



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, November 08, 2022 at 6:30 PM

AGENDA AS AMENDED

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.

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

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 1 through Item 15 be placed on the consent docket.

APPROVAL OF MINUTES

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

CITY COUNCIL MINUTES OF AUGUST 23, 2022

NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 23, 2022

NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 23, 2022

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 23, 2022

Appointments

2. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

AMERICANS WITH DISABILITIES CITIZENS COMMITTEE

TERM: 11-08-22 TO 05-28-23: KELLII FREEMAN, WARD 6

BOARD OF ADJUSTMENT

TERM: 12-22-22 TO 12-22-25: BRAD WORSTER, WARD 4

TERM: 12-22-22 TO 12-22-25: JAMES HOWARD, WARD 3

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2

TERM: 11-08-22 TO 04-10-25: KURT LEE, WARD 6

NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 12-22-22 TO 12-22-25: ALVA BROCKUS, WARD 2

TERM: 12-22-22 TO 12-22-25: BREE MONTOYA, WARD 3

TERM: 12-22-22 TO 12-22-25: CINDY ROGERS, WARD 4

NORMAN HOUSING AUTHORITY

TERM: 11-21-22 TO 11-21-25: LEE LAWRENCE, WARD 3

TERM: 11-21-22 TO 11-21-25: MARIANNE RATLIFF, WARD 3

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 10-31-22 TO 10-31-25: DR. JERRY WEBER, WARD 3

TERM: 10-31-22 TO 10-31-25: JOAN GREENLEAF, WARD 4

PLANNING COMMISSION

TERM: 11-01-22 TO 11-01-25: ERICA BIRD, WARD 2

SOCIAL AND VOLUNTARY SERVICES COMMISSION

TERM: 12-09-22 TO 12-09-25: CHRISTY SHEPHERD, WARD 1

TERM: 12-09-22 TO 12-09-25: SCOTT MEIER, WARD 6

TERM: 11-08-22 TO 12-09-25: SANDRA DUNCAN, WARD 8

TERM: 11-08-22 TO 12-09-23: JENNIFER NEWELL, WARD 6

Reports/Communications

- 3. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER’S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.
- 4. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE ANNUAL 2021 STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 PLAN.

Bids

- 5. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-19: FOR THE PURCHASE OF WATER LINE PIPE AND MATERIALS FROM OKLAHOMA CONTRACTORS SUPPLY, L.L.C., IN THE AMOUNT OF \$71,350 FOR THE BEAUMONT WATER LINE REPLACEMENT PROJECT.

Special Claim

- 6. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2223-1: SUBMITTED BY TERRY GRAVEN IN THE NEGOTIATED AMOUNT OF \$19,000 FOR DAMAGE TO HIS AUTOMOBILE WHEN IT WAS STRUCK BY A POLICE VEHICLE ON AUGUST 8, 2022, AT 24TH AVENUE N.E., NEAR JACKSON DRIVE.

Request for Funding

- 7. CONSIDERATION OF A APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE PAYMENT IN LIEU OF TAXES (PILOT) IN THE AMOUNT OF \$19,402.08 FOR FISCAL YEAR ENDING (FYE) 2023.
- 8. CONSIDERATION OF AUTHORIZATION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE FOR THE CITY OF NORMAN FROM AFFILIATED FM INSURANCE COMPANY IN THE AMOUNT OF \$468,864 FOR THE PERIOD OF DECEMBER 1, 2022, TO DECEMBER 1, 2023, AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Surplus/Obsolete Items

- 9. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

Contracts

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. SIX TO CONTRACT K-1920-73: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HORSESHOE CONSTRUCTION, INC., DECREASING THE CONTRACT AMOUNT BY \$110,989.49 FOR A REVISED CONTRACT AMOUNT OF \$2,861,354.06 FOR THE FYE 2017 SEWER MAINTENANCE PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$178,878.

Resolutions

11. CONSIDERATION OF ADOPTION, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-51: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY AUTHORIZING THE CHAIRMAN TO SUBMIT AN AMERICAN RESCUE PLAN ACT APPLICATION TO THE OKLAHOMA WATER RESOURCES BOARD.

12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF 2023 MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.

13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE INVESTMENT POLICY FOR THE CITY OF NORMAN.

Postponement

14. CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING CLOSURE OF THE RIGHT-OF-WAY LOCATED EAST OF TOLLIE DRIVE BETWEEN LOT 4, BLOCK 7 AND LOT 1, BLOCK 8, HANLY ADDITION.

15. CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 10-502 OF ARTICLE V, CHAPTER 10 OF THE CODE OF CITY OF NORMAN AMENDING THE DEFINITION OF PUBLIC PARK AND ADDING DEFINITIONS FOR VAPING AND VAPOR PRODUCT; AMENDING SECTION 10-503 TO PROHIBIT SMOKING OR VAPING ON ANY MUNICIPAL PROPERTY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NON-CONSENT ITEMS

16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-11 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 A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), NORTHHAVEN CHURCH ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4600 36TH AVENUE N.W.)

17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-15 ON 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 LOTS SEVENTEEN (17) THROUGH NINETEEN (19), BLOCK ELEVEN (11), OF T.R. WAGGONER'S FIRST ADDITION, AND LOT TWENTY (20), BLOCK ELEVEN (11) COMBINED WITH T.R. WAGGONER'S FIRST ADDITION AND D.L. LARSH'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (401 SOUTH UNIVERSITY BOULEVARD)

MISCELLANEOUS COMMENTS

This is an opportunity for citizens to address City Council. Due to Open Meeting Act regulations, Council is not able to participate in discussion during miscellaneous comments. 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 MINUTES OF AUGUST 23, 2022

NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 23, 2022

NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 23, 2022

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 23, 2022



CITY OF NORMAN, OK STAFF REPORT

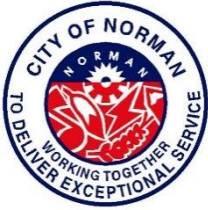
MEETING DATE: 11/08/2022

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

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

CITY COUNCIL MINUTES OF AUGUST 23, 2022
NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 23, 2022
NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 23, 2022
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 23, 2022



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, August 23, 2022 at 6:30 PM

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

Mayor Heikkila called the meeting to order at 6:30 p.m.

ROLL CALL

PRESENT

Mayor Larry Heikkila
Councilmember Ward 1 Brandi Studley
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

ABSENT

Councilmember Ward 6 Elizabeth Foreman

PLEDGE OF ALLEGIANCE

Mayor Heikkila led the Pledge of Allegiance.

COUNCIL ANNOUNCEMENTS

Election Today. Councilmembers Studley and Grant thanked everyone that voted today.

Councilmember Schueler thanked the Ward 2 residents that voted today.

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Town Hall/Ward Meetings. Councilmember Grant thanked everyone that came to the Ward 4 Town Hall Meeting.

Councilmember Tortorello thanked all the Ward 5 Residents that came to his Town Hall Meeting at Bibb’s Smokehouse. He said the Barbeque is good at this restaurant.

Councilmember Holman thanked everyone that came to his Ward 7 Meeting at Reaves Park.

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First OU Football Game. Councilmember Holman said Saturday is the first University of Oklahoma football game and urged people to pay attention to pedestrians and drivers because many visitors and students have not experienced the high traffic volume on game days.

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Thanks for Coming Tonight. Mayor Heikkila thanked everyone for coming tonight to participate in City government.

* * * * *

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 20 be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

APPROVAL OF MINUTES

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

CITY COUNCIL CONFERENCE MINUTES OF APRIL 13, 2021
 CITY COUNCIL CONFERENCE MINUTES APRIL 27, 2021
 CITY COUNCIL CONFERENCE MINUTES OF JUNE 8, 2021
 CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 16, 2021
 CITY COUNCIL SPECIAL SESSION MINUTES OF MARCH 8, 2022
 CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF APRIL 28, 2022
 CITY COUNCIL STUDY SESSION MINUTES OF MAY 17, 2022
 CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 24, 2022
 CITY COUNCIL SPECIAL SESSION MINUTES OF JULY 12, 2022
 CITY COUNCIL MINUTES OF JULY 12, 2022
 NORMAN UTILITIES AUTHORITY MINUTES OF JULY 12, 2022
 NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 12, 2022
 NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 12, 2022
 CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 9, 2022

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Brenda Hall, City Clerk
2. City Council Conference minutes of April 13, 2021
3. City Council Conference minutes of June 8, 2021
4. City Council Special Session minutes of November 16, 2021
5. City Council Special Session minutes of March 8, 2022
6. City Council Community Planning and Transportation Committee minutes of April 28, 2022
7. City Council Study Session minutes of May 17, 2022
8. City Council Special Session minutes of May 24, 2022
9. City Council Special Session minutes of July 12, 2022
10. City Council minutes of July 12, 2022
11. Norman Utilities Authority minutes of July 12, 2022
12. Norman Municipal Authority minutes of July 12, 2022
13. Norman Tax Increment Finance Authority minutes of July 12, 2022
14. City Council Special Session minutes of August 9, 2022

The Minutes were Approved.

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2. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-8 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118 AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN AND EIGHT OF THE CITY OF NORMAN; SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Joyce Green, GIS Services Manager
- 2. Ordinance O-2223-8
- 3. Legislatively notated copy of Ordinance O-2223-8
- 4. Norman Reapportionment Ad Hoc Committee minutes of May 25, 2022
- 5. Norman Reapportionment Ad Hoc Committee minutes of June 15, 2022
- 6. Norman Reapportionment Ad Hoc Committee minutes of July 6, 2022
- 7. Reapportionment Ad Hoc Committee Resolution RAHCR-2223-1
- 8. Map dated May 25, 2022, depicting Reapportionment Ad Hoc Committee Proposed Ward Boundaries showing changes in ward boundaries and changes in population
- 9. Map dated May 25, 2022, depicting Reapportionment Ad Hoc Committee Proposed Ward Boundaries after changes are made

Ordinance O-2223-8 was Adopted Upon First Reading by Title

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Appointments

3. CONSIDERATION OF CONFIRMATION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE 2022-2023 CITY OF NORMAN YOUTH COUNCIL NOMINATIONS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Item 3, continued:

Items submitted for the record

1. Staff Report dated August 23, 2022, from Jeanne Snider, Assistant City Attorney

The Appointments were Confirmed.

