-17, CONTRACT K-2122-26 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARATHON CONSTRUCTION, L.L.C., IN THE AMOUNT OF \$192,420.50 FOR THE FYE 2022 24TH AVENUE N.W. SIDEWALK ACCESSIBILITY CONSTRUCTION PROJECT, PERFORMANCE BOND B-2122-29, STATUTORY BOND, B2122-30 AND MAINTENANCE BOND MB-2122-18 AND RESOLUTION R-2122-20 GRANTING TAX-EXEMPT STATUS.



## CITY OF NORMAN, OK STAFF REPORT

### Item 16

**MEETING DATE:** 08/24/2021

**REQUESTER:** Nate McNeely, Engineering Assistant

**PRESENTER:** Shawn O'Leary, Director of Public Works

**TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2122-17, CONTRACT K-2122-26 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARATHON CONSTRUCTION, L.L.C., IN THE AMOUNT OF \$192,420.50 FOR THE FYE 2022 24TH AVENUE N.W. SIDEWALK ACCESSIBILITY CONSTRUCTION PROJECT, PERFORMANCE BOND B-2122-29, STATUTORY BOND, B-2122-30 AND MAINTENANCE BOND MB-2122-18 AND RESOLUTION R-2122-20 GRANTING TAX-EXEMPT STATUS.

#### **BACKGROUND:**

The City of Norman ADA Transition Plan (June 2018) identifies sidewalk corridors out of compliance with the Americans with Disability Act (ADA) Guidelines. The ADA Transition Plan Program is funded annually via Account 50592206-46101 to meet the medium and long-term goals of the plan. On June 14, 2021, the City's ADA Citizen Advisory Committee recommended that this project be included in the city's FYE 2022 Capital Improvement Program.

Over the past few years, the City addressed Main Street from 24th Avenue NW to Berry Road, north and south sides. A larger segment of the plan includes 24th Avenue NW/SW, from West Lindsey Street to West Robinson Street, east and west sides. Accordingly, city staff developed a sidewalk and ramp project along 24th Avenue NW from West Main Street to West Robinson Street, along the east side. This is the first of four phases to complete the 24th Avenue segment of the ADA Transition Plan. This sidewalk project will remedy 125 out-of-compliance items along a 1.1 mile corridor of 24<sup>th</sup> Avenue NW, to include 27 accessibility ramps, 12 driveway approaches, and 1,400 square yards of sidewalk replacement.

#### **DISCUSSION:**

Bid documents and specifications were advertised according to State Law. A project package was developed and the notification to bidders was advertised on July 15th and 21st, 2021 in the Norman Transcript. Additionally, the bid specifications were electronically distributed to 40 contractors. A non-mandatory pre-bid meeting was held on July 29, 2021 and four bids were received on August 5, 2021.

The low bid, in the amount of \$192,420.50, was received from Parathon Construction LLC of Edmond, OK. The other bids include: \$225,017.00 from Nash Construction Company, \$236,310.00 from Rudy Construction Company and \$244,762.00 from EMC Services LLC; all from Oklahoma City. The Engineer's estimate for this work was \$217,482.10 and included a 10% contingency for fluctuating construction costs. The low bid is 11.5% lower than the engineer's estimate. Based on the current market and the work to be completed the bid is acceptable.

If approved, construction is scheduled to begin mid-September and be complete in 6-8 weeks.

Resolution No. R-2122-20 confers upon Parathon Construction LLC the limited agent status for the purchase of materials to be incorporated in the project on a sales tax-exempt basis. The bid documents offered tax-exempt status to all bidders.

**RECOMMENDATION NO. 1:**

Staff has reviewed the bids and recommends that Bid No. 2122-17 for the FYE 2022 Capital Improvement Project – 24th Avenue NW Sidewalk Accessibility be awarded to Parathon Construction LLC in the amount of \$192,420.50.

Funds are available in:

Account 50592206-46101, Project No. TC0038, ADA Sidewalk Completion Audit/Repair

**RECOMMENDATION NO. 2:**

Staff further recommends that, upon approval of Bid No. 2122-17, the following contract and bonds be approved:

Contract No. K-2122-26

Performance Bond No. B-2122-29

Statutory Bond No. B-2122-30

Maintenance Bond No. 2122-18

**RECOMMENDATION NO. 3:**

Staff further recommends that, upon approval of Bid No. 2122-17, Parathon Construction LLC be authorized and appointed as project agent via Resolution No. R-2122-20.

**Bid No. 2122-17**  
**FYE 2022 Capital Improvement Project – 24th Avenue NW**  
**August 5, 2021**


The following is a tabulation of bids received by the City of Norman for the *FYE 2022 Capital Improvement Project – 24th Avenue NW* on August 5, 2021.

Agency/Company	Bid
<b>Parathon Construction, LLC. - P.O. Box 1287, Edmond OK 73083</b>	<b>\$192,420.50</b>
<b>City of Norman, Engineer's Estimate</b>	<b>\$217,482.10</b>
Nash Construction Company - 700 S Irving St, Oklahoma City OK 73129	\$225,017.00
Rudy Construction Company - P.O. Box 14575, Oklahoma City OK 73113	\$236,310.00
EMC Services, LLC - 1400 SW 56th Street, Oklahoma City OK 73119	\$244,762.00

RECOMMENDATION: That Parathon Construction Company be awarded the contract for K-2122-26, *FYE 2022 Capital Improvement Project – 24th Avenue NW*. Funds are available in:

Project No. TC0038, ADA Sidewalk Completion Audit/Repair (505-92206-46101)

Forwarded by:

  
Nate McNeely  
Engineering Assistant

K-2122-17, Capital Improvement Project - 24th Ave NW

Item	Description	Unit	Quantity	Engineer Estimate			Engineer Cost Estimate			Parathon Construction		EMC Services		Rudy Construction		Nash Construction	
				Low	Med	High	Low	Med	High	Unit Price	Sub-Total	Unit Price	Sub-Total	Unit Price	Sub-Total	Unit Price	Sub-Total
1	Unclassified Excavation Common	C.Y.	152	\$ 15.00	\$ 21.00	\$ 25.00	\$ 2,280.00	\$ 3,192.00	\$ 3,800.00	\$ 9.00	\$ 1,368.00	\$ 15.00	\$ 2,280.00	\$ 20.00	\$ 3,040.00	\$ 23.00	\$ 3,496.00
2	Unclassified Borrow	C.Y.	0	\$ 20.00	\$ 31.50	\$ 46.00	\$ -	\$ -	\$ -	\$ 20.00	\$ -	\$ 30.00	\$ -	\$ 35.00	\$ -	\$ 40.00	\$ -
3	Solid Slab Sodding	S.Y.	455	\$ 3.00	\$ 6.00	\$ 9.50	\$ 1,365.00	\$ 2,730.00	\$ 4,322.50	\$ 6.00	\$ 2,730.00	\$ 5.00	\$ 2,275.00	\$ 3.25	\$ 1,478.75	\$ 8.00	\$ 3,640.00
4	Remove Tree 6" to 15" in Dia.	EA.	0	\$ 600.00	\$ 752.50	\$ 1,000.00	\$ -	\$ -	\$ -	\$ 750.00	\$ -	\$ 900.00	\$ -	\$ 350.00	\$ -	\$ 1,150.00	\$ -
5	Remove Tree 16" to 24" in Dia.	EA.	0	\$ 945.00	\$ 1,211.25	\$ 1,500.00	\$ -	\$ -	\$ -	\$ 1,500.00	\$ -	\$ 1,400.00	\$ -	\$ 700.00	\$ -	\$ 1,400.00	\$ -
6	Remove Tree 25" or more in Dia.	EA.	0	\$ 1,200.00	\$ 1,675.00	\$ 2,100.00	\$ -	\$ -	\$ -	\$ 2,000.00	\$ -	\$ 1,900.00	\$ -	\$ 1,400.00	\$ -	\$ 2,500.00	\$ -
7	Removal of Conc. Sidewalk	S.Y.	1226	\$ 10.00	\$ 12.25	\$ 15.00	\$ 12,260.00	\$ 15,018.50	\$ 18,390.00	\$ 9.00	\$ 11,034.00	\$ 11.00	\$ 13,486.00	\$ 10.00	\$ 12,260.00	\$ 10.00	\$ 12,260.00
8	Removal of 6" Conc. Pavement	S.Y.	800	\$ 10.00	\$ 13.00	\$ 17.00	\$ 8,000.00	\$ 10,400.00	\$ 13,600.00	\$ 10.00	\$ 8,000.00	\$ 13.00	\$ 10,400.00	\$ 10.00	\$ 8,000.00	\$ 10.00	\$ 8,000.00
9	Removal of 6" Conc. Pavement with reinforcing steel	S.Y.	0	\$ 11.00	\$ 14.00	\$ 20.00	\$ -	\$ -	\$ -	\$ 18.00	\$ -	\$ 15.00	\$ -	\$ 12.00	\$ -	\$ 20.00	\$ -
10	Removal of 9" Conc. Pavement	S.Y.	0	\$ 11.00	\$ 14.00	\$ 20.00	\$ -	\$ -	\$ -	\$ 15.00	\$ -	\$ 15.00	\$ -	\$ 12.00	\$ -	\$ 12.00	\$ -
11	Removal of 6" Asphalt Pavement	S.Y.	0	\$ 11.00	\$ 13.00	\$ 16.00	\$ -	\$ -	\$ -	\$ 9.00	\$ -	\$ 13.00	\$ -	\$ 10.00	\$ -	\$ 12.00	\$ -
12	Sawing Pavement/Sidewalk	L.F.	2625	\$ 3.00	\$ 4.25	\$ 5.00	\$ 7,875.00	\$ 11,156.25	\$ 13,125.00	\$ 1.50	\$ 3,937.50	\$ 3.00	\$ 7,875.00	\$ 2.25	\$ 5,906.25	\$ 5.00	\$ 13,125.00
13	4" Conc. Sidewalk	S.Y.	1365	\$ 48.00	\$ 58.25	\$ 65.00	\$ 65,520.00	\$ 79,511.25	\$ 88,725.00	\$ 49.00	\$ 66,885.00	\$ 60.00	\$ 81,900.00	\$ 60.00	\$ 81,900.00	\$ 48.00	\$ 65,520.00
14	Concrete Retaining Wall	C.Y.	0	\$ 650.00	\$ 58.25	\$ 925.00	\$ -	\$ -	\$ -	\$ 650.00	\$ -	\$ 800.00	\$ -	\$ 975.00	\$ -	\$ 750.00	\$ -
15	Flowable Fill	C.Y.	0	\$ 130.00	\$ 201.25	\$ 300.00	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ 250.00	\$ -	\$ 200.00	\$ -	\$ 450.00	\$ -
16	6" Conc. (H.E.S. 3000 PSI)	S.Y.	800	\$ 58.00	\$ 70.75	\$ 80.00	\$ 46,400.00	\$ 56,600.00	\$ 64,000.00	\$ 53.00	\$ 42,400.00	\$ 75.00	\$ 60,000.00	\$ 70.00	\$ 56,000.00	\$ 58.00	\$ 46,400.00
17	Sidewalk Ramps	S.Y.	216	\$ 95.00	\$ 138.75	\$ 175.00	\$ 20,520.00	\$ 29,970.00	\$ 37,800.00	\$ 98.00	\$ 21,168.00	\$ 140.00	\$ 30,240.00	\$ 105.00	\$ 22,680.00	\$ 130.00	\$ 28,080.00
18	Detectable Warning Surface	S.F.	270	\$ 25.00	\$ 31.25	\$ 40.00	\$ 6,750.00	\$ 8,437.50	\$ 10,800.00	\$ 25.00	\$ 6,750.00	\$ 30.00	\$ 8,100.00	\$ 40.00	\$ 10,800.00	\$ 30.00	\$ 8,100.00
19	Conc. Curb (6" Barrier – Integral)	L.F.	0	\$ 12.00	\$ 14.50	\$ 18.00	\$ -	\$ -	\$ -	\$ 15.00	\$ -	\$ 19.00	\$ -	\$ 10.00	\$ -	\$ 18.00	\$ -
20	Conc. Curb (8" Barrier – Integral)	L.F.	0	\$ 14.00	\$ 19.00	\$ 27.00	\$ -	\$ -	\$ -	\$ 22.00	\$ -	\$ 22.00	\$ -	\$ 12.00	\$ -	\$ 20.00	\$ -
21	Adjust valve boxes to grade	EA.	10	\$ 120.00	\$ 265.00	\$ 440.00	\$ 1,200.00	\$ 2,650.00	\$ 4,400.00	\$ 250.00	\$ 2,500.00	\$ 160.00	\$ 1,600.00	\$ 125.00	\$ 1,250.00	\$ 495.00	\$ 4,950.00
22	Adjust meter boxes to grade	EA.	10	\$ 120.00	\$ 261.25	\$ 450.00	\$ 1,200.00	\$ 2,612.50	\$ 4,500.00	\$ 350.00	\$ 3,500.00	\$ 160.00	\$ 1,600.00	\$ 125.00	\$ 1,250.00	\$ 325.00	\$ 3,250.00
23	Relocate water meter and box	EA.	2	\$ 550.00	\$ 828.25	\$ 1,200.00	\$ 1,100.00	\$ 1,656.50	\$ 2,400.00	\$ 2,500.00	\$ 5,000.00	\$ 1,200.00	\$ 2,400.00	\$ 1,000.00	\$ 2,000.00	\$ 496.00	\$ 992.00
24	1/2" Joint Dowel	EA.	112	\$ 5.50	\$ 7.13	\$ 8.00	\$ 616.00	\$ 798.56	\$ 896.00	\$ 4.00	\$ 448.00	\$ 8.00	\$ 896.00	\$ 10.00	\$ 1,120.00	\$ 8.00	\$ 896.00
25	Curb and Gutter	L.F.	0	\$ 24.00	\$ 31.00	\$ 35.00	\$ -	\$ -	\$ -	\$ 40.00	\$ -	\$ 30.00	\$ -	\$ 37.00	\$ -	\$ 28.00	\$ -
26	Relocation of Irrigation System Piping	L.F.	200	\$ 12.00	\$ 19.25	\$ 25.00	\$ 2,400.00	\$ 3,850.00	\$ 5,000.00	\$ 10.00	\$ 2,000.00	\$ 19.00	\$ 3,800.00	\$ 15.00	\$ 3,000.00	\$ 30.00	\$ 6,000.00
27	Relocation of existing sprinkler head	EA.	5	\$ 35.00	\$ 55.00	\$ 75.00	\$ 175.00	\$ 275.00	\$ 375.00	\$ 100.00	\$ 500.00	\$ 50.00	\$ 250.00	\$ 100.00	\$ 500.00	\$ 165.00	\$ 825.00
28	Installation of new sprinkler head	EA.	1	\$ 50.00	\$ 58.75	\$ 70.00	\$ 50.00	\$ 58.75	\$ 70.00	\$ 200.00	\$ 200.00	\$ 60.00	\$ 60.00	\$ 125.00	\$ 125.00	\$ 248.00	\$ 248.00
29	Mobilization	EA.	1	\$ 10,000.00	\$ 12,500.00	\$ 15,000.00	\$ 10,000.00	\$ 12,500.00	\$ 15,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 12,500.00	\$ 12,500.00	\$ 9,500.00	\$ 9,500.00
30	Traffic Control	EA.	1	\$ 10,000.00	\$ 12,500.00	\$ 15,000.00	\$ 10,000.00	\$ 12,500.00	\$ 15,000.00	\$ 6,500.00	\$ 6,500.00	\$ 10,100.00	\$ 10,100.00	\$ 12,500.00	\$ 12,500.00	\$ 9,735.00	\$ 9,735.00
							<b>Sub-Total</b>	<b>\$ 197,711.00</b>	<b>\$ 253,916.81</b>	<b>\$ 302,203.50</b>		<b>\$ 192,420.50</b>	<b>\$ 244,762.00</b>	<b>\$ 236,310.00</b>	<b>\$ 225,017.00</b>		
							<b>10% Contingency</b>	<b>\$ 19,771.10</b>	<b>\$ 25,391.68</b>	<b>\$ 30,220.35</b>							
							<b>Total</b>	<b>\$ 217,482.10</b>	<b>\$ 279,308.49</b>	<b>\$ 332,423.85</b>							



The Sanborn Map Company LLC

### LOCATION MAP

## 24th Ave NW: Main St - Robinson St (East side)

### Zone 1 Map



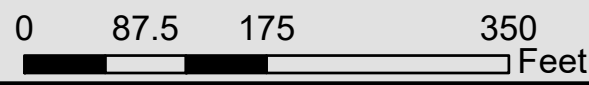
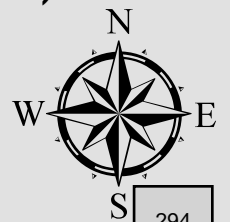
 Reconstruct Ramp

 Construct New Ramp

 Reconstruct Sidewalk

 Construct New Sidewalk

 Reconstruct Approach



July 8, 2021



The Sanborn Map Company LLC

### LOCATION MAP

## 24th Ave NW: Main St - Robinson St (East side)

### Zone 2 Map



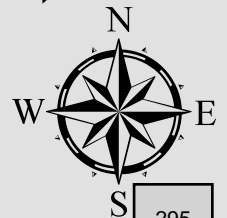
 Reconstruct Ramp

 Construct New Ramp

 Reconstruct Sidewalk

 Construct New Sidewalk

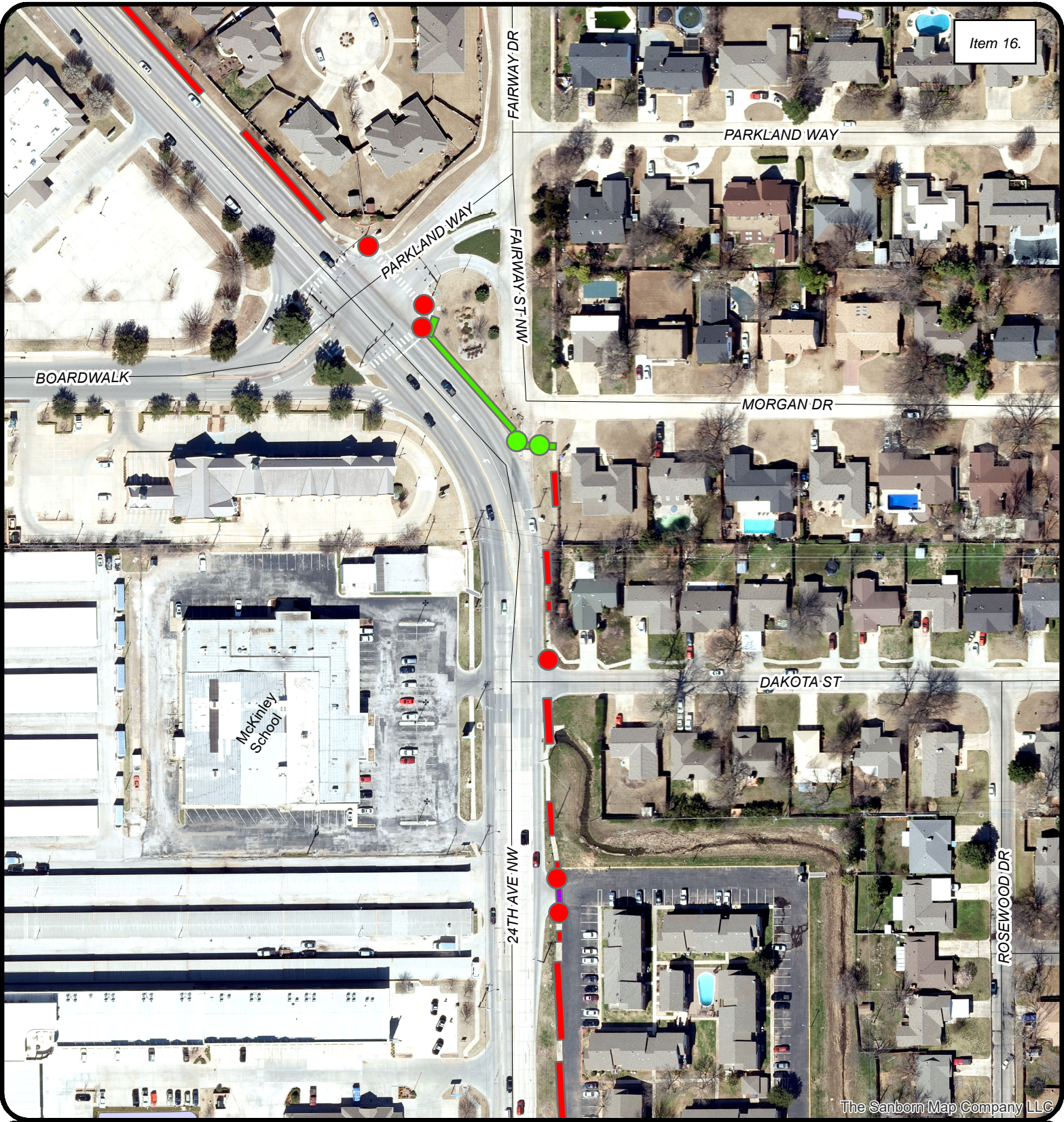
 Reconstruct Approach



0 87.5 175

350

Feet July 8, 2021

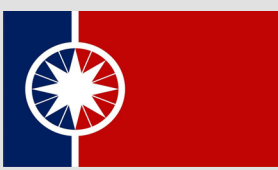


The Sanborn Map Company LLC

### LOCATION MAP

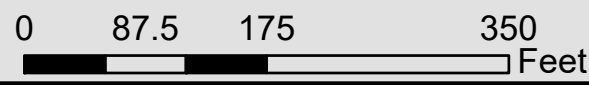
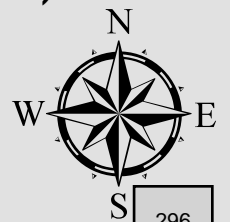
## 24th Ave NW: Main St - Robinson St (East side)