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4. CONSIDERATION OF CONFIRMATION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

ADA CITIZENS OVERSIGHT COMMITTEE

TERM: 05-28-22 TO 05-28-25: DECEMBER AMBOS, WARD 6

BOARD OF ADJUSTMENT

TERM: 08-23-22 TO 12-22-24: DR. BEN BIGELOW, WARD 8

ECONOMIC DEVELOPMENT ADVISORY BOARD

TERM: 08-13-22 TO 08-13-25: CHUCK THOMPSON, WARD 3

ENVIRONMENTAL CONTROL ADVISORY BOARD

TERM: 08-23-22 TO 10-23-23: BOB NAIRN, WARD 6

FLOODPLAIN PERMIT COMMITTEE

TERM: 06-12-22 TO 06-12-25: SHERRI STANSEL, WARD 3

HUMAN RIGHTS COMMISSION

TERM: 08-23-22 TO 07-13-25: CHRISTOPHER TALLBEAR, WARD 6

TERM: 08-23-22 TO 07-13-23: MICHAEL RIDGEWAY, WARD 5

SOCIAL AND VOLUNTARY SERVICES COMMISSION

TERM: 08-23-22 TO 12-09-23: MARC BONGE', WARD 8

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Brenda Hall, City Clerk

The Appointments were Confirmed.

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- 5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2022, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Anthony Francisco, Director of Finance
- 2. Finance Director's Investment Report as of July 31, 2022

The Finance Director's Investment Report as of July 31, 2022, was Submitted and Receipt was Acknowledged.

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- 6. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

- 1. Staff Report dated August 23, 2022, from Brenda Hall, City Clerk
- 2. Memorandum dated August 16, 2022, from David Riesland, Transportation Engineer, through Shawn O'Leary, Director of Public Works, to Darrel Pyle, City Manager
- 3. Contract K-2223-44

The City Manager's Contract and Change Order Report was Submitted and Receipt was Acknowledged.

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7. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2022. Item 1.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Stacey Parker, Executive Assistant
2. Monthly Departmental Reports for the month of July, 2022

The Monthly Departmental Reports for the month of July, 2022, were Submitted and Receipt was Acknowledged.

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Authorization for Purchase

8. CONSIDERATION OF AUTHORIZATION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT FOR THE PURCHASE OF THREE (3) 35-FOOT LOW-FLOOR COMPRESSED NATURAL GAS (CNG) TRANSIT BUSES FROM GILLIG IN THE AMOUNT OF \$1,843,113 UTILIZING THE STATE OF WASHINGTON CONTRACT NUMBER 06719 AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Taylor Johnson, Transit and Parking Program Manager
2. Quote Letter dated August 1, 2022, from Joe Saldana, Regional Sales Manager, Gillig, L.L.C., in the amount of \$614,371 per bus for three 35-foot Low Floor Compressed Natural Gas Buses to Taylor Johnson, Transit and Parking Program Manager
3. Price Variance dated August 1, 2022
4. Diagram of seating from American Seating Company
5. Washington State Transit Bus Cooperative Purchasing Schedule, Master Contract 06719-01 dated April 1, 2021, by and between the State of Washington Department of Enterprise Services and Gillig, L.L.C., with Exhibit A, Included Transit Buses; Exhibit B, Prices for Heavy Duty Transit Buses; Exhibit C, Insurance Requirements; Exhibit D, Federal Transit Administrative Clauses; and Exhibit E, Federal Transit Administration Certifications (Insurance from Solicitation Exhibit A-3)
6. Contract K-2122-130 with Exhibit A, Federal-Aid Eligibility Certification

Item 8, continued:

Authorization for the Purchase of three (3) Compressed Natural Gas (CNG) Transit Buses from Gillig in the amount of \$1,843,113 and the Budget Appropriation were Approved.

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Request for Payment

- 9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE CITY’S APPLICATION FOR PERMISSION TO CARRY ITS OWN RISK WITHOUT WORKERS’ COMPENSATION INSURANCE IN THE AMOUNT OF \$1,000.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Clint Mercer, Chief Accountant
- 2. Application for Permission to Carry Own Risk Without Workers’ Compensation Insurance

The City’s Application for Permission to Carry Its Own Risk Without Workers’ Compensation Insurance was Approved.

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Donation

- 10. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A DONATION IN THE AMOUNT OF \$1,500 FROM THE ORTHOPAEDIC AND SPORTS MEDICINE CENTER OF NORMAN TO BE USED TO PURCHASE SERVICES AND ITEMS FOR THE NORMAN POLICE DEPARTMENT’S NATIONAL NIGHT OUT EVENT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Item 10, continued:

Items submitted for the record

1. Staff Report dated August 23, 2022, from Kevin Foster, Chief of Police

The Donation in the amount of \$1,500 was Accepted and the Budget Appropriation was Approved.

* * * * *

Encroachments

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONSENT TO ENCROACH EN-2223-1: FOR LOT 16, BLOCK 1, VILLAS AT ASHTON GROVE, SECTION 1, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. (2506 BRIXTON DRIVE)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Beth Muckala, Assistant City Attorney
2. Consent to Encroachment EN-2221-1
3. Memorandum dated August 5, 2022, from Brenda Hall, City Clerk, to Kathryn Walker, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Development Manager; Nathan Madenwald, Utilities Engineer; and Jane Hudson, Director of Planning and Community Development
4. Letter of request dated May 10, 2022, from Rick Byrd, Byrd Building, to Ken Danner, Development Coordinator
5. Site plan
6. Memorandum dated August 12, 2022, from Logan Hubble, Planner I, to Beth Muckala, Assistant City Attorney
7. Memorandum dated August 11, 2022, from Ken Danner, to Beth Muckala, Assistant City Attorney
8. Letter of No Objection dated August 10, 2022, from Tara Eppler, Land Use Contractor, Cox Communications, to Ken Danner, City of Norman
9. Email of No Objection dated August 10, 2022, from Wesley White, Manager of Field Design, Oklahoma Electric Cooperative, to Ken Danner, Subdivision Development Manager
10. Letter dated August 8, 2022, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Company, to Ken Danner, Development Coordinator

Item 11, continued:

Items submitted for the record, continued

11. Letter of No Objection dated August 8, 2022, from Marti Hill, Project Designer III, to Ken Danner, Subdivision Development Manager
12. Email dated August 8, 2022, from Simon P. Lathrop, Manager, OSP Planning and Engineering Design, AT&T Oklahoma, to Ken Danner
13. Memorandum dated August 8, 2022, from Rachel Croft, Staff Engineer, to Brenda Hall, City Clerk with attached location map; Sanitary Sewer Location Plan; Paving Water and Drainage Location Plan; and Final Plat of Villas at Ashton Grove, Section 1

Consent to Encroachment EN-2223-1 for Lot 16, Block 1, Villas at Ashton Grove, Section 1 (2506 Brixton Drive) was Approved.

* * * * *

Contracts

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2122-83: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$28,577.60 FOR A REVISED AMOUNT OF \$118,402.60 FOR THE ADA RAMP REPAIR PROJECT, FYE 2022 LOCATIONS, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$33,068.85.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Joseph Hill, Streets Program Manager
2. Change Order No. One to Contract K-2122-83
3. Project location map

Change Order No. One to Contract K-2122-83 was Approved, the Project was Accepted, and Final Payment in the amount of \$33,068.85 was Approved.

* * * * *

13. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF BID 2223-5, CONTRACT K-2223-8: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CIMARRON CONSTRUCTION COMPANY IN THE AMOUNT OF \$424,424, PERFORMANCE BOND B-2223-9, STATUTORY BOND B-2223-10, MAINTENANCE BOND MB-2223-5 FOR THE FYE 2023 BRIDGE MAINTENANCE PROGRAM, RESOLUTION R-2223-5 GRANTING TAX-EXEMPT STATUS, AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Joseph Hill, Streets Program Manager
- 2. Tabulation of Quotes dated July 21, 2022, for the Bridge Maintenance Program, FYE 2023 Locations Project
- 3. Contract K-2223-8
- 4. Performance Bond B-2223-9
- 5. Statutory Bond B-2223-10
- 6. Maintenance Bond MB-2223-5
- 7. Resolution R-2223-5
- 8. Project Location Map

The Bid was Awarded to Cimarron Construction Company, Contract K-2223-8 and Associated Bonds were Approved, Resolution R-2223-5 was Adopted; and the Budget Appropriation was Approved.

* * * * *

14. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2223-7, CONTRACT K-2223-11: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SAC SERVICES INC., IN THE AMOUNT OF \$207,936.25, PERFORMANCE BOND B-2223-11, STATUTORY BOND B-2222-12, AND MAINTENANCE BOND MB-2223-7 FOR THE STORMWATER INLET REHABILITATION PROJECT, RESOLUTION R-2223-8 GRANTING TAX-EXEMPT STATUS AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Item 14, continued:

Items submitted for the record

1. Staff Report dated August 23, 2022, from Jason Murphy, Stormwater Program Manager
2. Tabulation of Quotes dated July 7, 2022, for the Stormwater Inlet Rehabilitation Project
3. Contract K-2223-11
4. Performance Bond B-2223-11
5. Statutory Bond B-2223-12
6. Maintenance Bond MB-2223-7
7. Resolution R-2223-8
8. Project Location Map

The Bid was Awarded to SAC Services, Inc., Contract K-2223-11 and Associated Bonds were Approved, Resolution R-2223-8 was Adopted; and the Budget Transfer was Approved.

* * * * *

15. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-8 AND CONTRACT K-2223-15: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ASTI SAWING INC., IN THE AMOUNT OF \$34,160 FOR THE FYE 2023 SIDEWALK HORIZONTAL SAW CUTTING PROJECT, PERFORMANCE BOND B-2223-19; STATUTORY BOND B-2223-29; MAINTENANCE BOND MB-2223-9, AND RESOLUTION R-2223-9 GRANTING TAX-EXEMPT STATUS

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Steve Guizzo, Engineering Assistant
2. Contract K-2223-15
3. Performance Bond B-2223-19
4. Statutory Bond B-2223-20
5. Maintenance Bond MB-2223-9
6. Project Location Map
7. Resolution R-2223-9

The Bid was Awarded to Asti Sawing, Inc., Contract K-2223-15 and Associated Bonds were Approved, and Resolution R-2223-9 was Adopted.

* * * * *

16. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-20: A CONTRACT BETWEEN THE CITY OF NORMAN AND UNIVERSITY OF OKLAHOMA FOR THE UNIVERSITY OF OKLAHOMA TO PROVIDE THE CITY OF NORMAN WITH NON-POTABLE WATER AT A BILLING RATE OF \$2.80 PER THOUSAND GALLONS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Chris Mattingly, Director of Utilities
- 2. Contract K-2223-20

Contract K-2223-20 was Approved.

* * * * *

17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-39: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INVOICE CLOUD TO PROCESS BILLING DATA FOR THE CITY'S CUSTOMERS FOR INVOICE TYPES INCLUDING THE CITY CLERK, PERMITTING, AND PLANNING AND COMMUNITY DEVELOPMENT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Anthony Francisco, Director of Finance
- 2. Contract K-2223-39 with Exhibit A, Biller Terms and Conditions, and Biller Order Form

Contract K-2223-39 was Approved.

* * * * *

Authorization to Participate

18. CONSIDERATION OF APPROVAL, REJECTION, OR POSTPONEMENT OF ELECTION TO PARTICIPATE IN THE DISTRIBUTORS OKLAHOMA SETTLEMENT; RELEASE OF CLAIMS AGAINST ALL RELEASED ENTITIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION SETTLEMENT PARTICIPATION FORM ON THE CITY OF NORMAN'S BEHALF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from Kathryn Walker, City Attorney
- 2. Exhibit G, Subdivision Settlement Participation Form

Election to Participate in the Distributors Oklahoma Settlement was Approved and the City Manager was Authorized to Execute the Subdivision Settlement Participation Form on the City of Norman’s Behalf.

* * * * *

Resolutions

19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-24: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION ALTERNATIVE PROGRAM (TAP) FUNDING FOR ONE MILE OF MULTI-MODAL PATH ALONG THE NORTH SIDE OF STATE HIGHWAY 9 BETWEEN 48TH AVENUE S.E. AND 60TH AVENUE S.E.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from David Riesland, Transportation Engineer
- 2. Resolution R-2223-24
- 3. Engineer’s Estimate dated August 3, 2022, in the amount of \$1,112,010.66, from M. Joshua Risley, Licensed Professional Engineer
- 4. Project location map

Resolution R-2223-24 was Adopted.

* * * * *

20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/C
POSTPONEMENT OF RESOLUTION R-2223-25: A RESOLUTION OF THE COUNCIL
OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING OKLAHOMA
DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION ALTERNATIVE
PROGRAM (TAP) FUNDING FOR THE CONSTRUCTION OF ONE MILE OF
MULTI-MODAL PATH ALONG THE NORTH SIDE OF STATE HIGHWAY 9 BETWEEN
60TH AVENUE S.E. AND 72ND AVENUE S.E.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

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

Items submitted for the record

- 1. Staff Report dated August 23, 2022, from David Riesland, Transportation Engineer
- 2. Resolution R-2223-25
- 3. Engineer's Estimate dated August 3, 2022, in the amount of \$1,535,447.67 from M. Joshua Risley, Licensed Professional Engineer
- 4. Project location map

Resolution R-2223-25 was Adopted.

* * * * *

Approval of the Consent Docket

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

This is the end of the Consent Docket. Item 1 through Item 20 were Approved on the Consent Docket.

* * * * *

NON-CONSENT ITEMS

21. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR NORMAN REGIONAL HEALTH SYSTEM PORTER CAMPUS SECTION 2, A PLANNED UNIT DEVELOPMENT, AND DEFERRAL/WAIVER OF STREET PAVING, DRAINAGE AND SIDEWALKS. (GENERALLY LOCATED ONE-QUARTER MILE SOUTH OF ROBINSON STREET AND 250 FEET EAST OF PORTER AVENUE.)

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

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

Items submitted for the record

1. Staff Report dated August 23, 2022, from Ken Danner, Subdivision Development Manager
2. Location map
3. Final Plat
4. Preliminary plat
5. Letter of request dated August 17, 2022, from Gunner B. Joyce, Attorney at Law, Rieger Law Group, P.L.L.C., to City of Norman City Council
6. Engineer's Estimate dated August 17, 2022, in the amount of \$294,134 from Terence L. Haynes, P.E., SMC Consulting Engineers, PC
7. Memorandum dated August 19, 2022, from Shawn O'Leary, Director of Public Works, to Development Committee
8. Development Committee Staff Report dated August 19, 2022
9. Application for Development Committee Action dated May 27, 2022, for Norman Regional Hospital Authority, an Oklahoma Public Trust for Norman Regional Health System Porter Campus, Section 2, a Planned Unit Development

Participants in discussion

1. Mr. Sean Rieger, Rieger Law Group, P.L.L.C., 136 Thompson Drive, attorney representing the applicant
2. Mr. Steve Ellis, Ward 4, made comments
3. Ms. Kathryn Walker, City Attorney

The Final Site Development Plan and Final Plat for Norman Regional Health System Porter Campus, Section 2, a Planned Unit Development with Deferral/Waiver of Street Paving, Drainage and Sidewalks, were approved.

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22. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/C
POSTPONEMENT OF CONTRACT K-2223-34: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HCR MANORCARE, INC., SUCCESSOR-IN-INTEREST TO FOUR SEASONS NURSING CENTER, INC., IN THE AMOUNT OF \$2,450,000 FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1210 WEST ROBINSON STREET, PLUS CLOSING COSTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS ON BEHALF OF THE CITY OF NORMAN TO EFFECTUATE THE PURCHASE.

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

Voting Yea: Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

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

Items submitted for the record

- 1. Staff Report dated August 9, 2022, from Anthony Purinton, Assistant City Attorney
- 2. Contract K-2223-34 with Exhibit A, Legal Description and/or Depiction

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney
- 2. Mr. Darrel Pyle, City Manager
- 3. Ms. Lisa Krieg, CDBG/Grants Manager
- 4. Ms. Cynthia Rogers, Ward 4, proponent
- 5. Mr. John Scamehorn, Ward 1, protestant
- 6. Mr. Steve Ellis, Ward 4, proponent
- 7. Mr. Dan Munson, Ward 6, protestant
- 8. Ms. Kathryn Taylor, Ward 8, proponent
- 9. Mr. Gary Barksdale, Ward 8, protestant
- 10. Mr. Alex Lamphere, Ward 2, proponent
- 12. Ms. Dana Miller, Ward 3, protestant
- 13. Mr. Caleb Creed, Ward 5, proponent
- 14. Mr. Mark Wagner, Ward 5, protestant
- 15. Mr. Jake Allen, Ward 4, proponent
- 16. Mr. Kevin Tobar, Ward 8, proponent
- 17. Mr. Michael Blunck, Ward 2, proponent

Motion made to postpone Contract K-2223-34 until a Special Election can be held to allow the voters to determine whether the proposed expenditure is appropriate, made by Councilmember Ward 5 Tortorello, Seconded by Councilmember Ward 3 Lynn;

Voting Yea: Mayor Heikkila, Councilmember Ward 3 Lynn, Councilmember Ward 5 Tortorello

Item 22, continued:

Voting Nay: Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Mr. Darrel Pyle, City Manager
3. Ms. Hannah Smith, Ward 1, protestant
4. Ms. Leah Thompson, Ward 6, made comments
5. Mr. Russell Rice, Ward 2, protestant
6. Mr. Mark Wagner, Ward 5, made comments
7. Jade, protestant
8. Ms. Larla Turner, Ward 1, made comments
9. Mr. Steve Ellis, Ward 4, protestant
10. Ms. Delena Gleason, Ward 5, proponent
11. Mr. Joshua Clark, Ward 3, proponent
12. Ms. Emily Tucker, Ward 4, protestant
13. Ms. Dana Miller, Ward 3, protestant
14. Ms. Lynne Miller, Ward 5, protestant
15. Ms. Rachel Wyatt-Swanson, Ward 8, protestant
16. Ms. Lauren Vanderburg, Ward 4, protestant
17. Mr. Michael Blunck, Ward 2, protestant
18. Unknown Woman, protestant
19. Ms. Molly Jones, Ward 1,
20. Mr. Gary Barksdale, Ward 8, proponent
21. Mr. Kevin Tobar, Ward 8, protestant
22. Ms. Cynthia Rogers, Ward 4, protestant
23. Mr. Steve Smith, Ward 4, proponent
24. Mr. Alex Lamphere, Ward 2, protestant

The Motion to Postpone Contract K-2223-34 until a Special Election can be held to allow the voters to determine whether the proposed expenditure failed.

Contract K-2223-34 was Approved and the City Manager was Authorized to Effectuate the Purchase.

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23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-26: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,400,000 FROM THE SPECIAL GRANTS FUND (ARPA) BALANCE FOR THE PURCHASE, REHABILITATION, AND REPURPOSE OF 1210 WEST ROBINSON STREET FOR THE PROVISION OF EXPANDED AFFORDABLE HOUSING IN NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 1 Studley.

Item 23, continued:

Voting Yea: Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

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

Items submitted for the record

1. Staff Report dated August 9, 2022, from Anthony Francisco, Director of Finance
2. Resolution R-2223-26

Participants in discussion

1. Mr. Steve Ellis, Ward 4, proponent
2. Ms. Dana Miller, Ward 3, protestant
3. Mr. Kevin Tobar, Ward 8, proponent
4. Mr. Michael Blunck, Ward 2, proponent
5. Mr. Mark Wagner, Ward 5, protestant
6. Mr. Russell Rice, Ward 2, proponent
7. Ms. Hannah Smith, Ward 1, proponent

Resolution R-2223-26 was Adopted.