### Zone 3 Map



-  Reconstruct Ramp
-  Reconstruct Sidewalk
-  Reconstruct Approach

-  Construct New Ramp
-  Construct New Sidewalk



July 8, 2021





The Sanborn Map Company LLC

### LOCATION MAP

## 24th Ave NW: Main St - Robinson St (East side)

### Zone 4 Map



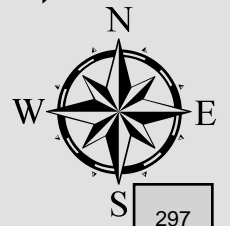
 Reconstruct Ramp

 Construct New Ramp

 Reconstruct Sidewalk

 Construct New Sidewalk

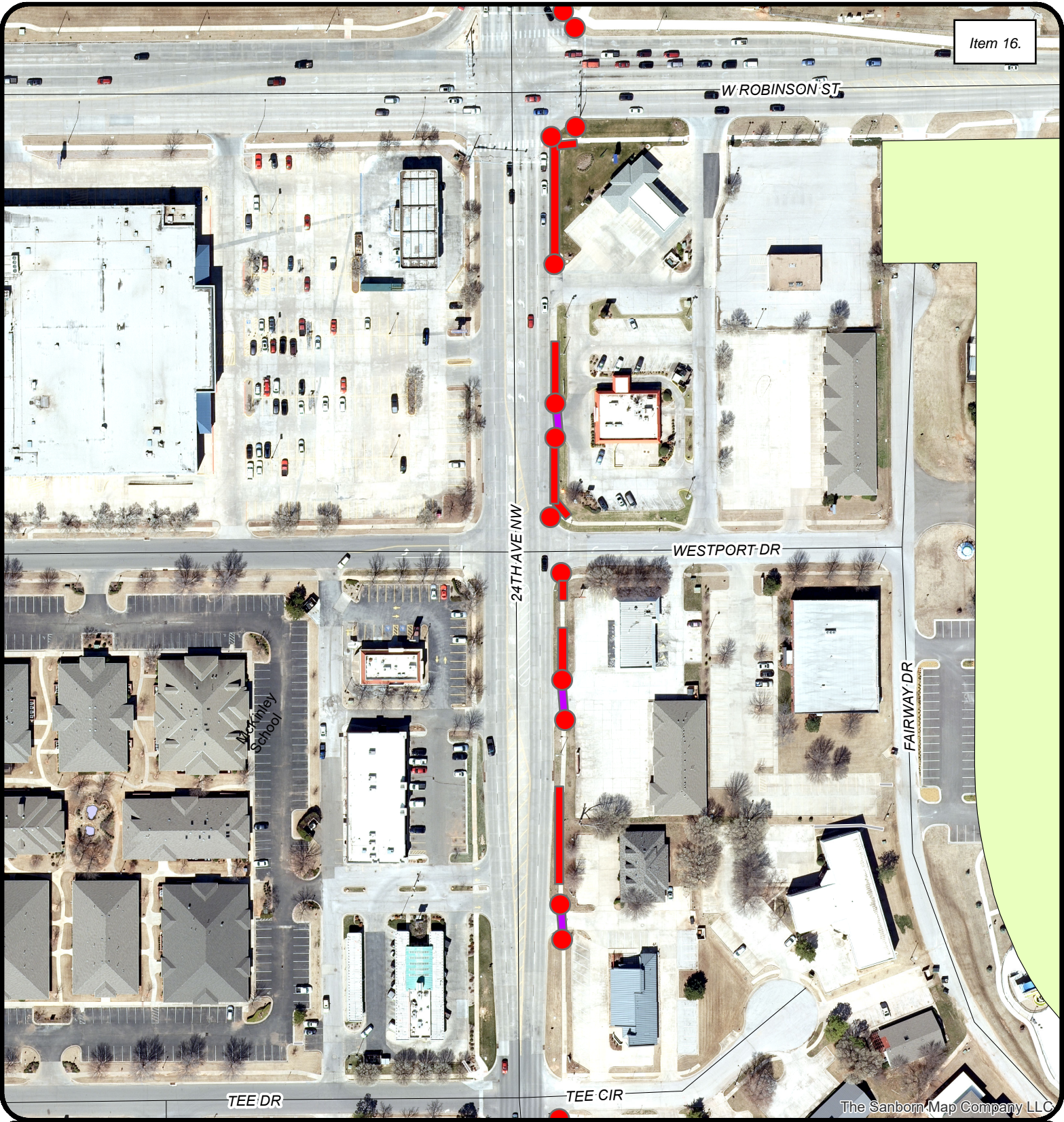
 Reconstruct Approach



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Feet July 8, 2021

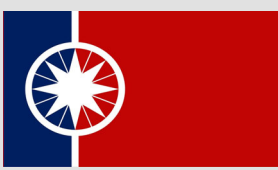


The Sanborn Map Company LLC

### LOCATION MAP

## 24th Ave NW: Main St - Robinson St (East side)

### Zone 5 Map



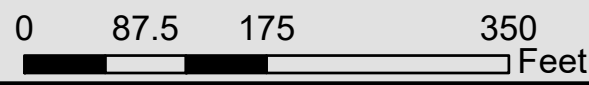
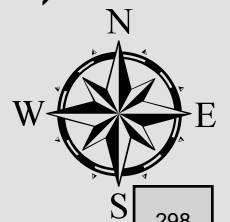
 Reconstruct Ramp

 Construct New Ramp

 Reconstruct Sidewalk

 Construct New Sidewalk

 Reconstruct Approach



July 8, 2021

**CONTRACT**

THIS CONTRACT made and entered into this 16th day of August, 2021, by and between Parathon Construction, LLC 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 of said bidding documents, and has caused Notice to Bidders 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 projects:

**BID 2122-17 FYE 2022 CAPITAL IMPROVEMENT PROJECT – 24TH AVENUE NW**

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 Notice to Bidders, has submitted to the CITY in 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:

(WRITTEN) One hundred ninety two thousand four hundred twenty dollars and fifty cents (DOLLARS):

(NUMERALS) (\$ 192,420.50 )

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, workman-like 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: The Bid Notice published in the Norman Transcript, the Notice to Bidders, Instructions to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.

2) The CITY shall make payments as stipulated in the contract documents 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 other appropriate person, such detailed information as he may request to aid them as a guide in the preparation of the monthly estimates.

Contract No. K-2122-26  
Page 1 of 4

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 62, Section 310.9.

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 their final certificate to the CITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by them 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 estimate 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. Any suspension of work must be approved by the engineer or the engineer's representative. The contract period is as follows:

FYE 2022 CAPITAL IMPROVEMENT PROJECT – 24TH AVENUE NW Project Bid

- a. 120 Calendar Days
  - 1. 120 Calendar Days does not include weather days
    - i) Weather days to be determined by the City Engineer

4) That the CITY shall pay the CONTRACTOR for the work performed as follows:

- a. Payment for unit price items shall be at the unit price bid for actual construction quantities.
- b. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities. Should any defective work or materials be discovered or should a reasonable doubt rise as to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

5) The amount of retainage with respect to progress payments will be 5%.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY; and that in the event any additional are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY, the CONTRACTOR shall be compensated therefore at the unit price and as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind, and all work and materials shall be subject to rejection by the CITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the CITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR further agrees to pay liquidated damages, as stipulated in the contract document and the General Conditions included in the City of Norman Standard Specifications and Construction Drawings, for each calendar day thereafter.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the CITY prior to issuance of the Work Order and commencement of work on the project. The CONTRACTOR shall provide written documentation from the Maintenance Bond Company that all work, including Change Orders, is covered by the Maintenance Bond before final acceptance of the project.

11) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written.

12) 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 CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations 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 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.

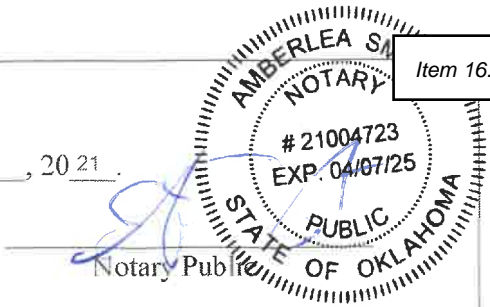
13) The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF Oklahoma )  
 ) ss:  
COUNTY OF Oklahoma )

James R Smith, 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. Affidavit 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.

Parathon Construction, LLC  
Contractor

Subscribed and sworn to before me this 16th day of August, 2021.



IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 16th day of August, 2021, and the 16th day of August, 2021.

(Corporate Seal) (where applicable)

ATTEST:  
Authorized Representative  
[Signature]  
Corporate Secretary (where applicable)

Principal  
Signed: [Signature]  
Title: President  
Address PO Box 1287, Edmond OK 73083  
Telephone: 405-605-6006

CITY OF NORMAN:

Approved as to form and legality this 20 day of August, 2021.  
[Signature]  
City Attorney

Approved by the Council of the City of Norman, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:  
\_\_\_\_\_  
City Clerk  
\_\_\_\_\_  
Mayor

**CONTRACT AFFIDAVIT**

STATE OF Oklahoma )  
 ) ss:  
COUNTY OF Oklahoma )

James R Smith, of lawful age, being first duly sworn, on oath says that (s)he is the Agent authorized by the Firm of Parathon Construction, LLC to submit the above Contract to the City of Norman, Oklahoma.

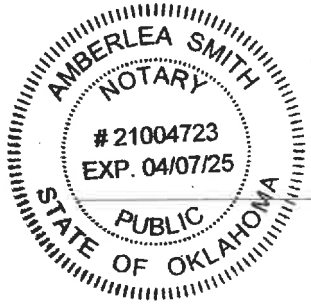
Affidavit further states that such firm has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the City of Norman, Oklahoma, any money or other thing of value, either directly or indirectly, in the procuring of the Contract.

*James R Smith - President*  
Contractor

Subscribed and sworn to before me this 16th day of August, 2021

*AS*  
Notary Public

My Commission Expires:



**PERFORMANCE BOND**

Know all men by these presents, that Parathon Construction, LLC as PRINCIPAL, and Hudson Insurance Company Corporation organized under the laws of the State of Delaware 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 of the State of Oklahoma, herein called CITY, in the sum of One Hundred Ninety-Two Thousand, Four Hundred Twenty & 50/100\*\*\* DOLLARS, (\$ 192,420.50 ), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best Bidder on the following PROJECT:

**BID 2122-17 FYE 2022 CAPITAL IMPROVEMENT PROJECT – 24TH AVENUE NW**

has entered into a written CONTRACT (K-2122-26) with THE CITY OF NORMAN, dated this 16<sup>th</sup> day of August, 2021 for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by said CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the CITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by PRINCIPAL or their or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of PRINCIPAL of their or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the CITY 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, this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the 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.

It is further expressly agreed that the Principal's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), and the 16<sup>th</sup> day of August, 2021 and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the day of August 16<sup>th</sup>, 2021.

Performance Bond No. B-2122-29  
Page 1 of 3



(Corporate Seal) (where applicable)

ATTEST:

[Signature]

Corporate Secretary (where applicable)

Principal Parathon Construction, LLC

Signed: [Signature]

Authorized Representative

Title: President

Address: P.O. Box 1287

Edmond, OK 73083

Telephone: 405-605-6066

(Corporate Seal) (where applicable)

ATTEST:

[Signature]

Surety: Hudson Insurance Company

Signed: [Signature]

Authorized Representative

Printed: Barry Herring

Authorized Representative

Title: Attorney-In-Fact

Address: 910984 S Moccasin Trl, Chandler, OK 74834

Telephone: 918-399-3545

**CORPORATE ACKNOWLEDGEMENT**

STATE OF Oklahoma )

) ss:

COUNTY OF Oklahoma )

The foregoing instrument was acknowledge before me this 10<sup>th</sup> day of August, 2021, by James R Smith - President (Name and Title), of Parathon Construction, LLC, a(n) corporation, on behalf of the corporation.

WITNESS my hand and seal this 10<sup>th</sup> day of August, 2021.

[Signature]  
Notary Public

My Commission Expires:

\_\_\_\_\_



Performance Bond No. B-2122-29

Page 2 of 3

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ (Name and Title) of \_\_\_\_\_,  
a(n) corporation.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ (Name and Title) \_\_\_\_\_  
(partner/agent) on behalf of \_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**CITY OF NORMAN**

Approved as to form and legality this 20 day of August, 2021.

Chisabeth Shole  
City Attorney

Approved by the Council of the City of Norman this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Performance Bond No. B-2122-29  
Page 3 of 3



HICSW-25-A283-0003

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Barry Lynn Herring

of the state of Oklahoma

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of Twenty Five Million Dollars (\$25,000,000.00).

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 15th day of July, 20 21 at New York, New York.



Attest... Dina Daskalakis Corporate Secretary

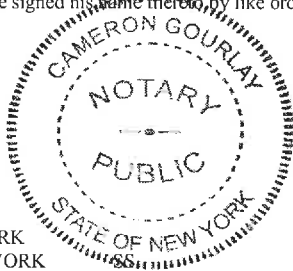
HUDSON INSURANCE COMPANY

By... Michael P. Cifone Senior Vice President

STATE OF NEW YORK COUNTY OF NEW YORK. SS.

On the 15th day of July, 20 21 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

(Notarial Seal)



Cameron Gourlay

CAMERON GOURLAY Notary Public, State of New York No. 01GO6372305 Qualified in New York County Commission Expires June 4, 2022

CERTIFICATION

STATE OF NEW YORK COUNTY OF NEW YORK

The undersigned Dina Daskalakis hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOVLED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this ... day of ... 20 21.



By... Dina Daskalakis, Corporate Secretary

STATUTORY BOND

Know all men by these presents that Parathon Construction, LLC as PRINCIPAL, and Hudson Insurance Company, a corporation organized under the laws of the State of Delaware, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the sum of One Hundred Ninety-Two Thousand, Four Hundred Twenty & 50/100\*\*\* DOLLARS (\$192,420.50), or the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best Bidder on the following PROJECT:

**BID 2122-17 FYE 2022 CAPITAL IMPROVEMENT PROJECT – 24TH AVENUE NW**

has entered into a written CONTRACT (K-2122-26) with THE CITY OF NORMAN, dated this 16<sup>th</sup> day of August, 2021, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, their subcontractors, or any material men, 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 the same becomes due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. S2, for 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 obligation of this Bond.

It is further expressly agreed that the Principal's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 16<sup>th</sup> day of August, 2021, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 16<sup>th</sup> day of August, 2021.

(Corporate Seal) (where applicable)

ATTEST

Corporate Secretary (where applicable)

Principal Parathon Construction, LLC

Signed: [Signature]

Authorized Representative

Title: President

Address: P.O. Box 1287

Edmond, OK 73083

Telephone: 405-605-6066

Statutory Bond No. B-2122-30

Page 1 of 3

(Corporate Seal) (where applicable)

ATTEST: [Signature]

Surety: Hudson Insurance Company

Signed: [Signature]  
Authorized Representative

Printed: Barry Herring  
Authorized Representative

Title: Attorney-In-Fact

Address: 910984 S Moccasin Trl, Chandler, OK 74834

Telephone: 918-399-3545

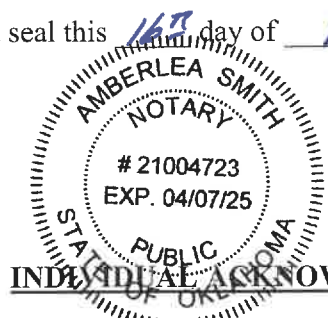
**CORPORATE ACKNOWLEDGEMENT**

STATE OF OKLAHOMA )  
 ) ss:  
COUNTY OF OKLAHOMA )

The foregoing instrument was acknowledge before me this 16<sup>th</sup> day of August, 2021, by JAMES R SMITH - President (Name and Title), of Paradigm Construction, LLC a(n) corporation, on behalf of the corporation.

WITNESS my hand and seal this 16<sup>th</sup> day of August, 2021.  
[Signature]  
Notary Public

My Commission Expires:  
\_\_\_\_\_



**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (Name and Title) of \_\_\_\_\_ a(n) corporation.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ (Name and Title) \_\_\_\_\_  
(partner/agent) on behalf of \_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**CITY OF NORMAN**

Approved as to form and legality this 20 day of August, 2021  
Chisabeth M. Hehale  
City Attorney

Approved by the Council of the City of Norman this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



HICSW-25-A283-0003

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Barry Lynn Herring
of the state of Oklahoma

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of Twenty Five Million Dollars (\$25,000,000.00).

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 15th day of July, 2021 at New York, New York.



Attest: Dina Daskalakis
Corporate Secretary

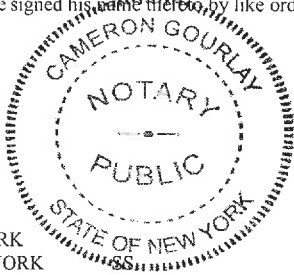
HUDSON INSURANCE COMPANY

By: Michael P. Cifone
Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK. SS.

On the 15th day of July, 2021 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto, by like order.

(Notarial Seal)



Cameron Gourlay
CAMERON GOURLAY
Notary Public, State of New York
No. 01GO6372305
Qualified in New York County
Commission Expires June 4, 2022

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK

The undersigned Dina Daskalakis hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognition, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this 21st day of July, 2021



By: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

**CITY OF NORMAN  
MAINTENANCE BOND**

Know all men by these presents that Parathon Construction, LLC, as Principal, and Hudson Insurance Company, a corporation organized under the laws of the State of Delaware, 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 of the State of Oklahoma, herein called CITY, in the sum of One Hundred Ninety-Two Thousand, Four Hundred Twenty & 50/100\*\*\* DOLLARS (\$), such sum being equal to the contract price and being in force for a period of one year from the date of the acceptance of the below described improvements by the City Council, for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best bidder on the following project:

**BID 2122-17 FYE 2022 CAPITAL IMPROVEMENT PROJECT – 24TH AVENUE NW**

has entered into a written CONTRACT (K-2122-26) with the CITY OF NORMAN, dated this 16<sup>th</sup> day of August, 2021 for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by references as if fully set forth; and,

WHEREAS, under the ordinances of the CITY the PRINCIPAL is required to furnish to the CITY a maintenance bond covering said construction of this PROJECT, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW, THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the CITY or expense to the CITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of one (1) year from the date of the written final acceptance by the CITY, then this obligation shall be null and void. The amount of the Maintenance Bond shall be 100% of the contract amount. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction on the PROJECT, 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 repair, 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 (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 16<sup>th</sup> day of August, 2021, and the SURETY has caused these presents to be executed in its name its corporate seal to be hereunto affixed by its authorized representative(s) on the 16<sup>th</sup> day of August, 2021.

(Corporate Seal) (where applicable)

ATTEST: [Signature]

Corporate Secretary (where applicable)

Principal Parathon Construction, LLC  
Signed: [Signature]  
Authorized Representative  
Title: President

Address: P.O. Box 1287  
Edmond, OK 73083

Telephone: 405-605-6066

(Corporate Seal) (where applicable)

ATTEST: [Signature]

Surety: Hudson Insurance Company  
Signed: [Signature]  
Authorized Representative

Printed: Barry Herring  
Authorized Representative

Title: Attorney-In-Fact

Address: 910984 S Moccasin Trl, Chandler, OK 74834

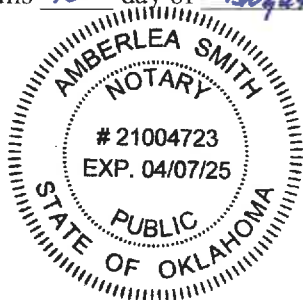
Telephone: 918-399-3545

**CORPORATE ACKNOWLEDGEMENT**

STATE OF Oklahoma )  
) ss:  
COUNTY OF Oklahoma )

The foregoing instrument was acknowledge before me this 16<sup>th</sup> day of August, 2021, by James R Smith - President (Name and Title), of Parathon Construction, LLC a(n) corporation, on behalf of the corporation.