* * * * *

24. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-1 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.1 ("FLOOD HAZARD DISTRICT") OF THE ZONING ORDINANCE, SUBSECTION 1, TO ADD CITATION TO OKLAHOMA STATUTORY AUTHORITY FOR LOCAL REGULATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

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

Items submitted for the record

1. Staff Report dated August 9, 2022, from Jason Murphy, Stormwater Program Manager
2. Ordinance O-2223-1
3. Legislatively notated copy of Ordinance O-2223-1
4. Staff Report dated July 14, 2022, from Shawn O'Leary, Director of Public Works; Jason Murphy, Stormwater Program Manager; and Todd McLellan, Development Engineer, to Chairman and Members, Norman Planning Commission
5. Pertinent Excerpts from Planning Commission minutes of July 14, 2022

Item 24, continued:

Participants in Discussion

1. Mr. Jason Murphy, Stormwater Program Manager

Ordinance O-2223-1 was Adopted Upon Second Reading Section by Section.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 3 Lynn

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

Ordinance O-2223-1 was Adopted Upon Final Reading as a Whole.

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25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-4 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 22:420 ("PLANNED UNIT DEVELOPMENTS") AND SECTION 22:442.1 ("AMENDMENTS"), BOTH WITHIN CHAPTER 22 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH A POSTPONEMENT POLICY CONCERNING CERTAIN DEVELOPMENT APPLICATIONS PRESENTED TO CITY COUNCIL FOR CONSIDERATION OR POSTPONEMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 1 Studley.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Items submitted for the record

1. Staff Report dated August 9, 2022, from Beth Muckala, Assistant City Attorney
2. Ordinance O-2223-4
3. Legislatively notated copy of Ordinance O-2223-4
4. Planning Commission Staff Report dated July 14, 2022
5. Pertinent Excerpts from Planning Commission minutes of July 14, 2022

Participants in discussion

1. Ms. Beth Muckala, Assistant City Attorney
2. Ms. Cindy Rogers, Ward 4, made comments
3. Mr. Steve Ellis, Ward 4, made comments

Ordinance O-2223-4 was Adopted Upon Second Reading Section by Section.

Item 25, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Ordinance O-2223-4 was Adopted Upon Final Reading as a Whole.

* * * * *

26. CONSIDERATION OF APPROVAL, REJECTION, OR POSTPONEMENT OF A REQUEST TO AUTHORIZE THE CITY MANAGER/GENERAL MANAGER OF THE CITY OF NORMAN, OKLAHOMA AND THE NORMAN MUNICIPAL AUTHORITY TO SIGN A PETITION FOR PROPERTY OWNED BY THE CITY OF NORMAN AND THE NORMAN MUNICIPAL AUTHORITY IN SUPPORT OF THE PROPOSED DOWNTOWN BUSINESS IMPROVEMENT DISTRICT.

Motion made by Councilmember Ward 3 Peacock, Seconded by Councilmember Ward 2 Schueler.

Items submitted for the record

1. Staff Report dated August 23, 2022, from Kathryn Walker, City Attorney
2. Petition in Favor of a Business Improvement District with blank signature page for the Norman Municipal Authority and Exhibit 1, Proposed Business Improvement District Map, and Exhibit 2, Properties within proposed Business Improvement District
3. Petition in Favor of a Business Improvement District with blank signature page for the City of Norman and Exhibit 1, Proposed Business Improvement District Map and Exhibit 2, Properties within proposed Business Improvement District

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Mr. Cameron Brewer, Main Street Business Owner and Norman resident, Ward 4
3. Mr. Bruce Remy, Ward 3, protestant
4. Mr. Brad Goodman, Ward 4, protestant
5. Mr. Richard Dowell, Ward 7, protestant
6. Mr. Fred Dowell, Ward 4. protestant
7. Mr. Brad Worster, Ward 4, made comments
8. Ms. Debra Loeffelholz, Ward 4, protestant
9. Mr. Darrel Pyle, City Manager

Motion to Postpone Item 26 until September 13, 2022, made by Councilmember Ward 3 Lynn, Seconded by Councilmember Ward 5 Tortorello

Voting Yea: Mayor Heikkila, Councilmember Ward 3 Lynn, and Councilmember Ward 5 Tortorello

Item 26, continued:

Voting Nay: Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Mr. Cameron Brewer, Main Street Business Owner and Norman resident, Ward 4
3. Ms. Cynthia Rogers, Ward 4, proponent
4. Mr. Steve Ellis, Ward 4, made comments

Motion to Postpone Item 26 Failed.

The Motion on the floor is to Approve Item 26.

Voting Yea: Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

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

The City Manager/General Manager of the City of Norman and the Norman Municipal Authority was Authorized to Sign a Petition for Property Owned by the City of Norman and the Norman Municipal Authority in Support of the Proposed Downtown Business Improvement District.

MISCELLANEOUS COMMENTS

None.

ADJOURNMENT

The Meeting was Adjourned at 11:06 p.m.

City Clerk

Mayor

File Attachments for Item:

2. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

AMERICANS WITH DISABILITIES CITIZENS COMMITTEE

TERM: 11-08-22 TO 05-28-23: KELLII FREEMAN, WARD 6

BOARD OF ADJUSTMENT

TERM: 12-22-22 TO 12-22-25: BRAD WORSTER, WARD 4

TERM: 12-22-22 TO 12-22-25: JAMES HOWARD, WARD 3

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2

TERM: 11-08-22 TO 04-10-25: KURT LEE, WARD 6

NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 12-22-22 TO 12-22-25: ALVA BROCKUS, WARD 2

TERM: 12-22-22 TO 12-22-25: BREE MONTOYA, WARD 3

TERM: 12-22-22 TO 12-22-25: CINDY ROGERS, WARD 4

NORMAN HOUSING AUTHORITY

TERM: 11-21-22 TO 11-21-25: LEE LAWRENCE, WARD 3

TERM: 11-21-22 TO 11-21-25: MARIANNE RATLIFF, WARD 3

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 10-31-22 TO 10-31-25: DR. JERRY WEBER, WARD 3

TERM: 10-31-22 TO 10-31-25: JOAN GREENLEAF, WARD 4

PLANNING COMMISSION

TERM: 11-01-22 TO 11-01-25: ERICA BIRD, WARD 2

SOCIAL AND VOLUNTARY SERVICES COMMISSION

TERM: 12-09-22 TO 12-09-25: CHRISTY SHEPHERD, WARD 1

TERM: 12-09-22 TO 12-09-25: SCOTT MEIER, WARD 6

TERM: 11-08-22 TO 12-09-25: SANDRA DUNCAN, WARD 8

TERM 11-08-22 TO 12-09-23: JENNIFER NEWELL, WARD 6



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Brenda Hall

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

AMERICANS WITH DISABILITIES CITIZENS COMMITTEE
TERM: 11-08-22 TO 05-28-23: KELLII FREEMAN, WARD 6

BOARD OF ADJUSTMENT
TERM: 12-22-22 TO 12-22-25: BRAD WORSTER, WARD 4
TERM: 12-22-22 TO 12-22-25: JAMES HOWARD, WARD 3

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2
TERM: 11-08-22 TO 04-10-25: KURT LEE, WARD 6

NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD
TERM: 12-22-22 TO 12-22-25: ALVA BROCKUS, WARD 2
TERM: 12-22-22 TO 12-22-25: BREE MONTOYA, WARD 3
TERM: 12-22-22 TO 12-22-25: CINDY ROGERS, WARD 4

NORMAN HOUSING AUTHORITY
TERM: 11-21-22 TO 11-21-25: LEE LAWRENCE, WARD 3
TERM: 11-21-22 TO 11-21-25: MARIANNE RATLIFF, WARD 3

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 10-31-22 TO 10-31-25: DR. JERRY WEBER, WARD 3
TERM: 10-31-22 TO 10-31-25: JOAN GREENLEAF, WARD 4

PLANNING COMMISSION
TERM: 11-01-22 TO 11-01-25: ERICA BIRD, WARD 2

SOCIAL AND VOLUNTARY SERVICES COMMISSION
TERM: 12-09-22 TO 12-09-25: CHRISTY SHEPHERD, WARD 1
TERM: 12-09-22 TO 12-09-25: SCOTT MEIER, WARD 6
TERM: 11-08-22 TO 12-09-25: SANDRA DUNCAN, WARD 8
TERM: 11-08-22 TO 12-09-23: JENNIFER NEWELL, WARD 6

Kellii Feeman will fill the unexpired vacancy left by Mary Phariss who has resigned; Kurt Lee will replace Ted Smith who does not wish to be reappointed; Sandra Duncan will replace Kurt Lee who does not wish to be reappointed; Jennifer Newell will replace Loida Salmond who is no longer eligible to serve; and Brad Worster, James Howard, Alva Brockus, Bree Montoya, Cindy Rogers, Lee Lawrence, Marianne Ratliff, Dr. Jerry Weber, Joan Greenleaf, Erica Bird, Christy Shephard, and Scott Meier are reappointments

File Attachments for Item:

3. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.



DATE: October 24, 2022

TO: Darrel Pyle, City Manager

FROM: Brandon Brooks, Staff Engineer

THROUGH: Shawn O'Leary, Director of Public Works

SUBJECT: Change Order No. 1 to Contract K-2223-11 for the Stormwater Inlet Rehabilitation Project

BACKGROUND:

The City of Norman's Stormwater Division is responsible for the maintenance of a vast network of stormwater inlets, flumes, vegetated channels, and storm sewer lines. Many of the City's inlets are decades old and built of brick and mortar. Over time, the brick and mortar inlets have demanded an outsized maintenance effort. Intent on reducing the maintenance burden, staff compiled a list of the inlets in most need of replacement. The list was further reduced to maximize effect and meet budgetary constraints. This project will also replace a reinforced concrete pipe that is the cause of persistent sink holes in the Brookhaven addition. The locations of this project are listed below:

Oakhurst Avenue – Approx. 600' South of Lindsay Street
 Sundown Drive – Between Parkland Way and Morgan Drive
 48th Avenue NW – Approx. 50' South of Davinbrook Drive
 East Gray Street – Approx. 250' East of North Stewart Avenue
 Tarman Circle – Approx. 380' North of East Boyd Street
 Hawks Nest Drive – Approx. 140' East of Eagle Cliff Drive
 Foxborough Court – Intersection of Litchfield Lane and Foxborough Court

Construction activities include removal of old brick and mortar inlet structures and construction of new concrete inlet structures, removal and replacement of approximately 163 linear feet of 24-inch reinforced concrete pipe, installation of new concrete headwall end treatment, and the construction of a concrete flume. Such construction activities are necessary to improve the condition of the city's stormwater infrastructure and decrease the required maintenance intervals.