WITNESS my hand and seal this 16<sup>th</sup> day of August, 2021.



[Signature]  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Maintenance Bond No. MB-2122-18  
Page 2 of 3

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (Name and Title) of \_\_\_\_\_, a(n) corporation.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledge before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (Name and Title) \_\_\_\_\_ (partner/agent) on behalf of \_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**CITY OF NORMAN**

Approved as to form and legality this 20 day of August, 2021.

Elizabeth Luckele  
City Attorney

Approved by the Council of the City of Norman this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



HICSW-25-A283-0003

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Barry Lynn Herring
of the state of Oklahoma

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of Twenty Five Million Dollars (\$25,000,000.00).

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 15th day of July, 2021 at New York, New York.



Attest: Dina Daskalakis
Dina Daskalakis
Corporate Secretary

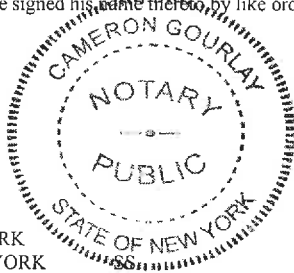
HUDSON INSURANCE COMPANY

By: Michael P. Cifone
Michael P. Cifone
Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK. SS.

On the 15th day of July, 2021 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name hereon, by like order.

(Notarial Seal)



Cameron Gourlay
CAMERON GOURLAY
Notary Public, State of New York
No. 01GO6372305
Qualified in New York County
Commission Expires June 4, 2022

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK

The undersigned Dina Daskalakis hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this \_\_\_ day of \_\_\_, 2021.



By: Dina Daskalakis
Dina Daskalakis, Corporate Secretary

# Resolution

R-2122-20

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING PARATHON CONSTRUCTION, L.L.C., AS PROJECT AGENT FOR THE FYE 2022 24TH AVENUE N.W. SIDEWALK ACCESSIBILITY CONSTRUCTION PROJECT FOR THE CITY OF NORMAN.

- § 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 Parathon Construction, L.L.C., for the FYE 2022 24th Avenue N.W. Sidewalk Accessibility Construction Project for the City of Norman; and
- § 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Parathon Construction, L.L.C., 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, Parathon Construction, L.L.C., to purchase materials which are in fact used for the FYE 2022 24th Avenue N.W. Sidewalk Accessibility Construction Project for the City of Norman; and
- § 3. WHEREAS, this limited agent status is conferred with the express understanding that Parathon Construction, L.L.C., 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 24th day of August, 2021, did appoint Parathon Construction, L.L.C., who is involved with the FYE 2022 24th Avenue N.W. Sidewalk Accessibility Construction 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 FYE 2022 24th Avenue N.W. Sidewalk Accessibility Construction Project for the City of Norman.

PASSED AND ADOPTED THIS 24th day of August, 2021.

\_\_\_\_\_  
Mayor

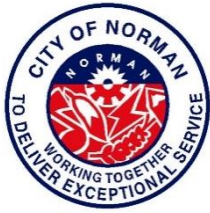
ATTEST:

\_\_\_\_\_  
City Clerk



**File Attachments for Item:**

17. CONSIDERATION FOR APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-1920-32: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA EXTENDING THE TERM OF THE LEASE AGREEMENT FOR OFFICE SPACE, SERVICE BAYS, FLEET STORAGE, AND WAREHOUSE/GARAGE SPACE TO BE USED FOR PROVIDING TRANSPORTATION SERVICES UNTIL DECEMBER 31, 2021 OR UPON SUBSTANTIAL COMPLETION AND OCCUPATION OF THE NORTH BASE COMPLEX PROJECT, PHASE 1, BY THE CITY OF NORMAN.



## CITY OF NORMAN, OK STAFF REPORT

# Item 17

**MEETING DATE:** 08/24/2021

**REQUESTER:** Shawn O'Leary, Director of Public Works

**PRESENTER:** Heather Poole, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION FOR APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-1920-32: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA EXTENDING THE TERM OF THE LEASE AGREEMENT FOR OFFICE SPACE, SERVICE BAYS, FLEET STORAGE, AND WAREHOUSE/GARAGE SPACE TO BE USED FOR PROVIDING TRANSPORTATION SERVICES UNTIL DECEMBER 31, 2021 OR UPON SUBSTANTIAL COMPLETION AND OCCUPATION OF THE NORTH BASE COMPLEX PROJECT, PHASE 1, BY THE CITY OF NORMAN.

### BACKGROUND:

The City of Norman assumed operation of the public transportation system in the Norman area on July 1, 2019. On July 30, 2019, City Council approved Contract K-1920-32 with the Board of Regents for the University of Oklahoma to lease University property, the OU Transportation Operations Center, at 510 Chesapeake, for a maintenance facility for the transit system the City of Norman now operates. While the initial contract terminated on December 31, 2019, it was extended to June 30, 2020, on December 10, 2019. It was again extended to December 31, 2020. The last amendment extended the lease to September 30, 2021. However additional time due to construction delays is needed to allow adequate time for the City's North Base Complex Project Phase I to be completed.

### DISCUSSION:

Contract K-2021-35 was entered into by the City of Norman with Flintco, L.L.C. to construct the North Base Complex Project, Phase I. The initial projected completion date for the project was July 30, 2021. This project is located adjacent to the City Service Facility at Da Vinci Street off of North Flood Avenue. This building will house the public transportation fleet maintenance, public transportation operations, and provide for public safety-related heavy equipment fleet services for fire trucks. The construction delays the City has experienced in building of the North Base Complex Project Phase I will require an extension of the lease term from September 31, 2021 to December 31, 2021 or until the North Base Complex Project, Phase I, is substantially completed. If the construction is completed prior to December 31, 2021 the City can terminate

its lease with the Board of Regents and move the maintenance and operations activities for the transit system into the City's facility.

The lease terms are:

1. \$514.35 a month for the office space;
2. \$5,400.00 a month for the warehouse/garage space;
3. \$100.00 for each parking spot reserved for the City's use.

Funds are available for ongoing lease-related expenses in the Public Transit Fund, Outside Auto Repair (Account Org 27550276, Object 44201) for Fleet Maintenance and Office Space Rental (Account Org 27550277, Object 44503) for Administration and Office Space.

**RECOMMENDATION:**

That City Council approve Amendment No. 4 to Contract No. K-1920-32 thus extending the lease of the University of Oklahoma Transportation Operations Center building being used by the City's transit system until such time that the North Base Complex Project, Phase I, is substantially completed. This will allow the City to not expend unnecessary rent but allow the Norman public transportation system to continue to operate effectively while waiting on the completion of its own facility.

**AMENDMENT NO. 4 TO CONTRACT NO. K-1920-32**

This Amendment No. 4 to Contract No. K-1920-32 is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Norman, Oklahoma, a municipal corporation, (hereinafter referred to as the "City") and the Board of Regents of the University of Oklahoma, (hereinafter referred to as the "University").

**WITNESSETH:**

WHEREAS, on July 30, 2019, the parties entered into Contract No. K-1920-32, for the purpose of a Lease Agreement providing for the City's lease of University property through December 31, 2019; and

WHEREAS, on December 10, 2019, the parties amended the Lease Agreement to extend the term until December 31, 2020; and

WHEREAS, on November 12, 2020, the parties again amended the Lease Agreement to extend the term until September 30, 2021, or upon the City's substantial completion of the construction and occupation of its North Base Complex Project Phase I; and

WHEREAS, the parties desire to extend the term of this lease agreement through December 31, 2021, or upon the City's substantial completion of the construction and occupation of its North Base Complex Project Phase I, whichever comes first.

NOW, THEREFORE, for and in consideration of the mutual agreements, covenants, and promises set forth herein, the parties do hereby covenant and agree to reaffirm all provisions of Contract No. K-1920-32, as previously amended by Amendment 1, Amendment 2 and Amendment 3 to Contract No. K-1920-32, except as further amended as follows:

2. Term and Termination.

2.1 The term of the Lease shall begin August 5, 2019 and end December 31, 2021, or upon the City's substantial completion of the construction and occupation of its North Base Complex Project Phase I, whichever comes first, unless the Lease is otherwise terminated as allowed herein.

**All other provisions of Contract No. K-1920-32, as previously amended by Amendments 1, 2 and 3, except for those specifically listed above shall remain in full force and effect.**

[The remainder of this page intentionally left blank]



IN WITNESS THEREOF, the CITY and the UNIVERSITY have executed this Agreement.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF NORMAN, OKLAHOMA**  
**("City")**

By: \_\_\_\_\_  
Project Manager

By: \_\_\_\_\_  
Mayor Breea Clark

ATTEST:

By: \_\_\_\_\_  
Brenda Hall, City Clerk

Approved as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Attorney

**BOARD OF REGENTS OF**  
**THE UNIVERSITY OF OKLAHOMA**  
**("University")**

By: Brian Holderread  
Brian Holderread  
Acting Vice President for Operations

ATTEST:

By: [Signature]

Title: Staff Assistant  
#20002202

## LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease"), MADE AND ENTERED INTO THIS \_\_\_ day of \_\_\_\_\_, 2019, by and between the City of Norman, Oklahoma ("Lessee"), and the Board of Regents of the University of Oklahoma ("Lessor").

### RECITALS

Whereas, Lessor owns and operates an office or building space that may from time to time be properly made available to outside parties as consistent with the laws of the United States and the State of Oklahoma; and

Whereas, Lessor finds it necessary, convenient and desirable to make space available on a rental basis to tenants who will use it for purposes which support or contribute to Lessor's purposes or are incidental thereto; and

Whereas, Lessee finds it necessary, convenient, and desirable to acquire Lessor's available space on a rental basis for the purpose of providing public transportation services to the City of Norman and surrounding areas.

Now, therefore, in consideration of the mutual promises and conditions contained in this Agreement, and for good and valuable consideration, Lessor and Lessee agree as follows:

1. Description of Leased Property.

1.1. Lessor leases to Lessee, and Lessee rents and takes from Lessor 381 feet of office space (marked as Room 117 on Appendix A) at 510 Chesapeake Street, as more particularly described in the floor plan of the premises in Appendix A, attached hereto and incorporated herein ("Premises") (known as the OU Transportation Operations Center). In addition, Lessee shall have the option to lease 194 feet of office space (marked as Room 148 in Appendix A) as well as two work bays, including the use of affixed and large equipment, of warehouse/garage space. Lessee acknowledges warehouse/garage space leased will be dedicated to Lessee but non-exclusive, it being the intention of the parties that Lessee and Lessor will both occupy the space in furtherance of their respective interests. Finally, after October 1, 2019, or on a subsequent date no later than October 15, 2019, if agreed upon by Lessor and Lessee, Lessee shall have the option to lease an additional 545 feet of office space (marked as Rooms 127 and 127A in Appendix A) on the Premises.

1.2. In addition, Lessee shall have the non-exclusive use of public, common and parking areas, to be shared with Lessor, including, but not limited to, areas marked as Rooms 116, 141, 143, 150, 151, and 152A in Appendix A.

1.3. It being the intention of the parties to work independently but alongside each other at the Transportation Operations Center, they agree to the terms set forth more specifically in the Facility Sharing Agreement attached hereto as Appendix B and incorporated herein.

## 2. Term and Termination.

2.1 The term of the Lease shall begin August 5, 2019, and end December 31, 2019, unless the Lease is otherwise terminated as allowed herein.

2.2 Either party may terminate this Lease upon thirty (30) days written notice. The written notice shall be sent to the following persons:

Lessor: Board of Regents of the University of Oklahoma  
600 Parrington Oval, Room 119  
Norman, OK 73019

Lessee: City of Norman, OK  
201 West Gray  
Norman, OK 73070

2.3 Either party may terminate this Lease immediately upon material breach by the other party of this Lease.

2.4 This agreement may be terminated immediately should any of the following occur:

- a) an act of god or event causing catastrophic damage to the property and/or facility which make the continuation of the activity at the basis of this agreement unduly burdensome or impossible;
- b) the Premises ceases to be used exclusively for the purposes represented herein;
- c) the loss of Federal or State funding which makes the continuation of its operation impossible or unduly burdensome for either party;
- d) insolvency by either of the parties to this agreement; or
- e) a change in the laws or regulations (either Federal or State) which make the continuation of this agreement illegal or impossible.

## 3. Rent.

Lessee agrees to pay Lessor as rent for the office space portion of the Premises (Office Rent) the amount of five hundred fourteen dollars and thirty-five cents (\$514.35) per month.

Lessee further agrees to pay Lessor, only if exercising the option to use warehouse/garage space as set forth in Item 1, for use of the warehouse/garage portion of the Premises (Warehouse Rent) the amount of five thousand four hundred dollars (\$5,400.00) per month. Additional office space is available at the rate of one dollar and thirty-five cents (\$1.35) per square foot per month. Lessee further agrees to pay Lessor one hundred dollars (\$100.00) for each fleet vehicle parking space to be reserved for Lessee's use. The number of parking spaces to be reserved shall be mutually agreed by the parties in writing, and may be modified as needed. University will provide dedicated employee and guest parking for City's employees, agents, contractors, and guests at no additional costs to City. City acknowledges that other parking is unauthorized and shall be subject to University parking enforcement protocol.

Office Rent and Warehouse Rent (cumulatively, "Rent") for any partial months shall be prorated at a daily rate. Rent shall be due within forty-five (45) days of receipt of an invoice from the Lessor.

4. Provided Services

Lessor will provide to the Lessee the following personnel services as part of the fair market rent with no compensation:

- (a) Custodial/Janitorial Services
- (b) Reception Services (during business hours)
- (c) Maintenance for affixed equipment
- (d) Security Services

5. Use and Access of Premises

- 5.1 Lessee will use and occupy the Premises for the purpose of providing public transportation services to Norman and surrounding areas, and for no other purpose without first obtaining the written consent of Lessor therefore.
- 5.2 Lessee will conform to and comply with all of Lessor's applicable rules and regulations and comply with applicable municipal, county, state, and federal ordinances, laws, rules and regulations in using the Premises.
- 5.3 Lessee will have the following right of use in the Premises
  - 5.3.1 Use of affixed equipment and large equipment in bays (if option exercised)
  - 5.3.2 General office furniture for Office Premises will be provided at no additional charge.
  - 5.3.3 Designated employee and visitor parking
  - 5.3.4 Access to covered fueling station on a mutually determined schedule
  - 5.3.5 Use of exterior washer bay on a mutually determined schedule
- 5.4 Lessee has the right of ingress and egress in accordance with Lessor's rules and regulations.
- 5.5 Lessee may not, at any time, improve or physically alter the Premises.

6. Quiet Enjoyment.

On payment of the rents and performance of the covenants and agreements on the part of Lessee to be paid and performed hereunder, and subject to the limitations set forth herein and in the attached Facility Sharing Agreement, Lessee shall peaceably have and enjoy the Premises and all of the rights, privileges and appurtenances granted.

7. Maintenance and Repairs.

Lessor shall be responsible for maintaining the building and the associated landscaping and making all reasonable repairs and replacements to the heating, cooling, ventilation, lighting, and electrical installations and shall keep and maintain all plumbing units, pipes, and connections in good repair and free from obstruction. Lessor shall also be responsible for maintaining the parking lots, including during and subsequent to inclement weather, on the same basis as other University facilities. Lessor shall have the responsibility for properly maintaining all building fire protection systems and equipment, such as the fire sprinkler system, fire alarm system, and fire extinguishers. Lessor shall conform to and comply with all applicable laws and regulations, including laws pertaining to water quality, waste disposal, hazardous waste disposal, air quality and air emissions, and other environmental and health safety matters.

Lessee shall give written notice to Lessor of any repairs required pursuant to the provisions of this Lease, and Lessor agrees to promptly to commence such repairs and to prosecute the same to completion diligently, subject, however, to the delays occasioned by events beyond its control.

8. Utilities.

Utilities provided by the Lessor include electricity, water, and trash.

9. Liability and Insurance.

9.1 The parties agree that each will be responsible for their own acts and omissions subject to the provisions and limitations of the Oklahoma Governmental Tort Claims Act, 51 O.S. §§ 151, *et seq.* Lessor shall not hold Lessee responsible for reconstruction costs due to fire (unless caused by Lessee), flood, or natural catastrophes. Lessee may terminate the lease upon catastrophic damage but may not hold the Lessor responsible for any loss of income due to the loss of space. Lessee shall be responsible for damages caused by Lessee's employees, agents, contractors, and invitees. In the event of damages caused by any third-party operator of Lessee, Lessor shall notify Lessee of such claim in writing, and Lessee will forward to said third-party operator. If requested by Lessee, Lessor shall submit a formal claim to such third-party operator. Lessor shall be responsible for damages caused by any third-party operator only if Lessor has exhausted other direct claims for damages or other remedies and such damages have not otherwise been satisfied.

9.2 Lessee recognizes that Lessor is self-insured through the State of Oklahoma Department of Risk Management in accordance with the Oklahoma Governmental Tort Claims Act. Lessor shall not be responsible for any equipment of Lessee located in the Premises or used in connection with the operations conducted therein.

10. Condition upon Termination.

Lessee shall, at its sole cost and expense, maintain the Premises in as good condition as on the commencement date of the Lease, and shall surrender the Premises to Lessor at the expiration of the

term hereof or upon the earlier termination as provided herein, in as good condition as on the commencement date, subject to normal and reasonable wear and tear.

11. Assignment or Sublet.

Lessee shall not assign or in any manner transfer this Lease or any interest therein without the prior written approval of Lessor. Lessor may, in its own discretion, refuse to allow any assignment or subletting of the space. Notwithstanding the foregoing, the parties acknowledge it is Lessee's intention to contract with a third party (Embark) to provide certain services essential to public transit operations and agree that Embark staff are permitted to use the facility subject to the terms of this Lease and the Facility Sharing Agreement.

12. Governing Law.

This Agreement shall be governed by the laws of the State of Oklahoma, without giving force and effect to its choice of law provisions. The validity, construction, and enforcement of this Lease shall also be governed by the laws of the State of Oklahoma. Any legal action in connection with this Lease shall be filed in a court of competent jurisdiction in the State of Oklahoma, to which jurisdiction and venue the parties expressly agree.

13. Legal Recourse and Attorneys' Fees.

Should the parties to this Agreement be unable to resolve between themselves any dispute arising from any of the provisions within this Agreement, each party shall have recourse under applicable law. In the event that either party commences an action in law or equity to enforce any provision of this Agreement, the losing party shall pay to the prevailing party, reasonable attorneys' fees as fixed by a court of competent jurisdiction.

14. Non-discrimination.

As applicable, the provisions of Executive Order 11246, as amended and as supplemented in Department of Labor regulations (41 CFR Part 60-1.4(a), 60-300.5(a) and 60-741.5(a) et. seq.), are incorporated into this Agreement and must be included in any subcontracts awarded involving this Agreement. The parties represent that all services are provided without discrimination on the basis of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, political beliefs, or veteran's status; they do not maintain nor provide for their employees any segregated facilities, nor will the parties permit their employees to perform their services at any location where segregated facilities are maintained. In addition, the parties agree to comply with the applicable provisions of Section 504 of the Rehabilitation Act and the Vietnam Era Veteran's Readjustment Assistance Act of 1974, 38 U.S.C. §4212.

15. Title IX.

Lessee acknowledges and understands that Lessor may have federal obligations to investigate and remedy potential harassment or discriminatory actions taken against its students or employees

while on the Premises. Lessee agrees to cooperate with Lessor in any such investigation and agrees to take remedial actions to ensure such harassment or discrimination ceases. If, however, Lessor determines that the remedial action is insufficient, the Lessor may terminate this Lease immediately.

16. Stark/Anti-Kickback.

The parties represent that the amounts paid under this Lease are fair market value for the space provided. Neither this Lease nor the amounts paid hereunder are provided directly or indirectly to induce or require Lessor or its employees to utilize Lessee to provide any services to patients or generate business for Lessee. The parties understand that the lessee may see patients that are not patients of the Lessor on the premises and that all services provided will be entirely separate from services provided by the Lessor. The parties intend to conduct their relationship in full compliance with all applicable law, including but not limited to the federal Anti-Kickback statute.

17. Safety and Procedures

Lessee acknowledges that it is leasing space and is responsible for providing all necessary training to its staff regarding safety and security. The Lessee also acknowledges that any staff, agents, or contractors of the Lessee shall follow all required safety protocols including evacuations and emergency response protocols of the Lessor while they are on site. Lessee shall require that the staff, agents, or contractors of the Lessee will not share any access items (including access cards or keys) with any other persons that may grant access to the facility.

Lessee agrees that with regard to the leased Premises,

- 1) Entrances and exits to the Premises must remain secured at all times. Doors must not be propped open, unless required by applicable fire code.
- 2) Lessee's staff, agents, or contractors will not allow unauthorized individuals access to the Premises without the Lessor's prior approval.

18. Entire Agreement.

This Lease, including its referenced attachments, contains the entire agreement between the parties, and no agreement shall be effective to change or modify this Lease in whole or in part unless such agreement is in writing and duly signed by both parties.

19. Severability.

If any provision(s) of this Agreement shall be held invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

20. Amendment.

This agreement may be amended by the parties with a writing signed by both parties.

21. Counterparts

This Lease may be executed in any number of counterparts, each of which shall be deemed an original and all of which taken together shall be deemed to constitute one and the same instrument. Delivery of an executed Lease by facsimile or other electronic transmission shall be as effective as delivery of an original executed counterpart of this Lease.

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this Lease on this 30th day of JULY, 2019.

LESSOR:  
Board of Regents of the University of Oklahoma  
By: Eric Conrad  
Eric Conrad  
Vice President for Operations

LESSEE:  
City of Norman, Oklahoma  
By: Mayor Breea Clark  
Mayor Breea Clark

Attest: Brenda Hall  
Brenda Hall, City Clerk



APPROVED as to form and legality this 26th day of July, 2019.

Kristina L. Bell  
Kristina L. Bell, Assistant City Attorney



- Office Space
- Shared/non-exclusive Space
- Optional Office Space

# Appendix A



**APPENDIX B****FACILITY SHARING AGREEMENT**

This Facility Sharing Agreement (“Agreement”) is made as of the \_\_\_\_ day of \_\_\_\_\_, 2019, by the Board of Regents of the University of Oklahoma (“University”), a constitutionally created entity of the State of Oklahoma, and the City of Norman, Oklahoma (“City”), an Oklahoma municipality.

**RECITALS**

Whereas, University and City are parties to a lease agreement (“Lease”) executed contemporaneously with this Agreement;

Whereas, pursuant to the Lease, City rents and takes certain office space for its exclusive use, and has the option to take certain warehouse/garage space for its dedicated but nonexclusive use, and also has non-exclusive use of public, common, and parking areas which are shared with University; and

Whereas, subject to and in accordance with the terms and conditions of this Agreement, City and University desire to share and co-occupy those non-exclusive portions of the Premises in a manner that furthers the City’s purpose of providing public transportation services to the City of Norman and surrounding areas, and the University’s purpose of providing campus transportation and fleet services;

Now, therefore, in consideration of the mutual promises, covenants, and agreements set forth herein, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. **Term.** This Agreement shall automatically terminate upon the expiration or termination of the Lease.
2. **Premises.** The OU Transportation Operations Center and its immediately surrounding areas shall constitute the Premises.
3. **Third Party Operator.** The parties acknowledge that the City of Norman may choose to engage a third party to operate all or a portion of its public transportation services. Such third party shall be permitted to use the facility in accordance with the terms of this Agreement on the same basis as City; provided, City shall be responsible for requiring such third party’s compliance with the terms of this Agreement relating to the use and sharing of the Premises and shall only be responsible for damages caused by the Third Party Operator in accordance with the provisions of Section 9.1 of the parties’ Facility Lease Agreement.
4. **Taxes.** City agrees not to take any tax position that is inconsistent with being a service provider with respect to the property (e.g., agrees not to take depreciation or amortization, tax credit or deduction for rent); and further, will prohibit any third-party operator from the same.

**APPENDIX B**

5. **Access and Identification.** City's employees, agents, and contractors shall have Sooner Card Credentials when on the Premises that also provide access to Premises. In addition, staff shall display clearly visible photo identification (such as an employer-issued nametag or lanyard) while on Premises. City is responsible for securing all exits when leaving Premises unoccupied.
6. **No Co-employment.** City's employees, agents, and contractors may not direct the work of University employees, and University may not direct the work conducted on City's behalf.
7. **Office Premises.** Office lights should be turned off when the office is not in use. City shall not exceed the weight of the live load square foot of the floor area with equipment, furniture or any other item.
8. **Employee/Guest Parking.** University agrees to provide dedicated parking for City's employees, agents, contractors, and guests. Other parking is unauthorized and shall be subject to University parking enforcement protocol.
9. **Breakroom.** A break room is available and will be shared by City and University. The breakroom should be used only by employees on duty.
10. **Meeting room.** A meeting room is available for use, upon request. University's liaison maintains a calendar to manage reservations of the meeting room.
11. **Lockers.** A shared locker room is available for use. University issues locks only for University employees.
12. **Warehouse/Garage.** Access to Warehouse/Garage will be available to City's employees, agents, and contractors during University business hours.
13. **Tools.** City is responsible for providing its own tools for mechanics. Tools shall be secured safely when not in use.
14. **Warehouse/Garage Conditions.** City shall be responsible for maintaining a tidy and clean work area for its dedicated space. University does not provide custodial service for garage bays. Music is not permitted in the warehouse/garage
15. **Warehouse/Garage Solo Rule.** It is prohibited for any person to work in the warehouse/garage alone.
16. **Ordering parts.** Parts must be ordered at the appropriate service window. No person should enter the parts room without the express invitation of the manager.
17. **Cameras.** Tampering of cameras on the Premises is forbidden.
18. **Equipment.** City shall notify the University's designated liaison immediately if affixed equipment or large equipment needs to be serviced. City's employees,

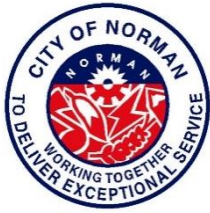
**APPENDIX B**

agents, and contractors shall follow rules for use of affixed equipment and large equipment on the Premises. City will require staff to complete all necessary training or certification prior to using affixed or large equipment. All equipment is to be used in a manner according to and/or consistent with manufacturer recommendations.

19. Exterior Premises. City fleet vehicles shall be parked in the northern portion of the designated bus parking zone. City shall have access to fueling via the covered fueling station located on the Premises. City's employees, agents, and contractors shall use their designated fuel-key when fueling vehicles. City will not have access to slow fuel stations. City will have access to the exterior bus wash on a mutually agreed-upon basis.
20. Disputes. Each party shall designate a liaison to receive complaints or concerns about facilities use. The liaisons shall work together to resolve complaints.
21. Worker's compensation. Responsibility for injuries incurred by employees during the scope of their employment shall be borne by each respective employer in accordance with the Worker's Compensation laws of the state of Oklahoma.
22. Policies. All applicable University of Oklahoma policies should be adhered to. An example which is not meant to be all inclusive is, no smoking allowed on state property. University reserves the right to rescind any of the foregoing regulations or policies and to make such other regulations as are needed from time to time in University's reasonable judgment to promote safety, protection, care, and cleanliness of the Premises.

**File Attachments for Item:**

18. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-46: A SETTLEMENT AGREEMENT AND RELEASE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, AND OWNERS OF CERTAIN PROPERTY LOCATED AT 5430 NW 36TH AVE, RESOLVING EMINENT DOMAIN ACTION CJ-2021-224 FILED IN THE OKLAHOMA DISTRICT COURT FOR CLEVELAND COUNTY REGARDING THE ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE 36TH AVENUE N.W. BOND PROJECT.



## CITY OF NORMAN, OK STAFF REPORT

## Item 18

**MEETING DATE:** 08/24/2021

**REQUESTER:** Elisabeth Muckala, Asst. City Attorney

**PRESENTER:** Elisabeth Muckala, Asst. City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-46: A SETTLEMENT AGREEMENT AND RELEASE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, AND OWNERS OF CERTAIN PROPERTY LOCATED AT 5430 NW 36TH AVE, RESOLVING EMINENT DOMAIN ACTION CJ-2021-224 FILED IN THE OKLAHOMA DISTRICT COURT FOR CLEVELAND COUNTY REGARDING THE ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE 36TH AVENUE N.W. BOND PROJECT.

### BACKGROUND:

On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/stormwater improvement projects. One of the eight 2012 bond projects is the 36th Avenue NW Bond Project between Tecumseh Road and Indian Hills Road (please see the attached location map showing the project boundaries).

On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-64, requesting federal funds for the 36<sup>th</sup> Avenue NW Bond Project. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost, estimated at \$11,500,000, and administration of the construction with the matching share from the City of Norman.

On April 9, 2013, City Council approved engineering services Contract K-1213-170 with the engineering firm of CP&Y in the amount of \$703,878.50 to design 36<sup>th</sup> Avenue NW Bond project from Tecumseh Road to Indian Hills Road.

On August 14, 2018, City Council approved Resolution R-1819-12 declaring the 36<sup>th</sup> Avenue NW Project a recoupment project.

Proposed improvements for the 36<sup>TH</sup> Avenue NW Bond Project include:

1. Widen two miles of roadway from two lanes to four lanes
2. New traffic signals at 36<sup>th</sup> Avenue NW and Franklin Road and 36<sup>th</sup> Avenue NW and Indian Hills Road
3. Interconnect signals between Tecumseh Road and Indian Hills Road
4. Dedicated left turn lanes at All Saints Catholic School
5. Fifth lane north of Indian Hills Road to Market Place
6. Storm water improvements
7. Continuous sidewalks along both sides of the roadway with the 10-foot-wide legacy trail from Tecumseh Road to Franklin Road on the east side
8. Bicycling facilities as listed in the Norman Bike Plan

On February 26, 2019, City Council approved Authorization for Expenditure No. One from Contract K-1314-102 with Smith-Roberts Land Services, Inc., for the 36<sup>th</sup> Avenue NW Bond Project – Phase 1, in the amount of \$54,324 for right-of-way acquisition services. On May 28, 2019, City Council approved Amendment One to Contract K-1213-170 for engineering design of the 36<sup>th</sup> Avenue NW Widening Bond Project from Tecumseh Road to Market Place, with CP&Y, Inc., in the amount of \$193,895. On August 13, 2019, City Council approved Authorization for Expenditure Three under contract K-1314-102 with Smith-Roberts Land Services, Inc., for right of way acquisition services for Phase Two of the 36<sup>th</sup> Avenue Northwest Widening Bond Project, from Franklin Road to Market Place, in the amount of \$130,116. On November 12, 2019, City Council approved Authorization for Expenditure Four, under Contract K-1314-102, with Smith-Roberts Land Services, Inc., in the amount of \$20,180 for additional right-of-way acquisition services due to an increase in the number of parcels and appraisals included in Phase Two of the 36<sup>th</sup> Avenue Northwest Widening Bond Project.

Acquisition easements have been accepted for most parcels implicated by this project; and those that have not been acquired are subject to currently-pending eminent domain actions in Cleveland County District Court. On July 22, 2021 the appointed Commissioners filed their reports in all actions, identifying the amount of just compensation owed to the owners.

#### **DISCUSSION:**

The Griffiths wish to accept the amount of the just compensation award from the Court. Though the Griffiths have the legal right to object to the amount of the award, they approached the City regarding a settlement whereby the City would agree to certain concessions regarding the current location of their gate keypad and other items in exchange for the Griffith's agreement to forego objections in the eminent domain legal action, and to finally resolve all matters involved with this acquisition and release the City from any further potential liability for the requested acquisitions.

The settlement agreement, Contract K-2122-46, sets the parameters for the Griffiths placement and maintenance of certain items, such as their fence, gate, and gate keypad. The settlement agreement also addresses the Griffith's compliance with the City's project and release of any further claims regarding the acquisition.

The settlement agreement is presented to City Council along with a companion item, Contract K-2122-47, a Right-of-Way License and Indemnity Agreement setting the legal parameters

regarding the maintenance of the gate keypad in its current location, which will ultimately be within the permanent right-of-way acquired by the City through the eminent domain action.

Finally, upon approval of the settlement agreement and right-of-way/indemnity agreement by both parties, an agreed journal entry will be submitted to the Court in the legal action. If that agreed order is approved and entered by the Court, the settlement will be finalized. If the agreed Journal Entry is not approved by the Court, the Settlement Agreement will be deemed null and void and Right-of-Way and Indemnity Agreement will not become effective.

**RECOMMENDATION:**

City Staff recommends approval of Contract K-2122-46, and its companion item Contract K-2122-47, and that City Staff be directed to carry out the necessary actions to implement the terms of these agreements and resolve the district court legal action.



**SETTLEMENT AND RELEASE AGREEMENT**

This Settlement Agreement and Mutual Release (the "Agreement") is made effective and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2021, between and among City of Norman, Oklahoma, A Municipal Corporation ("City") and Michael W. Griffith and Lisa C. Griffith, Husband and Wife (collectively the "Griffiths"), sometimes being individually referred to as a "Party" or collectively referred to as the "Parties."

**RECITALS**

The Parties agree that the following factual recitals constitute material terms of this Agreement, and each Party's consent and acceptance of the terms of this Agreement is based in whole or part on the following facts:

WHEREAS, on March 9, 2021, City filed a Petition in Cleveland County, *City of Norman, Oklahoma, vs. Michael W. Griffith and Lisa C. Griffith, Husband and Wife, Arvest Bank, an Arkansas Corporation, Jim Reynolds, in his Capacity as Cleveland County Treasurer, and the Board of County Commissioners of Cleveland County*, Case No. CJ-2021-224 ("Legal Action"), seeking the acquisition of certain property interests as more specifically set forth in the City's Petition, including the property description included in Exhibit "A" to the Petition and hereto (the "Property") by condemnation and requesting the appointment of disinterested freeholders of Cleveland County, Oklahoma, to be selected by the Court to act as Commissioners and determine just compensation due to the Griffiths.

WHEREAS, on May 25, 2021, statutory parties of interest, Cleveland County Treasurer and Board of County Commissioners of the County of Cleveland, answered the Petition and disclaimed any interest in the Property or its acquisition other than for any delinquent ad valorem taxes or assessments, any of which it was not aware.

WHEREAS, on May 4, 2021, three disinterested Commissioners were recommended to the Court by agreement, and thereafter appointed by the Court in the Legal Action.

WHEREAS, thereafter the Griffiths and City presented information to the Commissioners regarding the just compensation owed for the acquisition, and both parties posed objection to the arguments and positions of the other party regarding the scope and amount of just compensation owed under the circumstances and have reserved all rights and defenses available to them under the law as applicable to the Legal Action ("Parties' Mutual Dispute").

WHEREAS, on July 22, 2021 the Commissioners made their report determining just compensation due to the Griffiths in the amount of \$23,000.00 (the "Compensation").

WHEREAS, both parties have reserved the Parties' Mutual Dispute as to the matters addressed in the Legal Action, including the Compensation awarded by the Commissioners.

WHEREAS, except for any obligations specifically stated in this Agreement, and reserving the Parties' Mutual Dispute, the Parties express as their clear intent that the purpose of this

Agreement is to completely resolve the Dispute and reach a final determination regarding the acquisition by eminent domain of the Property.

WHEREAS, the Parties represent to each other that they have read this Agreement thoroughly and that they fully understand all verbiage used and all of the terms and conditions contained in this Agreement.

### AGREEMENT

NOW, THEREFORE, for and in exchange of valuable consideration, the sufficiency of which the Parties acknowledge, the Parties agree as follows:

1. The consideration being provided by each party as a part of this agreement are as follows:
  - a. City has deposited Twenty-Three Thousand Dollars and 00/100ths (\$23,000.00) with the Cleveland County Court Clerk as the "Just Compensation" award by the Commissioners in the Legal Action. Immediately upon both the approval of this Agreement by the parties and the Court's approval of an agreed Journal Entry according to the terms of this Agreement, the Griffiths may withdraw said funds from the Cleveland County Court Clerk;
  - b. The portion of the Griffith's fence and gate located within the temporary easement identified in the Petition in the Legal Action is permitted to remain in place and, in the unexpected circumstance that it is damaged in any way by the City during construction of the project identified in the Petition in the Legal Action, the City shall repair or replace the same such that it is in the same or better condition.
  - c. The Griffiths will move or replace the existing cedar fence so that it abuts the furthest western edge and completely outside of the permanent easement to be acquired by City from the Griffiths.
  - d. The Griffiths shall be permitted by the City to maintain a gate keypad within the permanent easement, the same location as the keypad existing on the date of this Agreement, pursuant to the terms of that Right-of-Way and Indemnity Agreement that shall be presented to the Norman City Council for approval, and is hereby fully incorporated into this Agreement by reference.
  - e. City will replace the portion of the existing driveway at the Property that is damaged or destroyed by the City's construction activity with cement of like quality and material as existed at the time of the taking as set forth in the Legal Action.
  - f. If the Griffiths do not elect to demolish and relocate the existing mailbox in compliance with the project plans prior to November 1, 2021, the City shall

ensure that the Griffiths are at all times provided with a mounted mailbox in compliance with applicable federal regulations. The parties further agree that the Griffiths are solely responsible for the replacement of any decorative accents, including any brick surround.

- g. The Parties agree and stipulate that all construction to be performed by the Griffiths to remove items, other than its gate keypad, from the permanent easement to be acquired by the City, shall be on or before November 1, 2021.
- h. Within fifteen (15) days following the completion of the improvements described in Paragraph 1 of the Petition in the Legal Action, the City shall prepare and file in the Cleveland County land records an instrument completely releasing and terminating the temporary easement identified in the Petition in the Legal Action for all purposes.
- i. The Parties agree that this agreement does not excuse compliance with applicable code, law, and regulations, and that all construction contemplated by this Agreement shall be performed in accordance therewith.

2. **Journal Entry of Judgment:** Upon approval of this Agreement by both Parties, the Parties shall jointly present an agreed Journal Entry to the Court in the form attached to this Agreement as Exhibit "B." If the Journal Entry is not accepted by the Court in this form, in an alternative form approved by all Parties in writing, the terms of this Agreement shall be rendered null and void.

3. **Further acts.** Each Party shall in good faith cooperate and execute all necessary and proper documents to carry out the terms and provisions of this Agreement.

4. **Attorney Fees.** Each Party shall be responsible for and bear their own costs and attorney fees incurred to-date and throughout the consummation of this Agreement.

5. **Warranties.** Each Party represents and warrants to the other Party as follows:

- a. No Party has relied on any inducements, promises or representations made by any other Party, or any person or entity representing or serving them, in executing this Agreement except as expressly stated in this Agreement;
- b. Each Party has read and understands this Agreement and covenants that it has had the advice of counsel or the opportunity to obtain the advice of counsel in the negotiation and preparation of this Agreement, and that it executes this Agreement voluntarily and without duress or undue influence of any nature whatsoever;
- c. Each Party is duly authorized to execute this Agreement according to its terms and effectuate the transfers and releases contemplated herein; and

- d. The person or entity executing this Agreement on behalf of the Party for whom he/she/it purports to act is duly authorized to execute this Agreement according to its terms.

**6. Covenant by Owner.** Owner hereby represents, promises and covenants that it is vested with the entirety of the legal ownership in the Property and is legally capable of carrying out the obligations of, and has a legal right to the benefits flowing from, the terms of this Agreement.

**7. Mutual Releases:**

- a. **Release by Owner.** In further exchange for the Consideration by the City as set forth herein, and with the exception of any action to enforce the terms of this Agreement, Owner hereby agrees to fully and finally release City from any and all damages relating to any claims, in law or equity, known or unknown, they could have stated with respect to the matters resolved by this Agreement and the Legal Action.
- b. **Release by City.** In further exchange for the Consideration by the Owner as set forth herein, and with the exception of any action to enforce the terms of this Agreement, City hereby agrees to fully and finally release Owner from any and all damages relating to any claims, in law or equity, known or unknown, City could have stated with respect to the matters resolved by this Agreement and the Legal Action.

**8. Entire Agreement; Modification and Amendment.** This Agreement represents the entire and integrated Agreement between and among the Parties with respect to the subject matter of this Agreement. Any other agreements, promises or covenants between and/or among the Parties to this Agreement, whether express, implied or otherwise, are merged herein and extinguished. This Agreement may be modified or amended only upon a written agreement executed by all Parties.

**9. Counterparts.** This Agreement may be executed by facsimile and in any number of counterparts, each of which shall be deemed to be an original as against any Party whose signature appears thereon, and all of which shall together constitute one and the same instrument.