Bid documents and specifications for the Stormwater Inlet Rehabilitation Project were advertised on June 9, 2022 and June 16, 2022 in accordance with State Law. Two (2) bids were received on July 7, 2022. The low bidder was SAC Services, Inc., of Oklahoma City in the amount of \$207,936.25 which was \$4,345.65 or 2.13% over the Engineer's Estimate of \$203,590.60. On August 9, 2022, Council approved Contract K-2223-11 with SAC Services Inc., for this project.

DISCUSSION:

Discussions with the contractor during a pre-work meeting revealed unforeseen circumstances that will not allow for the use of pre-cast inlets as was originally intended. Cast-in-place inlets will need to be used instead resulting in additional labor and traffic control costs. This change order addresses the increase in cost.


office memorandum

Of the twenty-nine (29) bid items, one (1) items had a quantity change and one (1) bid item was added. The one (1) quantity changes and one (1) bid item addition resulted in an increased cost for an overall contract increase of \$14,348.64 or 6.9%. The contract increased from \$207,936.25 to \$222,284.89. Please see the attached Change Order No. 1 for a complete list of bid item cost increases.

Because the bids for this project came in \$14,572.75 less than the budget, funds are still available in the project account for this change order. If approved, the change order will be funded from the Inlet Rehabilitation Project No. DR0019 (Org 05099967; Object 46101) in the FYE 2023 Capital Budget.

RECOMMENDATION NO. 1:

Staff recommends that Change Order No. 1, increasing Contract K-222311 for the Stormwater Inlet Rehabilitation Project with SAC Services, Inc., by \$14,348.64 from \$207,936.25 to \$222,284.89.

ACCEPTED BY: 
Darrel Pyle, City Manger

DATE: 10-25-22

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

Item 3.

CHANGE ORDER NO. 1

DATE: November 8, 2022

CONTRACT NO.: K-2223-11

SUBMITTED BY: Jason Murphy

PROJECT: Stormwater Inlet Rehabilitation Project

CONTRACTOR: SAC Services, INC
3600 S Reno Ave
Oklahoma City, Oklahoma 73119

Original Completion Date: January 19, 2023

Previous Completion Date: January 19, 2023

ORIGINAL CONTRACT AMOUNT \$ 207,936.25

(Increase) this change order 0 Calendar Days

New Completion Date: January 19, 2023

PRESENT CONTRACT AMOUNT \$ 207,936.25

DESCRIPTION	INCREASE	DECREASE
Change in Pay Quantities	\$14,348.64	\$0.00

NET CHANGE \$14,348.64

REVISED CONTRACT AMOUNT \$222,284.89

See Detailed Quantity Change on Page 2 of 2:

Detailed Quantity Change:

K-2223-11 INLET REHABILITATION								
Change Order No. 1								
ITEM	DESCRIPTION	UNIT	QUANTITY	QUANTITY INCREASE	QUANTITY DECREASE	UNIT PRICE	COST INCREASE	COST DECREASE
2	Traffic Control (11,12,13)	L Sum	1.00	0.60		7000.00	\$4,200.00	
30	Cast-In-Place Labor	EA.		12.00		845.72	\$10,148.64	
TOTALS							\$14,348.64	\$0.00
DIFFERENCE							\$14,348.64	

CONTRACTOR: Aut Mah

ENGINEER: [Signature]

CITY ATTORNEY: Chisabeta Ebediala

ACCEPTED BY: [Signature]
(City Manager)

DATE: 10-24-22

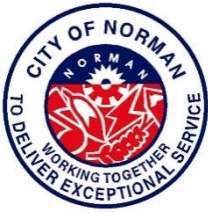
DATE: 10/1/22

DATE: 10/1/22

DATE: 11-2-22

File Attachments for Item:

4. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE ANNUAL 2021 STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 PLAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/8/2022

REQUESTER: Joyce Green

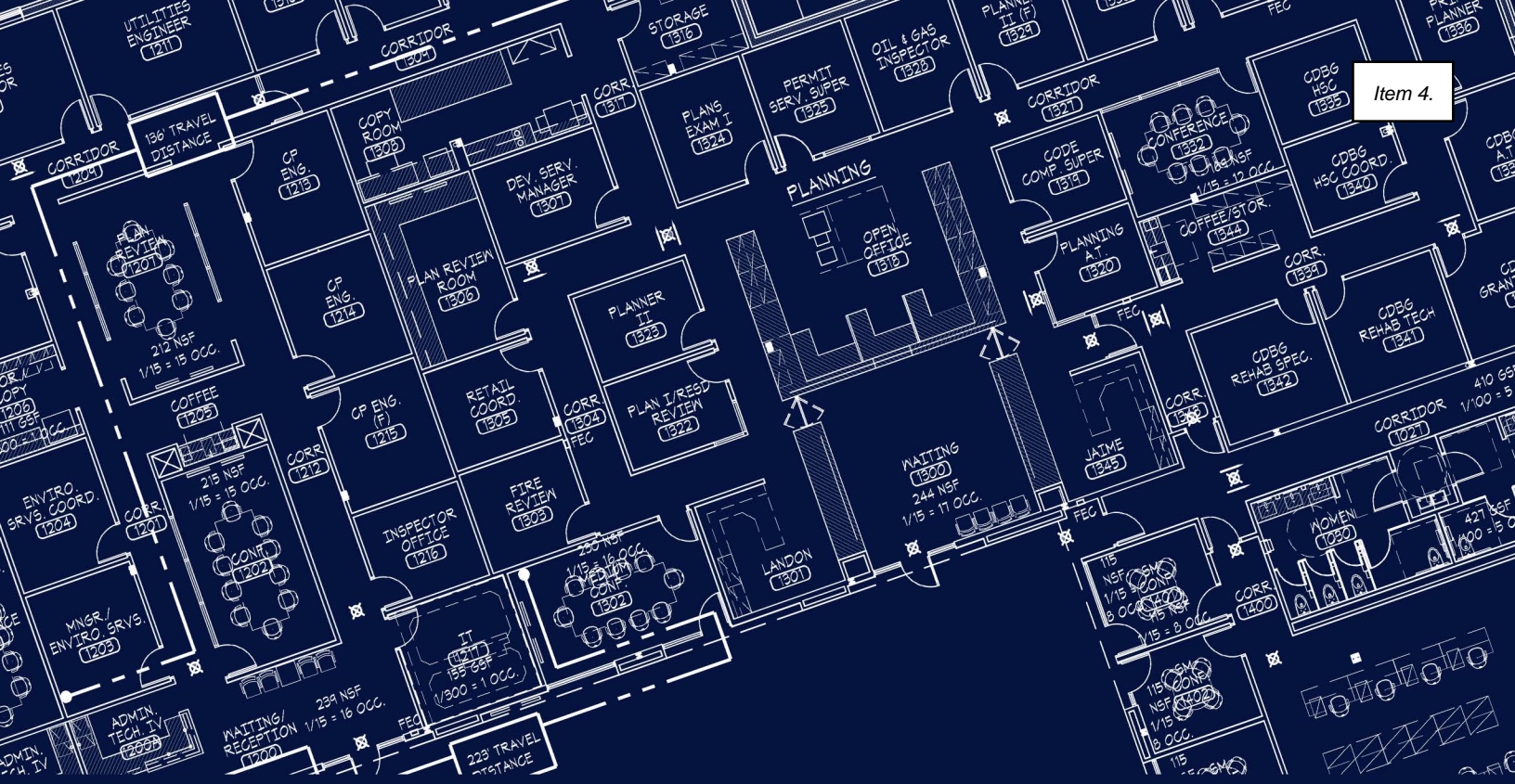
PRESENTER: Joyce Green, GIS Services Manager

ITEM TITLE: CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE ANNUAL 2021 STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 PLAN.

BACKGROUND: Since the 1997 adoption of the *Norman 2020 Land Use and Transportation Plan (Norman 2020)*, and its successor, the *Norman 2025 Land Use and Transportation Plan (Norman 2025)*, adopted in 2004, the Planning and Community Development Department staff has produced an annual report on the status of development in the City of Norman. This year's report summarizes development activity for calendar year 2021. Staff provides this annual report to allow comparison of the pace of growth anticipated by the land use plan and its companion document *Norman 2025 Land Demand Analysis (Land Demand)* to the actual rate of development that has occurred in the community.

This report consists of nine sections. Each section describes different aspects of development and planning that has occurred in the City of Norman during 2021. The section begins with a narrative and is followed by maps and tables that include statistical summaries of the amount, type, and location of development and construction in Norman for Calendar Year 2021. Several tables include information dating back five years. These tables put the current year's development into a temporal context and illustrate trends and changes that have occurred in recent years.

ACTION NEEDED: Recommend acknowledgement and submission of the Annual 2021 Status Report on Development and the NORMAN 2025 Plan to City Council.