**10. No Waiver or Estoppel.** No term or condition of this Agreement shall be deemed to have been waived, nor there an estoppel against the enforcement of any provision of this Agreement, except by written instrument executed by the Party charged with such waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein and such waiver shall operate only as to the specific term or condition waived, and not for the future or as to any act other than that specifically waived.

**11. Binding Agreement.** This Agreement, according to its terms, shall be binding in all respects upon, and shall inure to the benefit of, the Parties and their heirs, successors and assigns.

12. **Governing Law and Venue.** This Agreement shall be governed by and construed under the laws of the State of Oklahoma, and any action to enforce or construe the terms of this Agreement shall be brought exclusively in the District Court in Cleveland County, State of Oklahoma, and nowhere else. In the event an action is commenced to enforce the terms of this Agreement, the prevailing party in any such action shall be entitled to recover its attorney fees and costs of such action.

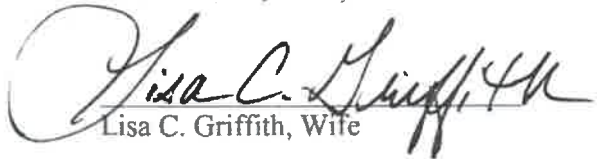
13. **Construction.** This Agreement shall be construed without regard to the Party or Parties responsible for its preparation, and it shall be deemed to have been prepared jointly by all Parties, acting upon advice of counsel. This Agreement is the product of negotiation among the Parties and, therefore, the Parties waive any right to require that any ambiguity or question about the terms of the Agreement be construed adversely against any Party.

14. **Headings.** Any headings in this Agreement are for convenience only and shall not be considered in the construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective on the date first indicated above.

**THE "GRIFFITHS"**

  
Michael W. Griffith, Husband

  
Lisa C. Griffith, Wife

**THE CITY OF NORMAN ("THE CITY")**

By: \_\_\_\_\_  
Brea Clarke, Mayor

Attest: \_\_\_\_\_  
Brenda Hall, City Clerk

Approved as to legality this 20 day of August, 2021.

By:   
Office of the City Attorney

**Exhibit A****Parcel 15.0 - PERMANENT EASEMENT**

A strip, piece or parcel of land lying in Lot 9C, Block 7 of Marlatt Subdivision, according to the recorded plat thereof, in Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

All of the East 17.00 feet of said Lot 9C, Block 7.

Containing 0.06 acres, more or less of new right-of-way.

**Parcel 15.1 - TEMPORARY DRIVEWAY EASEMENT**

A strip, piece or parcel of land lying in Lot 9C, Block 7 of Marlatt Subdivision, according to the recorded plat thereof, in Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the permanent West right-of-way line of 36th Avenue NW a distance of 18.60 feet S 00°36'15" E of and 17.00 feet S 89°23'45" W of the NE corner of said Lot 9C, thence S 00°36'15" E along said right-of-way line a distance of 40.00 feet, thence S 89°23'45" W perpendicular to said right-of-way line a distance of 20.00 feet, thence N 00°36'15" W parallel with the East line of said Lot 9C a distance of 40.00 feet, thence N 89°23'45" E perpendicular to said right-of-way line a distance of 20.00 feet to point of beginning.

Containing 0.02 acres, more or less.

**Exhibit B**  
**IN THE DISTRICT COURT OF CLEVELAND COUNTY**  
**STATE OF OKLAHOMA**

**CITY OF NORMAN, OKLAHOMA,** )  
**A Municipal Corporation,** )  
) )  
**Plaintiff,** )  
) )  
**vs.** )  
) )  
**MICHAEL W. GRIFFITH and LISA C.** )  
**GRIFFITH, Husband and wife;** )  
**ARVEST BANK, an Arkansas Corporation;** )  
**JIM REYNOLDS, in his Capacity as** )  
**Cleveland County Treasurer;** )  
**and the BOARD OF COUNTY** )  
**COMMISSIONERS OF CLEVELAND** )  
**COUNTY,** )  
) )  
**Defendants.** )

**Case No.: CJ-2021-224 (W)**

**JOURNAL ENTRY**

COMES NOW, the Plaintiff, City of Norman, Oklahoma (the “City”) and the Defendants, Michael W. and Lisa C. Griffith, Husband and Wife (“The Griffiths”), Arvest Bank, an Arkansas Corporation (“Arvest”), the Cleveland County Treasurer, and the Board of Commissioners for Cleveland County, (collectively the “Defendants”) and together submit the following:

1. The City filed a Petition for Condemnation in the above-referenced case on March 9, 2021, seeking to acquire a permanent right-of-way easement and a temporary construction easement (the “Property”) from the Defendants for street improvement project described in Plaintiff’s Petition. Also named as Defendants were Arvest, the Board of County Commissioners of Cleveland

**Exhibit B**

County and Jim Reynolds, the Cleveland County Treasurer (the latter two collectively “County Defendants”).

2. Plaintiff filed a Certificate of Service for Defendant Arvest on March 31, 2021, demonstrating that service was perfected via certified mail, restrict delivery, on Arvest as of March 11, 2021.
3. County Defendants filed an Answer and Disclaimer on March 25, 2021.
4. Defendant The Griffiths, through legal counsel, filed an Entry of Appearance and Reservation on March 31, 2021.
5. Plaintiff provided a Notice to all Defendants regarding a hearing to appointment commissioners to be held on April 26, 2021.
6. Thereafter, the Parties submitted an agreed Order Appointing Commissioners to the Court, which order was approved by the Court and filed May 5, 2021.
7. The Report of Commissioners was filed on July 22, 2021. The Commissioners determined the just compensation owed to the Defendants to be \$23,000. The court’s record notes all Defendants’ receipt of a copy of the Report of Commissioners.
8. The City deposited the \$23,000 award with the Cleveland County District Court as required by 66 O.S. §53(C) on August 3, 2021.
9. The Defendants acknowledge and agree that the City has the right to acquire, take, appropriate and condemn private property for public purposes whenever such action may become necessary for public convenience and use.
10. The Griffiths and the Plaintiff have elected to enter into a settlement resolving all matters at issue in this legal action, subject to the terms of this Journal Entry,



**Exhibit B**

and subject to the terms of a separate private settlement agreement between the Plaintiff and The Griffiths.

11. Pursuant to these this Journal Entry (and the separate settlement agreement between Plaintiff and The Griffiths), the Parties agree that the City has perfected its acquisition of the subject property more particularly described in the attached Exhibit “A.”

Plaintiff and The Griffiths waive any right to jury trial and any right to file exceptions to the Report of Commissioners herein. Based upon the above and foregoing, this Court finds the following:

1. Any demand for jury trial and exceptions to the Report of Commissioners for Plaintiff and Griffiths are hereby waived and dismissed.
2. Title to a Permanent Easement is hereby vested in the City of Norman, Oklahoma, in the property so described in the attached Exhibit “A”. Further, title to a Temporary Construction Easement is hereby vested in the City of Norman, Oklahoma, in the property so described in the attached Exhibit “A”. The City of Norman’s title acquisition is accompanied by immediate right of entry onto the said property so described, as subject to the terms of the private settlement agreement between Plaintiff and The Griffiths.

**Exhibit B**

This Journal Entry of Judgment has been reviewed and approved by the parties hereto.

SIGNED AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

---

Honorable Jeff Virgin  
JUDGE of the DISTRICT COURT

**Exhibit B**

APPROVED:

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Elisabeth E. Muckala, OBA #21306  
Assistant City Attorney  
Post Office Box 370  
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(405) 217-7700  
(405) 366-5425 (FAX)  
beth.muckala@normanok.gov  
*Attorneys for Plaintiff*

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*Attorney for Defendants Michael W. Griffith  
and Lisa C. Griffith*

---

James B. Robertson, OBA #13911  
Carol Dillingham, OBA # 11078  
Kristina L. Bell, OBA #21597  
Assistant District Attorneys, District 21  
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[Carol.Dillingham@dac.state.ok.us](mailto:Carol.Dillingham@dac.state.ok.us)  
[Kristina.Bell@dac.state.ok.us](mailto:Kristina.Bell@dac.state.ok.us)  
*Attorneys for County Defendants*

**Exhibit B**  
**Exhibit A**

**Parcel 15.0 - PERMANENT EASEMENT**

A strip, piece or parcel of land lying in Lot 9C, Block 7 of Marlatt Subdivision, according to the recorded plat thereof, in Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

All of the East 17.00 feet of said Lot 9C, Block 7.

Containing 0.06 acres, more or less of new right-of-way.

**Parcel 15.1 - TEMPORARY DRIVEWAY EASEMENT**

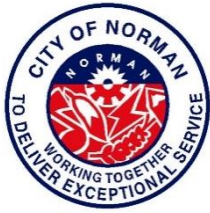
A strip, piece or parcel of land lying in Lot 9C, Block 7 of Marlatt Subdivision, according to the recorded plat thereof, in Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the permanent West right-of-way line of 36th Avenue NW a distance of 18.60 feet S 00°36'15" E of and 17.00 feet S 89°23'45" W of the NE corner of said Lot 9C, thence S 00°36'15" E along said right-of-way line a distance of 40.00 feet, thence S 89°23'45" W perpendicular to said right-of-way line a distance of 20.00 feet, thence N 00°36'15" W parallel with the East line of said Lot 9C a distance of 40.00 feet, thence N 89°23'45" E perpendicular to said right-of-way line a distance of 20.00 feet to point of beginning.

Containing 0.02 acres, more or less.

**File Attachments for Item:**

19. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-47: A RIGHT-OF-WAY LICENSE AND INDEMNITY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, (THE "CITY") AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, REGARDING THE CONDITIONS FOR USE OF CERTAIN CITY RIGHT-OF-WAY FRONTING PROPERTY LOCATED AT 5430 36TH AVENUE NW.



## CITY OF NORMAN, OK STAFF REPORT

### Item 19

**MEETING DATE:** 08/24/2021

**REQUESTER:** Elisabeth Muckala, Asst. City Attorney

**PRESENTER:** Elisabeth Muckala, Asst. City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-47: A RIGHT-OF-WAY LICENSE AND INDEMNITY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, (THE "CITY") AND MICHAEL W. GRIFFITH AND LISA C. GRIFFITH, HUSBAND AND WIFE, REGARDING THE CONDITIONS FOR USE OF CERTAIN CITY RIGHT-OF-WAY FRONTING PROPERTY LOCATED AT 5430 36TH AVENUE NW.

#### **BACKGROUND:**

On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/stormwater improvement projects. One of the eight 2012 bond projects is the 36th Avenue NW Bond Project between Tecumseh Road and Indian Hills Road (please see the attached location map showing the project boundaries).

On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-64, requesting federal funds for the 36<sup>th</sup> Avenue NW Bond Project. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost, estimated at \$11,500,000, and administration of the construction with the matching share from the City of Norman.

On April 9, 2013, City Council approved engineering services Contract K-1213-170 with the engineering firm of CP&Y in the amount of \$703,878.50 to design 36<sup>th</sup> Avenue NW Bond project from Tecumseh Road to Indian Hills Road.

On August 14, 2018, City Council approved Resolution R-1819-12 declaring the 36<sup>th</sup> Avenue NW Project a recouperment project.

Proposed improvements for the 36<sup>TH</sup> Avenue NW Bond Project include:

1. Widen two miles of roadway from two lanes to four lanes
2. New traffic signals at 36<sup>th</sup> Avenue NW and Franklin Road and 36th Avenue NW

- and Indian Hills Road
3. Interconnect signals between Tecumseh Road and Indian Hills Road
  4. Dedicated left turn lanes at All Saints Catholic School
  5. Fifth lane north of Indian Hills Road to Market Place
  6. Storm water improvements
  7. Continuous sidewalks along both sides of the roadway with the 10-foot-wide legacy trail from Tecumseh Road to Franklin Road on the east side
  8. Bicycling facilities as listed in the Norman Bike Plan

On February 26, 2019, City Council approved Authorization for Expenditure No. One from Contract K-1314-102 with Smith-Roberts Land Services, Inc., for the 36<sup>th</sup> Avenue NW Bond Project – Phase 1, in the amount of \$54,324 for right-of-way acquisition services. On May 28, 2019, City Council approved Amendment One to Contract K-1213-170 for engineering design of the 36<sup>th</sup> Avenue NW Widening Bond Project from Tecumseh Road to Market Place, with CP&Y, Inc., in the amount of \$193,895. On August 13, 2019, City Council approved Authorization for Expenditure Three under contract K-1314-102 with Smith-Roberts Land Services, Inc., for right of way acquisition services for Phase Two of the 36<sup>th</sup> Avenue N.W. Widening Bond Project, from Franklin Road to Market Place, in the amount of \$130,116. On November 12, 2019, City Council approved Authorization for Expenditure Four, under Contract K-1314-102, with Smith-Roberts Land Services, Inc., in the amount of \$20,180 for additional right-of-way acquisition services due to an increase in the number of parcels and appraisals included in Phase Two of the 36<sup>th</sup> Avenue Northwest Widening Bond Project.

Acquisition easements have been accepted for most parcels implicated by this project; and those that have not been acquired are subject to currently-pending eminent domain actions in Cleveland County District Court. On July 22, 2021 the appointed Commissioners filed their reports in all actions, identifying the amount of just compensation owed to the owners.

## **DISCUSSION:**

The Griffiths wish to accept the amount of the just compensation award from the Court. Though the Griffiths have the legal right to object to the amount of the award, they approached the City regarding a settlement whereby the City would agree to certain concessions regarding the current location of their gate keypad and other items in exchange for the Griffith's agreement to forego objections in the eminent domain legal action, and to finally resolve all matters involved with this acquisition and release the City from any further potential liability for the requested acquisitions.

The settlement agreement, Contract K-2122-46, sets the parameters for the Griffiths placement and maintenance of certain items, such as their fence, gate, and gate keypad. The settlement agreement also addresses the Griffith's compliance with the City's project and release of any further claims regarding the acquisition.

The settlement agreement is presented to City Council as a companion to this Right-of-Way License and Indemnity Agreement, Contract K-2122-47, a Right-of-Way License and Indemnity Agreement setting the legal parameters regarding the maintenance of the gate keypad in its current location, which will ultimately be within the permanent right-of-way acquired by the City through the eminent domain action.

Finally, upon approval of the settlement agreement and right-of-way/indemnity agreement by both parties, an agreed journal entry will be submitted to the Court in the legal action. If that agreed order is approved and entered by the Court, the settlement will be finalized. If the agreed Journal Entry is not approved by the Court, the Settlement Agreement will be deemed null and void and Right-of-Way and Indemnity Agreement will not become effective.

**RECOMMENDATION:**

City Staff recommends approval of Contract K-2122-47, and its companion item Contract K-2122-46, and that City Staff be directed to carry out the necessary actions to implement the terms of these agreements and resolve the district court legal action.



**RIGHT-OF-WAY LICENSE AND INDEMNITY AGREEMENT**

THIS RIGHT-OF-WAY LICENSE AND INDEMNITY AGREEMENT (“License”) is hereby issued by THE CITY OF NORMAN, OKLAHOMA, A Municipal Corporation, its successors and assigns (“City”), to Michael W. Griffith and Lisa C. Griffith, Husband and Wife, their successors and assigns (collectively hereafter “Licensee”), as hereafter provided.

**RECITALS**

WHEREFORE, the City is acquiring certain permanent and temporary right-of-way from Licensee pursuant to a legal eminent domain action filed in the District Court for Cleveland County, CJ-2021-224 (“Legal Action”).

WHEREFORE the City and Licensee wish to resolve the matters concerned by the Legal Action pursuant to a Settlement Agreement to be presented to City Council for consideration commensurately with this License, which is referenced and fully incorporated within the Settlement Agreement as materials terms thereto.

WHEREFORE, Licensee wishes for its current gate opener to remain located in the place it is currently found, and as demonstrated on Exhibit A hereto, and the City agrees to this request based upon the following terms.

**LICENSE AND AGREEMENT**

WITNESSETH, the parties hereto, for the consideration hereinafter expressed, covenant and agree as follows:

1. This License and Agreement is deemed effective upon the filing of an agreed Journal Entry in the Legal Action, which agreed Journal Entry was jointly submitted by the parties to, and approved by, the Court. Upon said effective date, City hereby permits Licensee, subject to the rights and easements hereinafter excepted and reserved and upon the terms and conditions hereinafter set forth, to use the following described land situated in Norman, Cleveland County, State of Oklahoma, as exhibited and described on the attached “Exhibit A” made a part hereof (“Premises”). This License is issued solely for the purpose of the maintenance and, as replacement as necessary with like kind and size gate opener, as demonstrated in Exhibit “A” (gate opener hereafter referred to as the “Licensed Improvements”). The Licensee may not make any improvements on the Premises that are unrelated to or not necessitated by the Licensed Improvements allowed by this License and Agreement, and the Licensed Improvements are only permitted to the extent they are compliant with the applicable Code of Ordinances for the City of Norman, Oklahoma and any other applicable law. The Licensee may not use the Premises for any other purpose under the terms of this License and Agreement.

2. City hereby excepts and reserves the right, to be exercised by City and by any others who have obtained or may obtain permission or authority from City so to do, (a) to operate, maintain, renew and relocate any and all existing utilities, pipe, power, and communication lines and appurtenances and other facilities of like character upon, over, or under the surface of the Premises; and (b) from time to time to construct, operate, maintain, renew and relocate such additional facilities of the same character. The City shall not disturb the Licensed Improvements in the court of constructing the project referenced in the Petition filed by City in the Legal Action. After construction is complete, the Licensed Improvements are permitted to remain as long as they do not interfere with further

construction or maintenance reasonably required by the City. The City shall incur no liability to Licensee for any damages to the Licensed Improvements or the Premises that may occur during the operation, maintenance, renewal, relocation of any or all existing utilities, pipes, power or communication lines, appurtenances, or facilities, and in all instances it shall remain the responsibility of Licensee to ensure that the Licensed Improvements remain compliant with the applicable Code of Ordinances for the City of Norman, Oklahoma and federal law.

3. Licensee shall use the Premises exclusively for the Licensed Improvements. Prior to installation of any item comprising the Licensed Improvements, engineered plans and/or drawings must be submitted to and approved by the City of Norman Public Works Department. Any deviation from the approved plans may be grounds for revocation of this License.

4. Licensee shall allow City to enter upon the Premises at reasonable times for the purpose of inspection. Should Licensee not comply fully with the above-stated obligations of this section, notwithstanding anything contained in the termination for cause section hereof, City may, at its option, terminate this License by serving five (5) days' notice of termination upon Licensee; but any waiver by City of any breach of Licensee's obligations shall not constitute a waiver of the right to terminate this Lease for any subsequent or continued breach which may occur, or to enforce any other provision of this License. Upon termination, Licensee shall be governed by Sections 13 and 14 of this License regarding Licensee's surrender of possession of the Premises. Any termination of the License herein will not serve to terminate any other obligations by Licensee under this Agreement.

5. Licensee shall keep and maintain the Premises and Licensed Improvements in such safe, sanitary and sightly condition as shall be satisfactory to City. If Licensee fails or refuses within fifteen (15) days after receipt of any request by City so to do, City may, at its option, perform such work, and in such event, Licensee shall, within thirty (30) days after the rendition of bill therefore, reimburse City for the cost so incurred.

6. In using the Premises, and in constructing, maintaining, operating and using the Licensed Improvements thereon, Licensee shall comply with any and all requirements imposed by federal or state statutes, or by ordinances, orders, or regulations of any governmental body having jurisdiction thereover. Licensee shall promptly pay and discharge any and all liens arising out of any construction, alteration or repair work done, or suffered or permitted to be done, by Licensee on the Premises, and City is hereby authorized to post any notices or take any other action with respect to the Premises that is or may be permitted by law to prevent the attachment of any such liens to the Premises; provided, however, that failure of City to take any such action shall not relieve Licensee of any obligation or liability under this or any other paragraph hereof.

7. Licensee shall indemnify, defend and hold harmless City against all actions or causes of action, claims, liability, loss, cost, damage or expense, or whatever kind and nature, including but not limited to those arising under the Federal Employer's Liability Act, or under any Workers' Compensation Act, and any amendment to said Acts now or hereafter in effect, including attorney fees and other expenses of litigation, and including any suit instituted to enforce the obligations of this provision, which City may sustain or incur, or for which it may become liable, by reason of use of, damage to or destruction of property, including the loss of use thereof and lost profits, or by reason of injuries, including death, to any person or persons including, but not limited to, the person or property of the parties hereto and their employees (hereafter "Loss and Damage"):

- (1) Arising out of, or directly or indirectly due to, any failure by Licensee to satisfy, promptly and faithfully, its obligations under this License;
- (2) Arising out of, or directly or indirectly due to, any accident or other occurrence whatsoever causing injury, including death, to any person or persons or damage to or destruction of any property, including the loss of use thereof and lost profits, resulting from the use, occupancy or condition of the Premises and Improvements by Licensee, its employees, invitees and licensees; and
- (3) Arising out of any mechanic's lien or other lien, tax, assessment or charge of any and every nature that may at any time be established against the Premises or the Improvements, or any part thereof, as a consequence, direct or indirect, of the existence of Licensee's interest under this Lease.

No settlement by Licensee for Loss and Damage shall affect City's right to indemnity, contribution or defense under this agreement.

Upon written notice from City, Licensee agrees to assume the defense of any lawsuit, administrative action or other proceeding brought against City by any public body, individual, partnership, corporation, or other legal entity, relating to any matter covered by this License for which Licensee has an obligation to assume liability for and/or to save and hold harmless the City. Licensee shall pay the entire costs incident to such defense, including, but not limited to, attorneys' fees, investigators' fees, litigation expenses, settlement payments, and amounts paid in satisfaction of judgments. Any and all lawsuits or administrative actions brought or threatened on any theory of relief available at law, in equity or under the rules of any administrative agency shall be covered by this Section, including, but not limited to, the theories of intentional misconduct, negligence, breach of statute or ordinance, or upon any theory created by statute or ordinance, state or federal.

8. Neither Licensee, nor the heirs, legal representatives, successors or assigns of Licensee, nor any subsequent assignee, shall assign or transfer this Revocable License and Agreement or any interest herein, without the written consent and approval in each instance of City. Provided however, no consent and approval of City is required in the event Licensee assigns or transfers the License as part of Licensee's assignment or transfer of the lot adjacent to the Premises owned by Licensee.

9. In case of the eviction of Licensee by anyone owning or claiming title to or any interest in the Premises, City shall not be liable to Licensee for any damage of any nature whatsoever.

10. If any default shall be made in any of the covenants or agreements of Licensee herein contained, City may, at its option, terminate this License by serving five (5) days' notice in writing upon Licensee; but any waiver by City of any default or defaults shall not constitute a waiver of the right to terminate this License for any subsequent default or defaults.

11. This License may be terminated for any reason at any time by Licensee by serving five (5) days' written notice of termination upon the City, stating therein the date that such termination shall take place, and upon the expiration of the time specified in such notice, this License and all rights of Licensee hereunder shall absolutely cease and terminate.

12. Any notice to be given by City to Licensee hereunder shall be deemed to be properly served if deposited in the United States mail, postage prepaid, addressed to Licensee as follows: Michael and Lisa Griffith OR Current Record Owners, 5430 NW 36<sup>th</sup> Avenue, Norman OK 73072. Any notice to be given hereunder by Licensee to City shall be deemed to be properly served if the same be deposited in the United States mail, postage prepaid addressed to: The Office of the City Clerk, P.O. Box 370, Norman, Oklahoma 73070.

13. Upon the termination of this License in any manner herein provided, Licensee shall forthwith surrender to City the possession of the Premises and shall, at its own cost, remove the Licensed Improvements and shall complete construction or otherwise restore the structures to which the Licensed Improvements were attached in conformance with the site plan attached as Exhibit A hereto. In the case Licensee shall fail within thirty (30) days after the date of such termination to perform such construction or restoration in conformance with Exhibit A, then City may, at its election to be exercised within thirty (30) days thereafter, remove the Licensed Improvements and perform such construction or restoration in conformance with Exhibit A, and in such event Licensee shall, within thirty (30) days after the rendition of bill therefore, reimburse City for the cost so incurred. If the Licensee fails to remove the Licensed Improvements, and the City is required to remove the Licensed Improvements, the City may take and hold the Licensed Improvements as its sole property.

14. If Licensee fails to surrender to City the Premises, upon any termination of this License, all the liabilities and obligations of Licensee hereunder shall continue in effect until the Premises are surrendered; and no termination hereof shall release Licensee from any liability or obligation hereunder, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date of termination or the date, if later, when the Improvements are removed and the Premises restored or City elects to take and hold the Improvements as its sole property as hereinabove in Paragraph 13 provided.

15. Upon termination of this License by the City, Licensee further agrees and covenants that it will, at its own cost, perform any construction or restoration necessitated by Exhibit A in conformance with the applicable Code of Ordinances of the City of Norman, including but not limited to the Center City Form Based Code set forth in Section 22-429.7 of the Norman City Code.

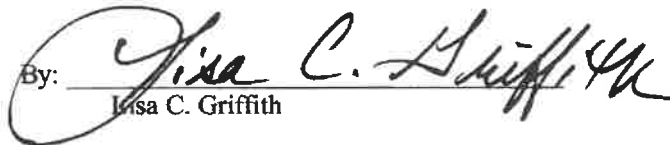
16. All the covenants and agreements of Licensee herein contained shall be binding upon the heirs, legal representatives, successors and assigns of Licensee and shall inure to the benefit of the successors and assigns of all parties.

IN WITNESS WHEREOF, this License has been duly executed in duplicate by the parties hereto as of the date and year first above written.

K-2122-47

**LICENSEE:**

By:   
Michael W. Griffith

By:   
Lisa C. Griffith

**CITY:**


APPROVED by the Norman City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
City Clerk

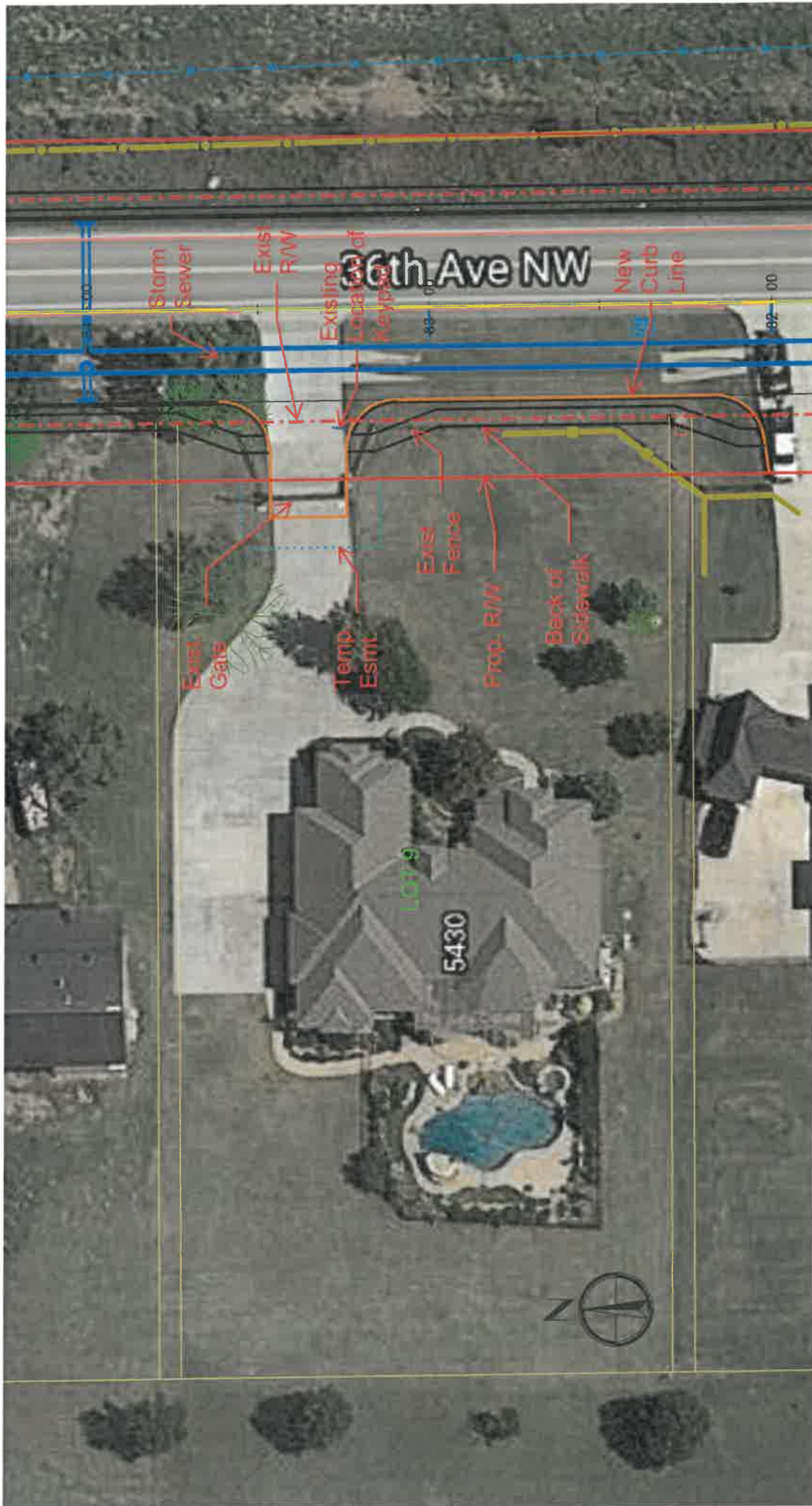
APPROVED as to legality and form this 20 day of August, 2021.

  
City Attorney

**EXHIBIT A to Contract No. K-2122-47**



Parcel 15- Griffith  
Scale: 1"= 30'





**File Attachments for Item:**

20. RESOLUTION R-2122-28: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2022.



## CITY OF NORMAN, OK STAFF REPORT

### Item 20

**MEETING DATE:** 08/24/2021

**REQUESTER:** Brenda Hall, City Clerk

**PRESENTER:** Brenda Hall, City Clerk

**ITEM TITLE:** RESOLUTION R-2122-28: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2022.

**BACKGROUND:** The 9-1-1- Association of Central Oklahoma Governments (ACOG), in which the City of Norman is a participant, was officially created after voters approved a proposal for creation of a 9-1-1 system in elections held in March, April, and October of 1987. The proposal also provided for the addition of a service fee to each telephone subscriber's basic telephone charge in order to finance installation and maintenance of the 9-1-1 system.

The service fee was initially set at 5% of the basic service for each customer. Collection of that fee began in January of 1989. In accordance with state law, this fee was reduced to 3% in January of 1990. In order to continue collection of the locally authorized service fee on telephone bills to pay for the 9-1-1 service, each local government must approve a resolution annually, setting the actual fee. ACOG recommends that the required resolution be received before January 1, 2021.

**DISCUSSION:** 9-1-1 ACOG assumes all responsibility for expenses involved with the operation of the 9-1-1 system, including purchase, installation, and upkeep of all required equipment and maintenance of the system by AT&T. Financing of the 9-1-1 system by ACOG and financial aid provided to participating local governments is made possible entirely through proceeds received from the 9-1-1 service charge added to the phone bills of subscribers in the covered areas. Fees collected by wireless and VoIP phone companies are established under a separate statute and are not covered by this resolution.

Funds received by the City of Norman through the 9-1-1 service fee have been instrumental in the acquisition of communications equipment essential to the efficient operation of the Emergency Communications Center as a 9-1-1 Public Safety Answering Point and in reducing subsidies from the General Fund to offset emergency communications costs.

**RECOMMENDATION:** Staff requests that the necessary resolution be adopted to set the service fee at the 3% level recommended by 9-1-1 ACOG for 2022. This rate begins January 1, 2022.

# Resolution

R-2122-28

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2022.

§ 1. WHEREAS, the voters and/or the governing body of the City of Norman have approved the acquisition and operation of an emergency telephone service, together with the levy or imposition of a user fee/tax for such services; and

§ 2. WHEREAS, said approving authority, service, and fee are authorized pursuant to the Nine-One-One Emergency Act, 63 O.S. Supp. 1987, §2811 et. seq., as amended; and

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

§ 3. That it does hereby establish the rate for the Nine-One-One Emergency Telephone Service fee for calendar year 2022 at three percent (3%) of the recurring charges as designated by the tariff for exchange telephone service or its equivalent within said City in accordance with said Act beginning January 1, 2022.

PASSED AND ADOPTED this 24th day of August, 2021.

\_\_\_\_\_  
Mayor

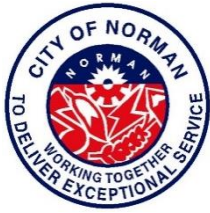
ATTEST:

\_\_\_\_\_  
City Clerk



**File Attachments for Item:**

21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-32: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") ISSUING ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING AND AUTHORIZING THE EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATING THERETO..



## CITY OF NORMAN, OK STAFF REPORT

Item 21

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**MEETING DATE:** 08/24/2021  
**REQUESTER:** Anthony Francisco, Finance Director  
**PRESENTER:** Anthony Francisco, Finance Director  
**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-32: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") ISSUING ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING AND AUTHORIZING THE EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATING THERETO..

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### BACKGROUND:

In May, 1980, the voters of Norman approved a "Transient Guest Room Tax" for the purpose of "encouraging, promoting, and fostering the convention and tourism development of the City of Norman...uses in parks development and in promotion of the arts and humanities are thus contemplated." The Council has adopted a policy of using approximately fifty percent (50%) of the City's Room Tax revenue for convention and tourism promotion; 25% for arts and humanities promotion; and 25% for parks development.

In June, 2002, the City Council, acting as the Norman Municipal Authority, passed Resolutions R-0102-118 and R-0102-119, authorizing the issuance of Recreational Facility Bonds to finance the reconstruction of the Westwood Golf Course. The 25% Parks Development portion of subsequent Room Tax revenue was pledged to the repayment of these 2002 NMA Recreational Facility Bonds. Those bonds have now been defeased (paid off).

On October 13, 2015, the voters of Norman approved Ordinance O-1516-5, levying a 15-year temporary, dedicated ½% NORMAN FORWARD Quality of Life Sales Tax (NFST), effective January 1, 2016. The NORMAN FORWARD Initiative provides for funding over \$148,000,000 in recreational, athletic, library, park and infrastructural improvements, including the following:

• New Central and Eastside Branch Libraries	\$44,000,000
• James Garner Avenue Extension	\$ 6,000,000
• New Indoor Aquatic Facility	\$14,000,000
• Westwood (Outdoor) Pool Reconstruction	\$12,000,000
• Westwood Tennis Center Renovation	\$ 1,000,000
• Reaves Park Baseball Complex Renovation	\$10,000,000
• Griffin Park Land Lease*	\$ 2,400,000
• Griffin Park Soccer Complex Reconstruction	\$11,000,000
• Senior Wellness Center*	\$ 7,600,000
• New Football and Softball Complex	\$ 2,500,000
• New Indoor Multi-Sport Facility	\$ 8,500,000
• Neighborhood Park/Trail Development	\$14,500,000
• Community Park Development	\$ 9,500,000
• Canadian River Trails Park Development	\$ 2,000,000
• Road and Infrastructure Improvements	\$ 2,730,000

\* Originally, the Griffin Land project was budgeted \$10,000,000 for purchase of the property from the Oklahoma Department of Mental Health and Substance Abuse Services. Through negotiations, the NMA agreed to a long-term lease of the land at a price of \$80,000 per year for 30 years. The remaining Griffin Land Purchase allocation (\$7,600,000) was re-programmed by Council/NMA action for the Senior Wellness Center project.

Other authorized NORMAN FORWARD improvements include public art installations, program management services and support personnel.

On July 27, 2021, the NMA/Council approved Resolution R-2122-22, authorizing the Solicitation of Financing Proposals for the NMA Room Tax Revenue Notes, Series 2021.

## **DISCUSSION:**

The architectural/engineering design firm and construction manager at-risk for the NORMAN FORWARD Indoor Aquatic Facility and Indoor Multi-Sport Facility (which are now being combined into one facility) have prepared updated engineer's estimates of the cost of construction of the facility, based on input from the NORMAN FORWARD Indoor Multi-Sport and Aquatics Facility Ad Hoc Committee and the Council/NMA. Current estimates of the City's portion of the construction costs are approximately \$5 million short of the engineer's estimated costs to construction the facility.

The Council Finance Committee, at its, June 17, 2021 meeting, gave preliminary approval and direction to proceed with a financing proposal for a debt issuance using the freed-up revenue stream of the Parks Development portion of the City's Room Tax revenue (after the Westwood Golf Course Bonds are paid off) to pay for the shortfall in available funding to complete the Indoor Multi-Sport and Aquatic Center.

Finance Department staff, along with the City's bond counsel and financial advisory teams, has prepared materials to solicit competitive financing proposals for the issuance of the amount of principal funding that can be secured through a "pledge" of the Parks Development portion of

the Room Tax revenue. The financing Request for Proposals (RFP) will propose to secure the debt with the full Room Tax revenue stream, while only the Parks portion is envisioned to be used to actually repay the annual debt payments. The amount of the proposed 2021 NMA Room Tax Revenue Notes (\$3,882,000) is based on the amount of projected principal (project costs) that can be repaid from the Parks portion of the Room Tax.

Proposals from qualified local and regional banking institutions to provide approximately \$3,882,000 in financing, secured by a pledge of the Norman Transient Guest Room Tax revenue, have been solicited. Responses in the form of interest rate proposals will be received on August 24, 2021, and the lowest and best interest rate bid will be forwarded for consideration of the NMA Trustees and Council. The results of the proposal response process (interest rate “bids”) will be forwarded to the NMA Trustees as an attachment to this memorandum.

Assuming successful responses are received, the Norman Municipal Authority (NMA) Trustees and Council will consider two resolutions. Several actions are accomplished by the Resolutions, if approved. Resolution R-2021-33 is generally a Resolution of the NMA to issue the debt, and R-2021-32 is a Resolution of the City of Norman authorizing the issuance of the debt by the NMA, in an aggregate amount of approximately \$3,882,000.

The NMA Resolution (R-2122-33) would authorize the following actions:

- Authorize the Issuance of the Room Tax Revenue Notes;
- As authorized in the Council Resolution, Pledge the Revenues of the City’s Transient Guest Room Tax, subject to annual appropriation, to the repayment of the Note indebtedness;
- Waive Competitive Bidding and Authorize the Notes to be Sold on a Negotiated Basis;
- Authorize a Room Tax Agreement between the City and the NMA; and
- Authorize the Chair of the NMA Board of Trustees to execute final documents related to the financing

The City of Norman Resolution (R-2122-32) would authorize the following actions:

- Approve the Incurrence of the Indebtedness by the NMA;
- Waive Competitive Bidding and Authorize the Note to be Sold on a Negotiated Basis;
- Ratify the Room Agreement between the City of Norman and the NMA; and
- Authorize the Mayor to execute final documents related to the financing.

Upon the favorable consideration of these Resolutions by the Council and NMA Trustees, staff would then proceed with the closing of the financing as executed by the Chairperson/Mayor.

**RECOMMENDATION:**

It is recommended that the Resolutions be adopted.

**File Attachments for Item:**

22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-33: A RESOLUTION AUTHORIZING THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") TO ISSUE ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,882,000; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; APPROVING AND AUTHORIZING EXECUTION OF A NOTE INDENTURE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.





## CITY OF NORMAN, OK STAFF REPORT

Item 22

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**MEETING DATE:** 08/24/2021  
**REQUESTER:** Anthony Francisco, Finance Director  
**PRESENTER:** Anthony Francisco, Finance Director  
**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-33: A RESOLUTION AUTHORIZING THE NORMAN MUNICIPAL AUTHORITY (THE "AUTHORITY") TO ISSUE ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,882,000; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; APPROVING AND AUTHORIZING EXECUTION OF A NOTE INDENTURE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

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### BACKGROUND:

In May, 1980, the voters of Norman approved a "Transient Guest Room Tax" for the purpose of "encouraging, promoting, and fostering the convention and tourism development of the City of Norman...uses in parks development and in promotion of the arts and humanities are thus contemplated." The Council has adopted a policy of using approximately fifty percent (50%) of the City's Room Tax revenue for convention and tourism promotion; 25% for arts and humanities promotion; and 25% for parks development.

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## **DISCUSSION:**

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The NMA Resolution (R-2122-33) would authorize the following actions:

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- Waive Competitive Bidding and Authorize the Notes to be Sold on a Negotiated Basis;
- Authorize a Room Tax Agreement between the City and the NMA; and
- Authorize the Chair of the NMA Board of Trustees to execute final documents related to the financing

The City of Norman Resolution (R-2122-32) would authorize the following actions:

- Approve the Incurrence of the Indebtedness by the NMA;
- Waive Competitive Bidding and Authorize the Note to be Sold on a Negotiated Basis;
- Ratify the Room Agreement between the City of Norman and the NMA; and
- Authorize the Mayor to execute final documents related to the financing.