ANNUAL 2021 STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 PLAN



**CITY OF NORMAN
AUGUST 2022**

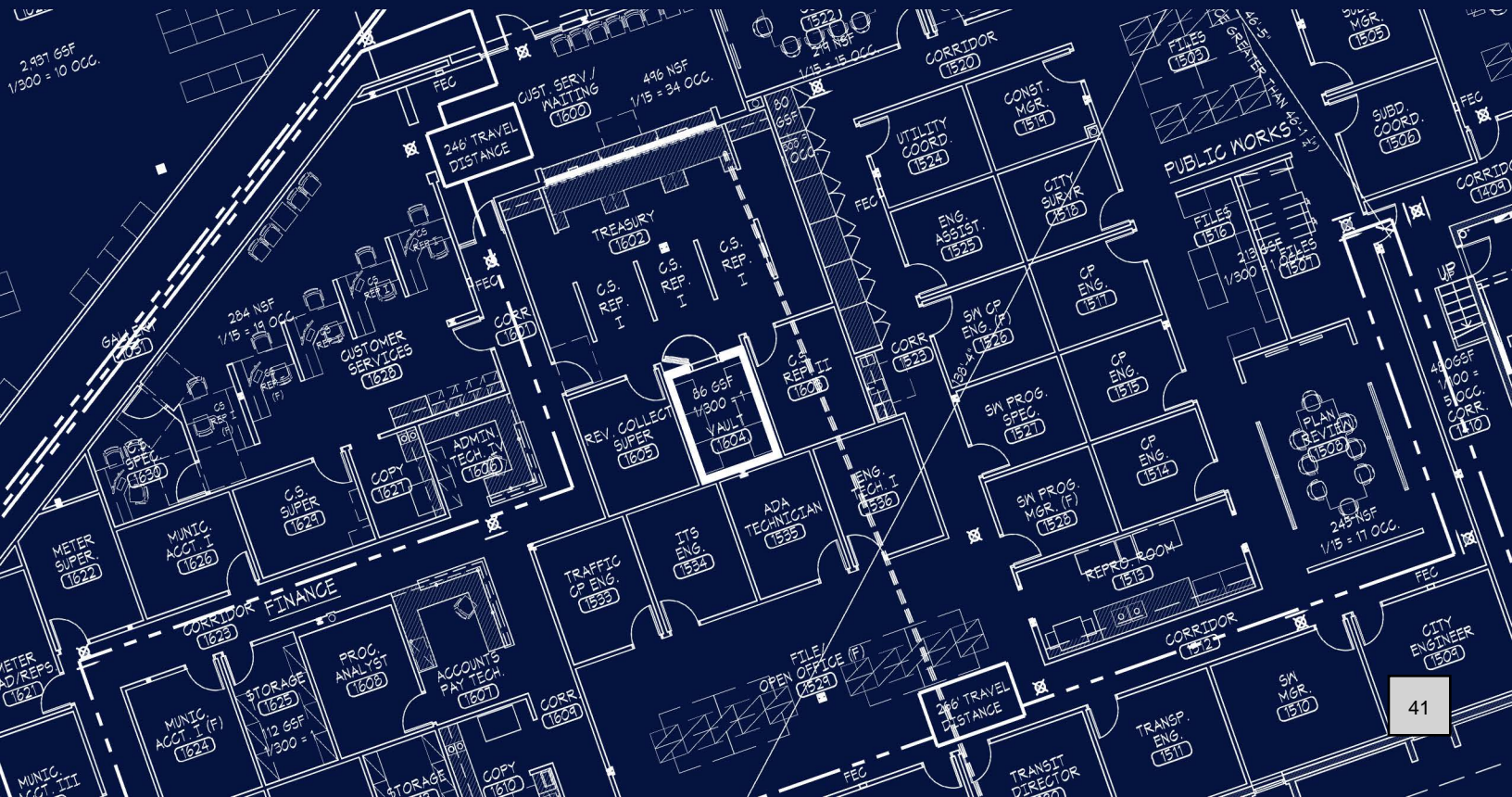


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Norman Annual Development Report for 2021

I: BACKGROUND

Since the 1997 adoption of the *Norman 2020 Land Use and Transportation Plan (NORMAN 2020)*, and its successor, the *Norman 2025 Land Use and Transportation Plan (NORMAN 2025)*, adopted in 2004, the Planning and Community Development Department staff has produced an annual report on the status of development in the City of Norman. This year's report summarizes development activity for calendar year 2021. Staff provides this annual report to Planning Commission and City Council members to allow comparison of the pace of growth anticipated by the land use plan and its companion document *Norman 2025 Land Demand Analysis (Land Demand)* to the actual rate of development that has occurred in the community.

This report consists of five sections. Each section describes different aspects of development and planning that occurred in the City of Norman during 2021. Sections begin with a narrative that is followed, where applicable, by maps and tables that include statistical summaries of the amount, type, and location of development and construction in Norman for calendar year 2021. Several tables include information dating back five years. These tables put the current year's development into a temporal context and illustrate trends and changes that have occurred in recent years.

II: CONSTRUCTION ACTIVITY

This section identifies the construction activity permitted in Norman over the last year and compares it to recent trends. The value of construction permitted during this year was \$560.4 million. The overall value of construction is up \$211.9 million from 2020. Both commercial and residential construction saw gains, with commercial construction increasing by \$211.5 million and residential construction increasing \$0.4 million. The Norman Regional Hospital (NRH) bond projects accounted for \$192.2 million of the commercial construction. NRH had 11 permits, which included expansion of the existing HealthPlex campus on Tecumseh Road and the Norman Regional Nine Plan, the "freestanding emergency department plus" located in southeast Norman at State Highway 9 and 24th Avenue S.E. Norman Public Schools (NPS) were also busy. They were issued 12 permits with a construction value of \$48.5 million. Other notable projects included the Noun Hotel on Campus Corner (\$16 million), the City of Norman's Development Center (\$7.1 million), and the Young Family Athletic Center Norman Forward project (\$5 million).

Norman Annual Development Report for 2021

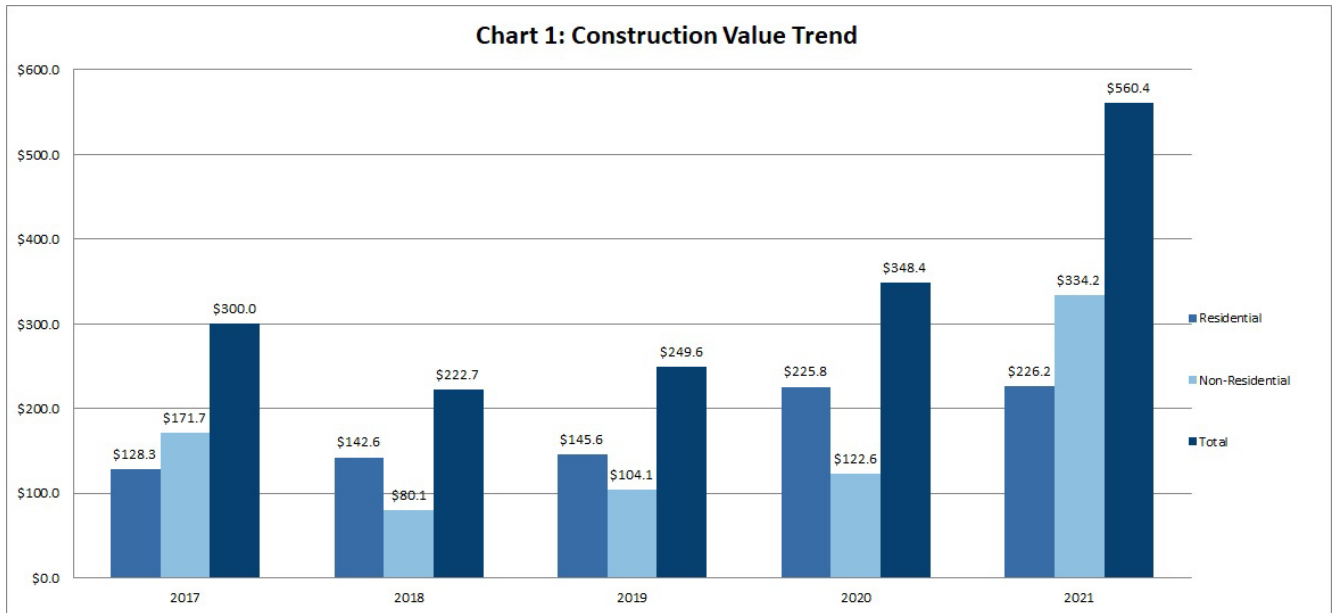


Chart 1 illustrates the value trend of construction for the most recent years. The remainder of this section consists of descriptive summaries of maps and tables related to construction activity. Most of the analytical assessments reference *NORMAN 2025*, which is the most recent comprehensive plan and includes the most current statistical summaries and projections.

Norman Annual Development Report for 2021

Table 1: Calendar Year Dollar Value* of 2021 Construction and Four Previous Years

Year	2017	2018	2019	2020	2021	TOTAL	5 YEAR AVG
New Single Family	\$96.2	\$113.4	\$119.4	\$155.4	\$171.4	\$655.8	\$131.2
New Mobile Homes	\$0.2	\$0.7	\$0.7	\$0.1	\$0.2	\$1.9	\$0.4
New Duplexes	\$8.9	\$2.0	\$4.9	\$1.9	\$0.4	\$18.1	\$3.6
New Multi-Family	\$3.1	\$7.7	\$1.5	\$45.2	\$22.9	\$80.4	\$16.1
Additions/Alterations to Residential	\$20.0	\$18.8	\$19.0	\$23.2	\$31.3	\$112.2	\$22.4
Subtotal Residential	\$128.3	\$142.6	\$145.6	\$225.8	\$226.2	\$868.5	\$173.7
New Non-Residential	\$106.0	\$43.2	\$47.6	\$71.4	\$287.5	\$555.7	\$111.1
Additions/Alterations to Non-Residential	\$65.7	\$36.9	\$56.5	\$51.2	\$46.7	\$257.0	\$51.4
Subtotal Non-Residential	\$171.7	\$80.1	\$104.1	\$122.6	\$334.2	\$812.7	\$162.5
Total All Construction	\$300.0	\$222.7	\$249.6	\$348.4	\$560.4	\$1,681.2	\$336.2

**Values rounded to million dollar*

Table 1 reflects the aggregate numbers for all types of construction between 2017 and 2021, the five-year total, and the average for those five years.

Residential Construction

The total value of residential construction was stable, increasing by \$0.4 million over the previous year. The total value of single-family houses permitted in 2021 was \$171.4 million with an average value of the individual unit being \$306,000. This continues the trend of building upscale single-family housing. The value of duplexes permitted is down by \$1.4 million and additions and alterations were up \$8.1 million. Mobile homes are up slightly and multi-family permits are down about \$22 million in value in 2021.