Upon the favorable consideration of these Resolutions by the Council and NMA Trustees, staff would then proceed with the closing of the financing as executed by the Chairperson/Mayor.

**RECOMMENDATION:**

It is recommended that the Resolutions be adopted.

**R-2122-33**  
***Resolution***

A RESOLUTION AUTHORIZING THE NORMAN MUNICIPAL AUTHORITY (THE “AUTHORITY”) TO ISSUE ITS ROOM TAX REVENUE NOTE, TAXABLE SERIES 2021 (THE “NOTE”) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,882,000.00; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF A ROOM TAX AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE “CITY”) AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN TRANSIENT GUEST ROOM TAX REVENUES; APPROVING AND AUTHORIZING EXECUTION OF A NOTE INDENTURE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF NORMAN MUNICIPAL AUTHORITY:

**SECTION 1. INDEBTEDNESS AUTHORIZED.** The Norman Municipal Authority (the “Authority”) is authorized to incur an indebtedness by the issuance of its Room Tax Revenue Note, Taxable Series 2021 for and on behalf of The City of Norman, Oklahoma (the “City”), in an aggregate principal amount of \$3,882,000.00 (the “Note”) for the purpose of providing funds to: (i) finance a portion of the costs of a new Indoor Aquatics and Multi-Purpose Activity Center to be named the Young Family Athletic Center (YFAC), along with related costs (collectively, the “Project”); and (ii) pay certain costs of associated with the issuance of the Note. The Note shall bear interest at the rate of \_\_\_% per annum and shall mature in principal installments as set forth on Schedule A attached hereto.

**SECTION 2. COMPETITIVE BIDDING WAIVED.** Competitive bidding on the sale of said Note is waived and the Note is authorized to be sold to \_\_\_\_\_ (referred to herein as the “Purchaser”), at a price of par.

**SECTION 3. ROOM TAX AGREEMENT.** The Authority hereby approves and authorizes the execution of a Room Tax Agreement between the City and the Authority (the “Room Tax Agreement”), which Room Tax Agreement pertains to a year-to-year pledge of certain transient guest room tax revenue as security for the Note.

**SECTION 4. NOTE INDENTURE.** The Note Indenture by and between the Authority and BancFirst, as Trustee (the “Note Indenture”), authorizing the issuance of and securing the payment of the Note approved in Section 1 hereof, is hereby approved and the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority are authorized and directed to execute and deliver same for and on behalf of the Authority.

SECTION 5. ORGANIZATIONAL DOCUMENT SUBJECT TO THE INDENTURE. The organizational document creating the Authority is subject to the provisions of the Indenture referenced in Section 4 hereof.

SECTION 6. EXECUTION OF NECESSARY DOCUMENTS. The Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority are hereby authorized and directed on behalf of the Authority to execute and deliver the Note to the Purchaser thereof, upon receipt of the purchase price and are further authorized and directed to execute all necessary documentation and closing and delivery papers required by Bond Counsel; execute professional services agreements with financing professionals; approve the disbursement of the proceeds of the Note, including any costs of issuance; to approve and make any changes to the documents approved by this Resolution, for and on behalf of the Authority, the execution and delivery of such documents being conclusive as to the approval of any changes contained therein by the Authority; and to execute, record and file any and all the necessary financing statements and security instruments, including but not limited to the documents approved hereby, and to consummate the transaction contemplated hereby.

[Remainder of Page Intentionally Left Blank]

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF AUGUST, 2021.

NORMAN MUNICIPAL AUTHORITY

(SEAL)

By: \_\_\_\_\_  
Chairman

ATTEST:

By: \_\_\_\_\_  
Secretary

CERTIFICATE  
OF  
AUTHORITY ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting Secretary of the Norman Municipal Authority.

I further certify that the Trustees of the Norman Municipal Authority held a Regular Meeting at 6:30 o'clock p.m. on August 24, 2021, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution that was passed and approved by said Trustees at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Trustees present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved, and those voting for and against such motion:

PRESENT:

ABSENT:

MOTION MADE BY:

MOTION SECONDED BY:

AYE:

NAY:

WITNESS MY HAND THIS 24<sup>TH</sup> DAY OF AUGUST, 2021.

NORMAN MUNICIPAL AUTHORITY

(SEAL)

\_\_\_\_\_  
Secretary

Schedule A

[Principal Payment Schedule]

<b>Payment Date</b>	<b>Principal Amount</b>
March 1, 2022	\$ 149,000.00
September 1, 2022	178,000.00
March 1, 2023	180,000.00
September 1, 2023	181,000.00
March 1, 2024	184,000.00
September 1, 2024	185,000.00
March 1, 2025	188,000.00
September 1, 2025	189,000.00
March 1, 2026	192,000.00
September 1, 2026	194,000.00
March 1, 2027	196,000.00
September 1, 2027	198,000.00
March 1, 2028	201,000.00
September 1, 2028	202,000.00
March 1, 2029	205,000.00
September 1, 2029	207,000.00
March 1, 2030	210,000.00
September 1, 2030	212,000.00
March 1, 2031	215,000.00
September 1, 2031	216,000.00



**File Attachments for Item:**

23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$500,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED TO INCENTIVIZE COVID-19 VACCINATIONS.



## CITY OF NORMAN, OK STAFF REPORT

### Item 23

**MEETING DATE:** 08/24/2021

**REQUESTER:** Anthony Francisco

**PRESENTER:** Anthony Francisco, Director of Finance

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$500,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED TO INCENTIVIZE COVID-19 VACCINATIONS.

#### **BACKGROUND:**

The City of Norman has been taking steps to reduce the spread of the Novel Coronavirus of 2019 (COVID-19) since early 2020. On March 13, 2020, Mayor Clark declared a State of Emergency amidst the public health pandemic being experienced worldwide. On March 9, 2021, the Council adopted Resolution R-2021-102, appropriating reimbursement funds disbursed to the City of Norman from the federal Coronavirus Aid, Relief and Economic Security Act for a COVID-19 vaccination program in targeted areas of the city.

On March 11, 2021, the United States Federal Government enacted the \$1,900,000,000,000 American Rescue Plan Act of 2021 (ARPA), "to speed up the United States' recovery from the economic and health effects of the COVID-19 pandemic and the ongoing economic recession". Specific funding of approximately \$350,000,000,000 was made available in the ARP Act to state, county and city governments and tribal nations in "Coronavirus State and Local Fiscal Recovery Funds. As a Community Development Block Grant entitlement city, Norman will receive approximately \$22,225,000 in ARPA funding in two payments. The City of Norman applied for and received its first ARPA payment, of \$11,122,771 on May 19, 2021 (a second entitlement payment can be expected in May, 2022).

In the July 27, 2021 meeting, the Council approved Resolution R-2122-128, appropriating \$9,500,000 in ARPA entitlement funds toward the construction of the Emergency Operations and Communications Center.

In the August 10, 2021 Council Conference, discussion was had and a consensus gained to implement further vaccination programs, with financial incentives for Norman residents to become fully vaccinated against COVID-19. Discussion centered on providing funds for gift certificates to local businesses to encourage residents to become inoculated against COVID at vaccination sites coordinated by the Cleveland County Health Department. The City will

coordinate the gift certificates with the Norman Chamber of Commerce. Further incentives will be sought from local businesses and the University of Oklahoma for individuals who get vaccinated, or receive “booster shots” at the City/County sites. Further, the vaccination program will include a “lottery” or “raffle” with a grand prize of \$25,000 for fully vaccinated individuals, coordinated by the Norman Chamber of Commerce.

### **DISCUSSION:**

The United States Department of the Treasury has issued guidelines for eligible uses of American Rescue Plan Act funds in an “Interim Final Rule”. Five categories of eligible expenditures are discussed in guidelines:

- Support Public Health Response
- Replace Public Sector Revenue Loss
- Water, Sewer and Broadband Infrastructure
- Address Negative Economic Impacts
- Premium Pay for Essential Workers

In the Interim Final Rule’s guidelines for eligible uses of ARPA funds for Supporting Public Health Response, specific mention is made of “services to contain and mitigate the spread of COVID-19, including vaccination.....” CARES Act and ARPA entitlements have been used by several states and local jurisdictions for vaccination incentive programs such as the Council has discussed.

To enact Council’s direction to use ARPA entitlement funds for the proposed vaccination incentive programs, \$500,000 is proposed to be appropriated (\$475,000 for gift certificates and other incentives and \$25,000 for the grand prize, all coordinated by the Norman Chamber of Commerce) from the Special Grants Fund, ARPA (22-11017) to ARPA, Miscellaneous Services-ARPA Incentives (Account 22110303-44730).

### **RECOMMENDATION:**

It is recommended that the Resolution be adopted, appropriating \$500,000 in City of Norman ARPA entitlement funds to implement COVID-19 vaccination Incentive Programs.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$500,000 OF AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED TO INCENTIVIZE COVID-19 VACCINATIONS.

- § 1. WHEREAS, the City of Norman has been taking steps to reduce the spread of the COVID-19 since early 2020; and
- § 2. WHEREAS, the City of Norman was awarded \$22,500,000 in ARPA funding and has received the first payment of two payments in the amount of \$11,122.771; and
- § 3. WHEREAS, on August 10, 2021, City Council discussed in City Council Conference and agreed to implement further vaccinations programs with financial incentives for Norman residents to become fully vaccinated against COVID-19; and
- § 4. WHEREAS, discussion centered on providing funds for gift certificates to local businesses to encourage residents to become inoculated against COVID-19 at vaccination sites coordinated by the Cleveland County Health Department; and
- § 5. WHEREAS, the vaccination program will include a “lottery” or “raffle” with a grand prize of \$25,000 for fully vaccinated individuals.

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

- § 6. WHEREAS, based on Council’s direction, it is recommended that \$500,000 be appropriated from the Special Grants Fund Balance to the following account:

Account Name	Losing Account	Gaining Account	Amount
ARPA Miscellaneous Services-ARPA Incentives	22-11017	22110303-44730	\$500.000

PASSED AND ADOPTED this 24th day of August, 2021.

ATTEST:

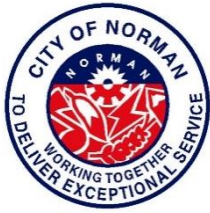
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**File Attachments for Item:**

24. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-35 APPROPRIATING \$100,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED FOR THE FURTHERANCE OF THE NORMAN ARTS COUNCIL'S SUBGRANT PROGRAMS



## CITY OF NORMAN, OK STAFF REPORT

## Item 24

**MEETING DATE:** 08/24/2021

**REQUESTER:** Anthony Francisco

**PRESENTER:** Anthony Francisco, Director of Finance

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-35 APPROPRIATING \$100,000 OF AMERICAN RESCUE PLAN ACT OF 2021 ENTITLEMENT FUNDS FROM THE SPECIAL GRANTS FUND BALANCE TO BE USED FOR THE FURTHERANCE OF THE NORMAN ARTS COUNCIL'S SUBGRANT PROGRAMS

### BACKGROUND:

On March 11, 2021, the United States Federal Government enacted the \$1,900,000,000,000 American Rescue Plan Act of 2021 (ARPA), "to speed up the United States' recovery from the economic and health effects of the COVID-19 pandemic and the ongoing economic recession". Specific funding of approximately \$350,000,000,000 was made available in the ARP Act to state, county and city governments and tribal nations in "Coronavirus State and Local Fiscal Recovery Funds." As a Community Development Block Grant entitlement city, Norman will receive approximately \$22,225,000 in ARPA funding in two payments. The City of Norman applied for and received its first ARPA payment, of \$11,122,771 on May 19, 2021 (a second entitlement payment can be expected in May, 2022).

In the July 27, 2021 meeting, the Council approved Resolution R-2122-128, appropriating \$9,500,000 in ARPA entitlement funds toward the construction of the Emergency Operations and Communications Center.

The Transient Guest Room Tax was adopted by the voters in Norman in 1980 for the express purpose of "encouraging, promoting and fostering the convention and tourism development of the City of Norman. Uses in parks development and in promotion of arts and humanities are thus contemplated." (City Code, Section 8-521). Since its inception, the City has contracted out services for convention and tourism development and promotion of arts and humanities and allocated funding from the Guest Room Tax to fund these services (25% to the Norman Arts Council to promote arts and humanities and 50% to Visit Norman for convention and tourism development). The fiscal year 2021-2022 (FYE 2022) budget allocates funding to the Norman Arts Council in the Transient Guest Room Tax Fund to fund the services it contracts with the City to provide – promotion of the arts and humanities. During the pandemic, there has been a decrease in Guest Room Tax revenues due to lack of travel, which has resulted in less revenue for the Norman Arts Council to promote the arts and humanities on behalf of the City.

In the August 17<sup>th</sup> Council Conference, discussion was had and a consensus gained to allocate \$100,000 in ARPA entitlement funds to enhance Norman's tourism and arts programs, restoring Room Tax funding to the Norman Arts Council (NAC) to pre-COVID levels.

### **DISCUSSION:**

The United States Department of the Treasury has issued guidelines for eligible uses of American Rescue Plan Act funds in an "Interim Final Rule". Five categories of eligible expenditures are discussed in guidelines:

- Support Public Health Response
- Replace Public Sector Revenue Loss
- Water, Sewer and Broadband Infrastructure
- Address Negative Economic Impacts
- Premium Pay for Essential Workers

In the Interim Final Rule's guidelines for eligible uses of ARPA funds for Addressing Negative Economic Impacts of the COVID Pandemic, specific mention is made of assistance to "particularly impacted industries", such as the tourism and hospitality industry. The demonstrable reduction in Norman's Room Tax revenue during the period of COVID has directly reduced available revenue and results in a negative economic impact to the Norman Arts Council for the provision of services on behalf of the City through its grant program to multiple arts and humanities non-profits in Norman. It is believed that by allocating ARPA entitlement funds to the NAC, the ARPA objective of "speeding recovery of the tourism, travel and hospitality sectors" will be furthered.

To enact Council's direction to use ARPA entitlement funds for the furtherance of the Norman Arts Council's sub-grant programs, \$100,000 is proposed to be appropriated from the Special Grants Fund, ARPA (22-11017) to ARPA, Organizational Contributions (Account 22730241-44741).

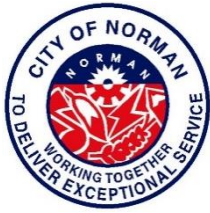
### **RECOMMENDATION:**

It is recommended that the Resolution be adopted, appropriating \$100,000 in City of Norman ARPA entitlement funds to enhance Norman Arts Council programs.

**File Attachments for Item:**

25. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-36: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA SETTING AN EXPECTATION THAT RESIDENTS FOLLOW GUIDANCE FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO PREVENT THE SPREAD OF COVID-19, INCLUDING WEARING A MASK IN PUBLIC INDOOR SPACES AND GETTING A VACCINATION; AND AFFIRMING THE ABILITY OF BUSINESSES AND ORGANIZATIONS TO REQUIRE MASKS BEFORE ENTERING ITS SPACE.





## CITY OF NORMAN, OK STAFF REPORT

## Item 25

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**MEETING DATE:** 08/24/2021

**REQUESTER:** Kathryn Walker

**PRESENTER:** Kathryn Walker, City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2122-36: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA SETTING AN EXPECTATION THAT RESIDENTS FOLLOW GUIDANCE FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO PREVENT THE SPREAD OF COVID-19, INCLUDING WEARING A MASK IN PUBLIC INDOOR SPACES AND GETTING A VACCINATION; AND AFFIRMING THE ABILITY OF BUSINESSES AND ORGANIZATIONS TO REQUIRE MASKS BEFORE ENTERING ITS SPACE.

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**BACKGROUND:**

After several months of relatively low transmission rates, Cleveland County is now considered an area of high transmission of COVID-19, with the Delta variant accounting for 99% of positive tests nationwide. The Centers for Disease Control and Prevention ("CDC") updated its guidance, given the predominance of the Delta variant, in late July. In areas of high transmission like Norman, the CDC recommends that masks be worn, even by people who have been vaccinated, in indoor public spaces. Additionally, the CDC and State public health officials are encouraging vaccination against COVID-19 to prevent further spread.

**DISCUSSION:**

Resolution R-2122-36 strongly recommends that all residents follow the CDC guidelines, including wearing a mask in public indoor spaces regardless of vaccination status. The Resolution also encourages that residents get vaccinated if they are eligible.

**RECOMMENDATION:**

Resolution R-2122-36 is being presented to Council for its consideration.

A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA SETTING AN EXPECTATION THAT RESIDENTS FOLLOW GUIDANCE FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO PREVENT THE SPREAD OF COVID-19, INCLUDING WEARING A MASK IN PUBLIC INDOOR SPACES AND GETTING A VACCINATION; AND AFFIRMING THE ABILITY OF BUSINESSES AND ORGANIZATIONS TO REQUIRE MASKS BEFORE ENTERING ITS SPACE.

- § 1. WHEREAS, a respiratory disease caused by a novel coronavirus (“COVID-19”) was first detected in China and has now been detected in 190 locations internationally, including the United States; and
- § 2. WHEREAS, the World Health Organization characterized COVID-19 as a pandemic on March 11, 2020; and
- § 3. WHEREAS, according to the Center for Disease Control and Prevention (“CDC”), the COVID-19 virus spreads between people who are in close contact with one another and through respiratory droplets produced when an infected person coughs or sneezes; and
- § 4. WHEREAS, in March of 2020, the President of the United States and the Governor of Oklahoma declared an emergency related to COVID-19; and
- § 5. WHEREAS, the COVID-19 Delta Variant, more contagious than the original virus, has been spreading across the Nation, Oklahoma, and Norman, resulting in an increase in positive cases and hospitalizations, and a designation for Cleveland County, Oklahoma of “high transmission”; and
- § 6. WHEREAS, the CDC updated its guidance in response to the Delta variant on July 27, 2021; and
- § 7. WHEREAS, the CDC recommends everyone, including fully vaccinated people, wear a mask that fully covers the nose and mouth in public indoor settings in areas of substantial or high transmission; and
- § 8. WHEREAS, the CDC and State public health officials recommend that everyone who is eligible should get vaccinated against COVID-19 to prevent further spread and additional variants from developing; and
- § 9. WHEREAS, Council desires to set an expectation for residents to wear masks and get their vaccinations upon eligibility; and



§ 10. WHEREAS, Council desires to affirm the ability of businesses and organizations to require masks in its spaces.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Norman, Oklahoma:

§ 11. THAT, residents should follow CDC guidance to prevent the spread of COVID-19, including the wearing of masks in indoor public spaces, regardless of vaccination status; and

§ 12. THAT, residents should get a vaccination for COVID-19 if they are eligible; and

§ 13. THAT, the City Council recognizes that businesses and organizations may impose more stringent mask requirements as a condition for entering its spaces.

ADOPTED by the Council of the City of Norman, Oklahoma, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

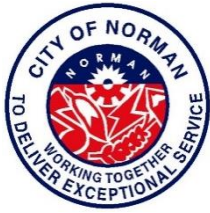
\_\_\_\_\_  
Mayor Breca Clark

ATTEST:

\_\_\_\_\_  
City Clerk

**File Attachments for Item:**

26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-2 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT THREE (3), IN BLOCK ONE (1), OF PRAIRIE CREEK ADDITION, SECTION 5, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD 2331 36TH AVENUE N.W.)



## Item 26

### CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 08/10/2021

**REQUESTER:** Club Carwash Operating, L.L.C.

**PRESENTER:** Lora Hoggatt, Planning Services Manager

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-2 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT THREE (3), IN BLOCK ONE (1), OF PRAIRIE CREEK ADDITION, SECTION 5, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD 2331 36TH AVENUE N.W.)

#### **BACKGROUND:**

The applicant, Club Carwash Operating, L.L.C., is requesting Special Use for an Automobile Service Station (Car Wash) for a 1.7-acre property at 2331 36th Avenue N.W. The property is zoned C-1, Local Commercial District.

#### **DISCUSSION:**

**HISTORY:** The subject property was rezoned from A-2, Rural Agricultural District, to C-1, Local Commercial District, in January 1984. Since that time, the fitness center to the south has been developed on the east side of 36<sup>th</sup> Ave N.W. and medical offices and other commercial uses have been developed on the west side of 36<sup>th</sup> Ave N.W.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to the Zoning Ordinance 22:434.1, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.

3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

**EXISTING ZONING:** The property is currently zoned C-1, Local Commercial District. This district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. The C-1 District requires Special Use approval for an Automobile Service Station.