Norman Annual Development Report for 2021

The 559 single-family permits issued in 2021 make it the third year in the last five that the number of single-family permits exceeded the number predicted by *NORMAN 2025*. It is also

YEAR	SINGLE FAMILY UNITS	MOBILE HOME UNITS	DUPLEX UNITS	3 UNIT/MULTI-FAMILY UNITS**	TOTAL NEW RESIDENTIAL UNITS
NORMAN 2025 22 YEAR AVERAGE PREDICTION*	456	(INCLUDED IN SINGLE FAMILY)	13	125	594
2021 PREDICTED*	353	(INCLUDED IN SINGLE FAMILY)	17	109	479
2021	559	4	2	199 (10)	764
2020	537	1	8	440 (28)	986
2019	434	11	21	15 (2)	481
2018	397	12	10	88 (4)	507
2017	351	7	32	13 (13)	403
5 YEAR AVERAGE	456	7	15	151 (11)	628

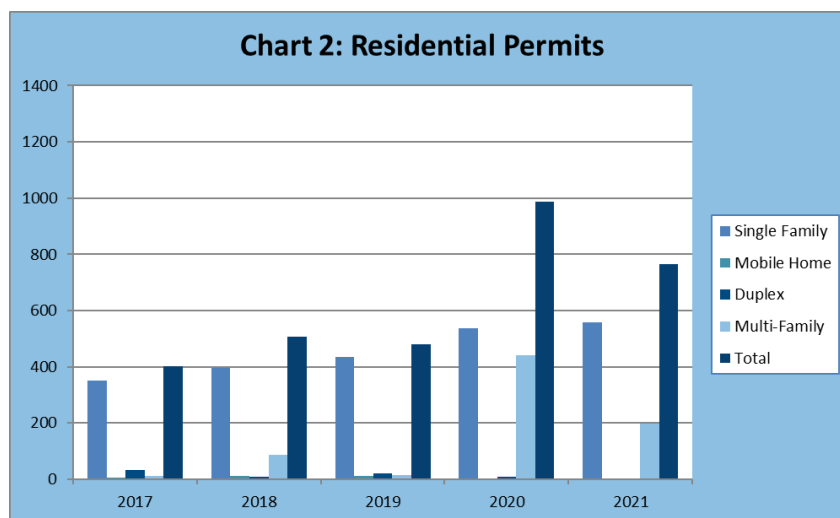
*NORMAN 2025 Land Demand Analysis **Number of Permits in ()

the third year since the housing crash of 2008 that single-family permits exceeded the predicted number. In the years immediately following the housing crash, the area of residential construction that had the most growth is multi-family housing. Although multi-family development has slowed in recent years, this year the number of multi-family permits is also above what was predicted by *NORMAN 2025*. A detailed account of new residential construction by

type for the last five years is shown in **Table 2**. It is followed by several tables that compare the characteristics of residential development to what was predicted by *NORMAN 2025* and **Map 1** on page 7 shows the location of development by housing type.

Table 2 depicts new residential construction by type for 2017-2021, the five-year average, the volume of new residential construction predicted by the *Land Demand* for 2021, and the *Land Demand's* predicted 5-year average. The city's 764 new units permitted during 2021 are 159% of the *NORMAN 2025* prediction of 479 new units. The 559 new single-family units permitted are 158% of the 353 units projected in the *Land Demand* and the 199 new multi-family units permitted in 2021 are 183% of the 109 units projected in the *Land Demand*. The 2 new duplexes are 12% of the 17 duplexes projected by the *Land Demand*.

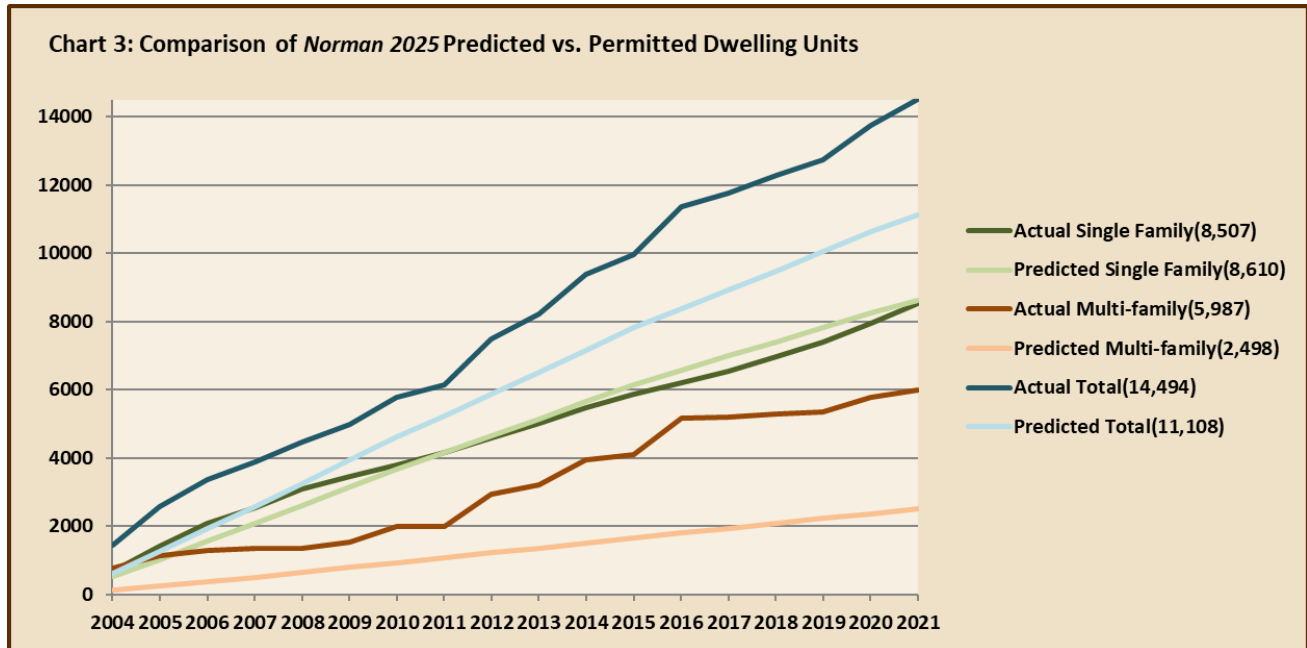
Norman added a significant number of single-family and multi-family dwelling units in 2021. **Chart 2** illustrates the mix of dwelling units in the Norman market in recent years. Single-family permits posted the



highest number since the housing crisis indicating a continued recovery. Multi-family remained strong with a slight trend away from student housing complexes and toward

Norman Annual Development Report for 2021

complexes catering to senior living. Development of new affordable housing units remains slow.



Reviewing the entire period of *NORMAN 2025*, from the 2004 adoption to current, as illustrated by **Chart 3**, we gain insight into longer-term consumption of dwelling units. While the single-family market developed fewer units than predicted in the past few years, the slower period followed an active period making the number of single-family residential units developed to date only slightly lower than the number predicted by the *Land Demand* of the *NORMAN 2025*. The *Land Demand* predicted that Norman would need to develop 8,610 single-family dwelling units by 2020. The actual number was 8,507. This means the City has built 99% of the single-family housing units the *Land Demand* predicted would be built by this time. The number of multi-family housing units developed during this period more than meets the remaining demand. During the same period 5,987 units of multi-family housing were developed, which is 3,489 more than the 2,498 predicted by the *Land Demand*. The multi-family numbers are most likely higher in Norman than they would be in a community of similar size because of the influence of the University of Oklahoma and the introduction on a large scale of the rent-by-bed student housing model in the multi-family developments. This is 240% of the multi-family housing units that were predicted by the *Land Demand*. Over the last 17 years, the number of dwelling units of all types permitted is 130% of the number predicted. **Chart 3** also illustrates the bend at the housing collapse of 2008 that reset Norman's single-family housing development trajectory, which was followed by an increase in the development of multi-family. While Norman did not feel the 2008 downturn as sharply as some municipalities, the changes in lending practices precipitated changes in building practices that are still evident on the ground today in the high number of multi-family units.

Norman Annual Development Report for 2021

Table 3: Calendar Year New Residential Units by Service/Growth Area

YEAR	CURRENT URBAN SERVICE/GROWTH AREA # and (%)	FUTURE URBAN SERVICE/GROWTH AREA # and (%)	SUBURBAN RESIDENTIAL GROWTH AREA # and (%)	COUNTRY RESIDENTIAL GROWTH AREA # and (%)	TOTAL UNITS
2021	696 (91%)	2 (0%)	11 (1%)	55 (7%)	764
2020	928 (94%)	3 (0%)	8 (1%)	47 (5%)	986
2019	400 (86%)	1 (0%)	9 (2%)	56 (12%)	466
2018	448 (88%)	3 (1%)	12 (2%)	44 (9%)	507
2017	348 (86%)	1 (0%)	6 (1%)	48 (12%)	403
5 YEAR AVERAGE	564 (89%)	2 (0%)	9 (2%)	50 (9%)	625
NORMAN 2025 22 YEAR AVERAGE % OF GROWTH EXPECTED	85-90%		10-15%		100%

Table 3 indicates the location of all types of new residential units by Service/Growth Area. The 91% of residential development in the Current Urban Service/Growth Area (CUSA) in 2021 is above the range that was predicted by *NORMAN 2025*. The five-year average of growth in the CUSA is within the upper range of growth projected in both *NORMAN 2020* and *NORMAN 2025*, while the other growth areas are experiencing growth in the lower end of the projected range. This indicates that *NORMAN 2025* is achieving two of its goals: directing development to areas that have adequate infrastructure to support it and protecting sensitive areas in the Country Residential Growth Area (CRA). The CRA has not been above the expected percentage of growth in any year of the last five. Three of the last five years the CUSA has developed as predicted. This corresponds to the years in which the number of multi-family units permitted were close to or below the expected numbers. It also underscores that *NORMAN 2025* may be returning to its more expected growth pattern. **Map 1** shows the location of new residential housing by types overlying the growth areas. Future Urban Service Area is usually changed to Current Urban Service Area before development occurs.