**ANALYSIS:**

- Historically, applicants have been required to obtain special use for a car wash in the C-1, Local Commercial District. Car wash traffic and on-site activities mimic those of a service station so it has always been a good option to get Planning Commission and City Council review of the proposal. This special use will be for the car wash, not a service station that sells gas.
- **SITE PLAN:** The proposed site plan for the property shows one access point off 36<sup>th</sup> Ave N.W. and one access point off W. Rock Creek Rd. These drives are shared access drives with the two parcels to the north. A public sidewalk will be installed along 36<sup>th</sup> Ave N.W. for this lot only. One building is proposed which will house the car wash. There are twenty proposed vacuum bay parking spots north of the car wash building. A 10' landscape buffer is shown along 36<sup>th</sup> Ave N.W.
- **FENCING:** Fencing is typically required between commercial and residentially used lots. A fence will not be required along the east property line for this development because the property line is located in the floodway.

- **IMPACTS:** This area of 36<sup>th</sup> Ave N.W. has been developed more in recent years. This commercial use will be compatible with the surrounding uses.

**OTHER AGENCY COMMENTS:**

- **PREDEVELOPMENT PD21-18 June 24, 2021**  
No neighbors attended this meeting.
- **PUBLIC WORKS** This property is platted as Lot 3, Block 1, Prairie Creek Addition Section 5. Public improvements are in place: public sanitary sewer and water with fire hydrant. The site plan shows the required sidewalk adjacent to 36<sup>th</sup> Ave N.W. The applicant is reconstructing an existing alley on the east side of the property.

**RECOMMENDATION:** Staff forwards this request and O-2122-2 for City Council's consideration.

At their July 8, 2021 meeting, the Planning Commission unanimously recommended adoption of Ordinance O-2122-2, by a vote of 6-0.

O-2122-2

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 GRANT SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT THREE (3), IN BLOCK ONE (1), OF PRAIRIE CREEK ADDITION SECTION 5, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Near the Southeast corner of 36<sup>th</sup> Avenue N.W. and Rock Creek Road)

- § 1. WHEREAS, Club Carwash Operating, L.L.C. has made application to have Special Use for an Automobile Service Station (Car Wash) on the property described below in the C-1, Local Commercial 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 grant Special Use for an Automobile Service Station (Car Wash) in the C-1, Local Commercial District, for the following described property, to wit:

Lot Three (3), in Block One (1), of PRAIRIE CREEK ADDITION SECTION 5, an Addition to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

Said tract of land containing 1.7044 acres, more or less.



Ordinance No. O-2122-2  
Page 2

§ 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following conditions are hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Site Plan and supporting documentation submitted by the applicant and approved by the Planning Commission on July 8, 2021.

§ 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 \_\_\_\_\_, 2021.

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)



ORDINANCE NO. O-2122-2

ITEM NO. 7

**STAFF REPORT****GENERAL INFORMATION**

APPLICANT	Club Carwash Operating, L.L.C.
REQUESTED ACTION	Special Use for an Automobile Service Station (Car Wash)
EXISTING ZONING	C-1, Local Commercial District
SURROUNDING ZONING	North: C-1, Local Commercial District East: R-1, Single Family Dwelling District South: C-1, Local Commercial District West: C-1, Local Commercial District
LOCATION	Near the southeast corner of 36 <sup>th</sup> Avenue N.W. and Rock Creek Road (2331 36 <sup>th</sup> Ave. N.W.)
SIZE	1.7044 acres, more or less
PURPOSE	Car Wash
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: Single Family Residential South: Fitness Center West: Commercial
LAND USE PLAN DESIGNATION	Commercial

**SYNOPSIS:** The applicant, Club Carwash Operating, L.L.C., is requesting Special Use for an Automobile Service Station (Car Wash) for a 1.7 acre property at 2331 36<sup>th</sup> Ave. N.W. The property is zoned C-1, Local Commercial District.

**HISTORY:** The subject property was rezoned from A-2, Rural Agricultural District, to C-1, Local Commercial District, in January 1984. Since that time, the fitness center to the south has been developed on the east side of 36<sup>th</sup> Ave N.W. and medical offices and other commercial uses have been developed on the west side of 36<sup>th</sup> Ave N.W.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to the Zoning Ordinance 22:434.1, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

**EXISTING ZONING:** The property is currently zoned C-1, Local Commercial District. This district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. The C-1 District requires Special Use approval for an Automobile Service Station.

**ANALYSIS:**

- Historically, applicants have been required to obtain special use for a car wash in the C-1, Local Commercial District. Car wash traffic and on-site activities mimic those of a service station so it has always been a good option to get Planning Commission and City Council review of the proposal. This special use will be for the car wash, not a service station that sells gas.
- **SITE PLAN** The proposed site plan for the property shows one access point off 36<sup>th</sup> Ave N.W. and one access point off W. Rock Creek Rd. These drives are shared access drives with the two parcels to the north. A public sidewalk will be installed along 36<sup>th</sup> Ave N.W. for this lot only. One building is proposed which will house the car wash. There are twenty proposed vacuum bay parking spots north of the car wash building. A 10' landscape buffer is shown along 36<sup>th</sup> Ave N.W.
- **FENCING** Fencing is typically required between commercial and residentially used lots. A fence will not be required along the east property line for this development

because the property line is located in the floodway.

- **IMPACTS** This area of 36<sup>th</sup> Ave N.W. has been developed more in recent years. This commercial use will be compatible with the surrounding uses.

**OTHER AGENCY COMMENTS:**

- **PREDEVELOPMENT PD21-18**

**June 24, 2021**

No neighbors attended this meeting.

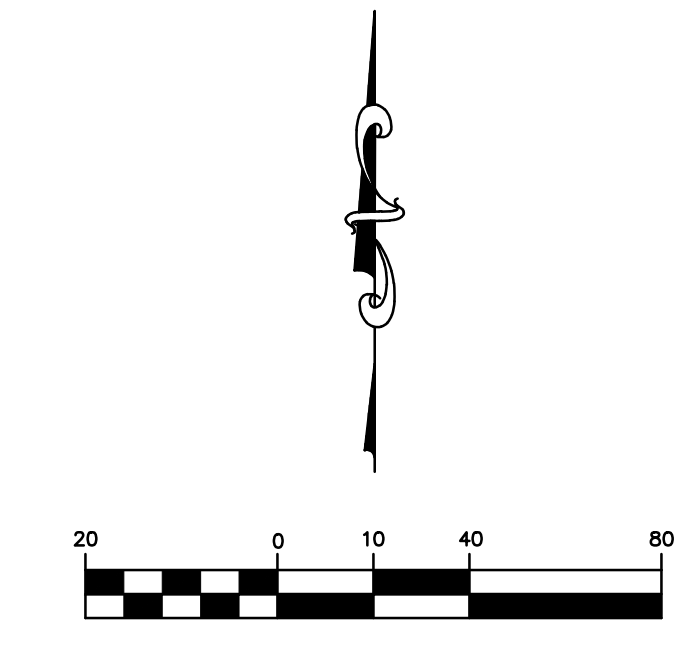
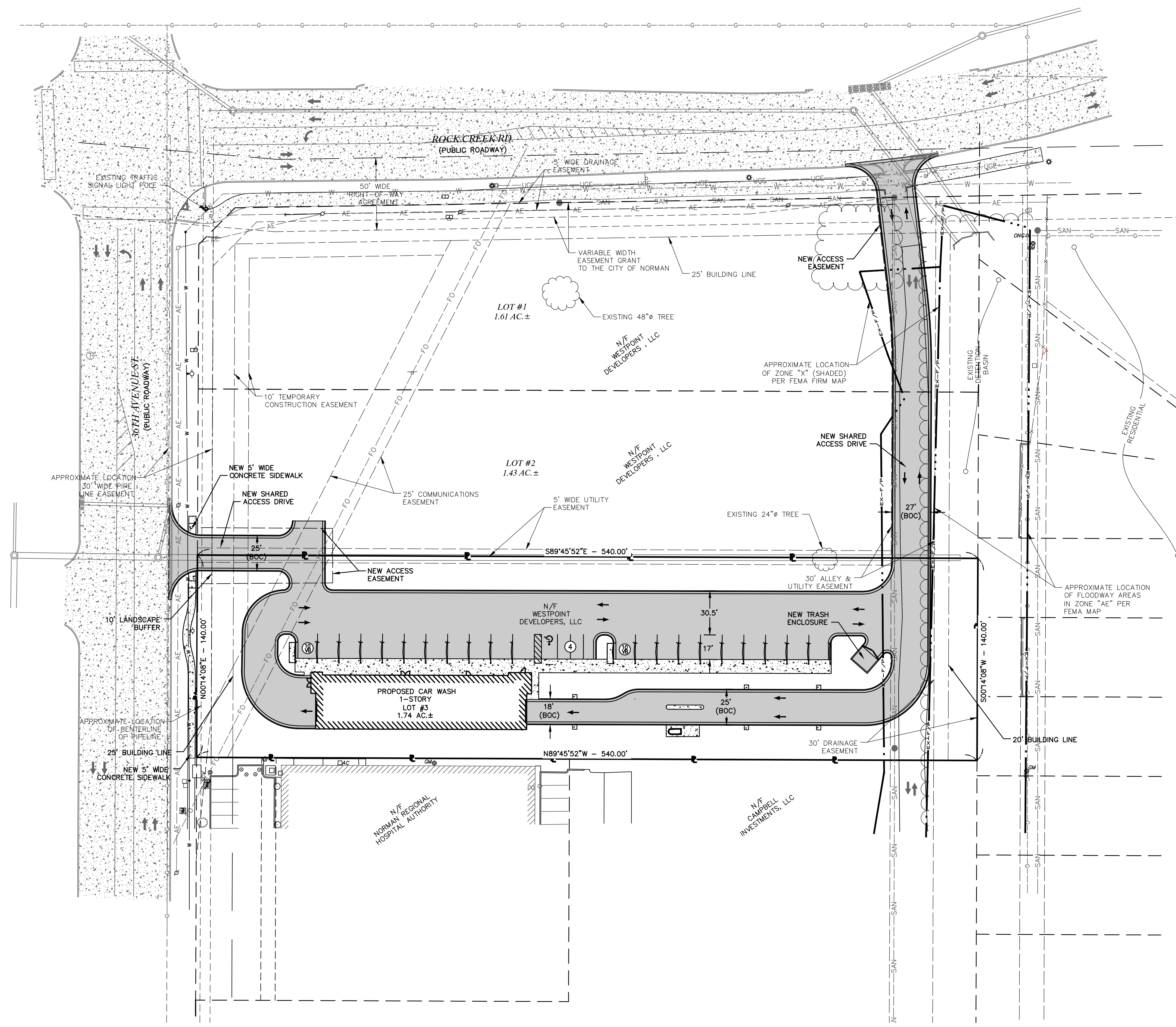
- **PUBLIC WORKS** This property is platted as Lot 3, Block 1, Prairie Creek Addition Section 5. Public improvements are in place: public sanitary sewer and water with fire hydrant. The site plan shows the required sidewalk adjacent to 36<sup>th</sup> Ave N.W. The applicant is reconstructing an existing alley on the east side of the property.

**CONCLUSION:**

Staff forwards this request and O-2122-2 for Planning Commission's

consideration.

# PRELIMINARY SITE DEVELOPMENT MAP



JUNE 2021

### LEGEND

EXISTING	PROPOSED
500	500
INDEX CONTOUR	INDEX CONTOUR
498	498
INTERMEDIATE CONTOUR	INTERMEDIATE CONTOUR
PROPERTY LINE	PROPERTY LINE
RIGHT-OF-WAY	RIGHT-OF-WAY
LOT LINE	LOT LINE
EASEMENT	EASEMENT
AE	AE
AERIAL ELECTRIC	AERIAL ELECTRIC
UTILITY POLE / GUY WIRE	UTILITY POLE / GUY WIRE
UGL	UGL
UNDERGROUND ELECTRIC	UNDERGROUND ELECTRIC
UGT	UGT
UNDERGROUND TELEPHONE	UNDERGROUND TELEPHONE
FO	FO
UNDERGROUND FIBER OPTIC	UNDERGROUND FIBER OPTIC
SAN	SAN
SANITARY SEWER	SANITARY SEWER
SS	SS
STORM SEWER	STORM SEWER
INLET	INLET
GRATED INLET	GRATED INLET
FLARED END SECTIONS	FLARED END SECTIONS
GAS LINE	GAS LINE
FIRE HYDRANTS	FIRE HYDRANTS
WATER VALVE	WATER VALVE
TREE	TREE
FENCE	FENCE
LIGHT	LIGHT
CONCRETE PAVEMENT / SIDEWALKS	CONCRETE PAVEMENT / SIDEWALKS
STANDARD-DUTY CONCRETE	STANDARD-DUTY CONCRETE

### SITE PLAN NOTES

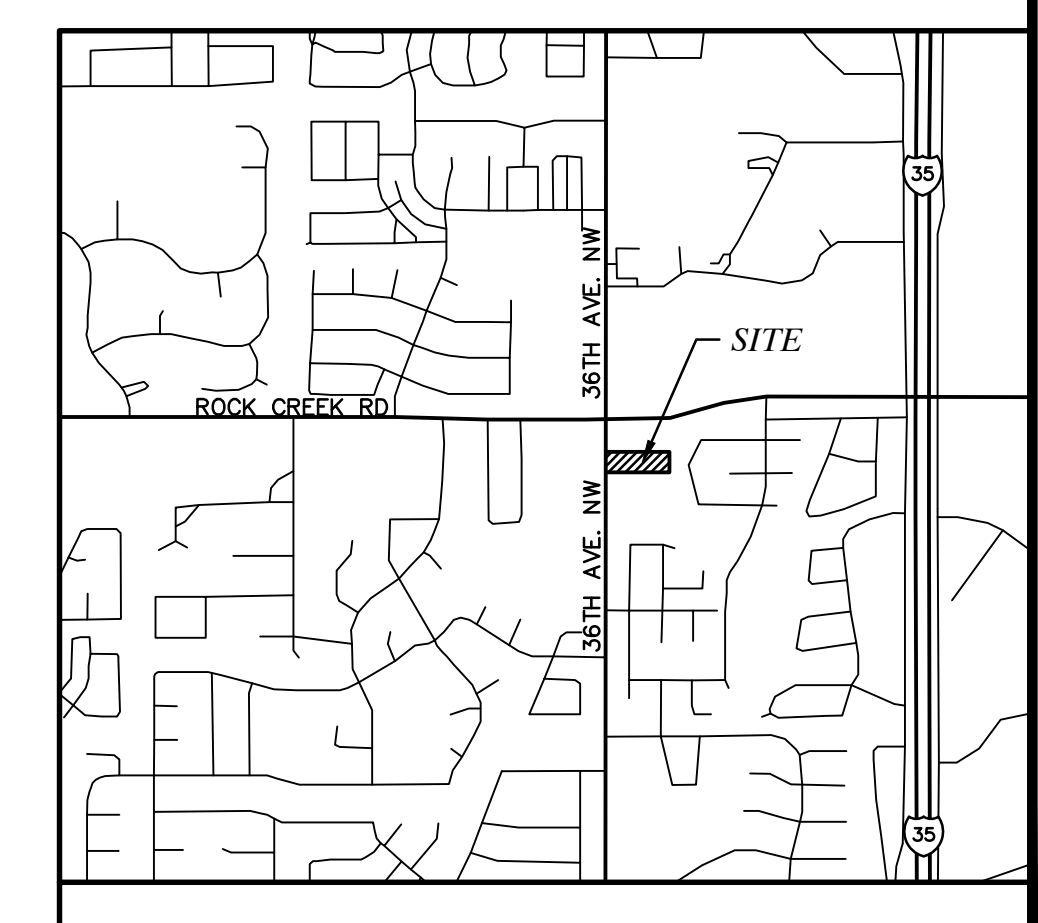
- THE SITE IS ZONED C-1 GENERAL COMMERCIAL
- BUILDING SETBACK REQUIREMENTS:  
FRONT SETBACK: 25 FT.  
SIDE SETBACK: 0 FT.  
REAR SETBACK: 20 FT.
- BUILDING HEIGHT REQUIREMENT: 25' MAX. HEIGHT

### LOT DATA

LOT #1	1.61 AC. ±
LOT #2	1.43 AC. ±
LOT #3	1.74 AC. ±
<b>TOTAL</b>	<b>4.78 AC. ±</b>

### CARWASH PARKING DATA

VACUUM BAYS	20 SPACES
STANDARD SPACES	3 SPACES
ACCESSIBLE SPACES	1 SPACE
<b>TOTAL SPACES</b>	<b>24 SPACES</b>



LOCATION MAP  
NO SCALE

636-332-4574 (Tel.)  
636-327-0760 (Fax)  
www.ochran.com

**UCHRAN**

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Master Planning

North Office  
8 East Main Street  
Wentzville, Missouri 63385

Two working days prior to the start of any excavation call 1-800-331-5686 for utility location information.

All OSHA rules & regulations construction required by these plans shall be strictly followed (ie. trenching, blasting, etc.)

KURTIS J. DANIELS  
E-18218

**SITE IMPROVEMENTS**  
**CLUB CARWASH**  
**NORMAN, OKLAHOMA**

PRELIMINARY SITE DEVELOPMENT MAP

DATE:	DATE:
DWN. BY:	APPR. BY:
BAB	
DATE:	DATE:
JUNE 2, 2021	
SCALE:	SCALE:
1" = 40'	
PROJ. NO.:	PROJ. NO.:
21-8633	
DWG. NO.:	DWG. NO.:

**1 OF 1**

DWG NAME: F:\21-8633 - Club Carwash - 2381 W. Rock Creek Road - Norman, OK\_(M21-8046X)\AutoCAD Drawings\8633 - Preliminary Site Development Map.dwg LAYOUT TAB: PRELIMINARY SITE DEVELOPMENT PLAN PLOTTED ON: Jun 29, 2021 - 10:40am PLOTTED BY: lbrant

**Applicant:** Club Carwash Operating, LLC

**Project Location:** Near the SE corner of Rock Creek Road and 36<sup>th</sup> Avenue NW

**Case Number:** PD21-18

**Time:** 5:30 p.m.

**Applicant/Representative**

Kurtis Daniel, Cochran Engineering

**Attendees**

No neighbors attended this meeting.

**City Staff**

Brevin Ghoram, Planner I

**Application Summary**

The applicant is requesting a Special Use permit for an Automobile Service Station (Car Wash).

**Neighbor's Comments/Concerns/Responses**

No neighbors attended this meeting.

NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES

JULY 8, 2021

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 8<sup>th</sup> day of July, 2021.

Notice and agenda of the meeting was posted at the Norman Municipal Building and online at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 6:30 p.m.

\*\*\*

Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

- Nouman Jan
- Steven McDaniel
- Erica Bird
- Lark Zink
- Dave Boeck
- Sandy Bahan

MEMBERS ABSENT

- Erin Williford
- Mark Daniels
- Michael Jablonski

A quorum was present.

STAFF MEMBERS PRESENT

- Jane Hudson, Director, Planning & Community Development
- Lora Hoggatt, Planning Services Manager
- Logan Hubble, Planner I
- Ken Danner, Subdivision Development Manager
- Roné Tromble, Recording Secretary
- Bryce Holland, Multimedia Specialist
- Beth Muckala, Asst. City Attorney
- David Riesland, Transportation Engineer
- Jami Short, Traffic Engineer
- Nathan Madenwald, Utilities Engineer

\*\*\*



Item No. 7, being:

**O-2122-2 – CLUB CARWASH OPERATING, L.L.C. REQUESTS SPECIAL USE FOR AN AUTOMOBILE SERVICE STATION (CAR WASH) FOR APPROXIMATELY 1.7044 ACRES OF PROPERTY ZONED C-1, LOCAL COMMERCIAL DISTRICT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF 36<sup>TH</sup> AVENUE N.W. AND ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Preliminary Site Development Map
4. Pre-Development Summary

**PRESENTATION BY STAFF:**

1. Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes. One protest letter was received on this item, which represented 1.1% of the notification area.

**PRESENTATION BY THE APPLICANT:**

1. Kurt Daniels, Cochran Engineering, representing the applicant – It is just a tunnel car wash, so everything is inside. There are free vacuum bays – there are 20 bays with 1 handicapped. I would be happy to answer any questions. They would enter the tunnel from the east side and exit on the west side toward 36<sup>th</sup> Avenue.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Nouman Jan moved to recommend adoption of Ordinance No. O-2122-2 to City Council. Dave Boeck seconded the motion.*

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

YEAS	Nouman Jan, Steven McDaniel, Erica Bird, Lark Zink, Dave Boeck, Sandy Bahan
NAYES	None
MEMBERS ABSENT	Erin Williford, Mark Daniels, Michael Jablonski

The motion, to recommend adoption of Ordinance No. O-2122-2 to City Council, passed by a vote of 6-0.

\*\*\*