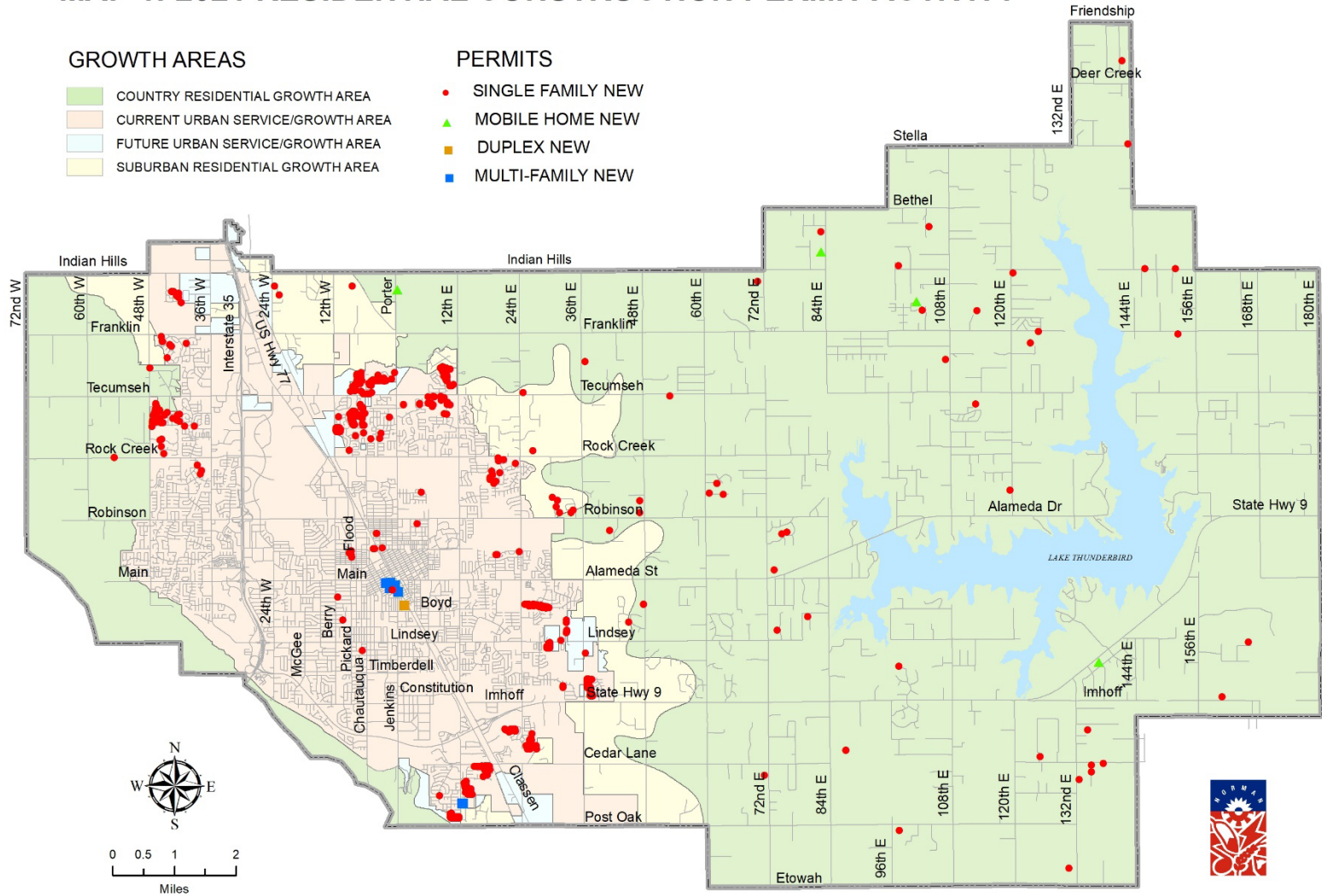
MAP 1: 2021 RESIDENTIAL CONSTRUCTION PERMIT ACTIVITY

GROWTH AREAS

- COUNTRY RESIDENTIAL GROWTH AREA
- CURRENT URBAN SERVICE/GROWTH AREA
- FUTURE URBAN SERVICE/GROWTH AREA
- SUBURBAN RESIDENTIAL GROWTH AREA

PERMITS

- SINGLE FAMILY NEW
- MOBILE HOME NEW
- DUPLEX NEW
- MULTI-FAMILY NEW



Norman Annual Development Report for 2021

Table 4 reflects new residential units permitted in 2021 by Ward boundaries. Ward 6 had the most single-family permits with 39% of all single-family. Ward 7 had the most multi-family units this year. Ward 4 had both single-family and multi-family development.

Both the duplexes and multi-family development in Ward 4, which is adjacent to the main campus of the University of Oklahoma, illustrate a type of housing product, which is geared toward students and rent by the bedroom, and has 4 or more bedrooms, entering the Norman housing market in recent years. These areas of Ward 4, experiencing re-development, were historically developed as single-family neighborhoods.

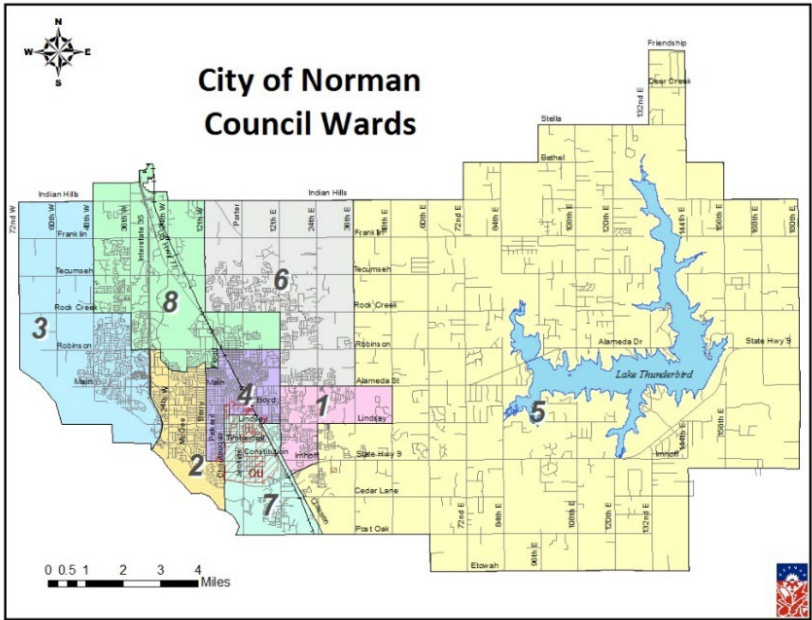
Table 4: Calendar Year 2021 New Residential Units by Ward

	SINGLE FAMILY UNITS	MOBILE HOME UNITS	DUPLEX UNITS	3+ UNIT/MULTI-FAMILY UNITS	TOTAL NEW RESIDENTIAL UNITS	% NEW RESIDENTIAL UNITS
Ward 1	41	0	0	0	41	5%
Ward 2	0	0	0	0	0	0%
Ward 3	5	0	0	0	5	1%
Ward 4	18	0	2	31	51	7%
Ward 5	131	3	0	0	134	18%
Ward 6	218	1	0	0	219	29%
Ward 7	83	0	0	168	251	33%
Ward 8	63	0	0	0	63	8%
2021 TOTAL	559	4	2	199	764	100%

campus of the University of Oklahoma, illustrate a type of housing product, which is geared toward students and rent by the bedroom, and has 4 or more bedrooms, entering the Norman housing market in recent years. These areas of Ward 4, experiencing re-development, were historically developed as single-family neighborhoods.

The higher density of the duplexes and multi-family has seen some conflict with the neighbors, and is straining the capacity of the aging infrastructure in the Core Area.

This higher-density area of re-development in Ward 4 was rezoned to Center City Form Based Code (CCFBC) in 2017. While the intent of the Form Based Code was to promote higher density, the expectation was those units would be geared toward more traditional occupants, that would lease the entire unit rather than a single bedroom and more, smaller/individually rented or owner occupied units would be allowed on a single lot, than were allowed under the prior R-3 zoning. Due to this growth, in 2021, the number of duplexes are back within the number predicted by the *Land Demand*.



Norman Annual Development Report for 2021

Table 5: Calendar Year New Residential Permits by Parcel Size and by Service/Growth Areas in the Most Recent Years

	< 2 ACRES	2 - 4.9 ACRES	5 - 9.9 ACRES	>= 10 ACRES	GRAND TOTAL
2021 CURRENT	449	0	5	53	507
2021 FUTURE	1	1	0	0	2
2021 SUBURBAN	5	4	1	1	11
2021 COUNTRY	2	15	16	22	55
2021 TOTAL	457	20	22	76	575
2020 CURRENT	395	0	39	82	516
2020 FUTURE	3	0	0	0	3
2020 SUBURBAN	4	0	1	3	8
2020 COUNTRY	0	11	20	16	47
2020 TOTAL	402	11	60	101	574
2019 CURRENT	359	4	0	1	364
2019 FUTURE	3	0	0	0	3
2019 SUBURBAN	8	2	1	1	12
2019 COUNTRY	1	15	18	10	44
2019 TOTAL	320	22	16	14	423
2018 CURRENT	315	0	1	1	317
2018 FUTURE	1	0	0	0	1
2018 SUBURBAN	2	3	1	0	6
2018 COUNTRY	2	19	14	13	48
2018 TOTAL	320	22	16	14	372
2017 CURRENT	296	1	1	3	301
2017 FUTURE	1	0	0	0	1
2017 SUBURBAN	3	2	1	2	8
2017 COUNTRY	3	14	11	11	39
2017 TOTAL	303	17	13	16	349
5 YEAR AVERAGE (TOTAL)	360	18	25	44	459

Table 5 reflects a grouping of parcel sizes within each growth area where the new residential units were permitted. As expected, smaller lots were developed in the Current Urban Service Area (CUSA) while larger lots were developed in the Country Residential Area.

Norman Annual Development Report for 2021

Non-Residential Construction

The total value of non-residential construction was \$334.2 million. New non-residential construction totaled \$287.5 million up from \$71.4 million the previous year. There were seven permits for new construction over \$5 million: three for the HealthPlex campus on Tecumseh Road and the Norman Regional Nine Plan, the “freestanding emergency department plus” located in southeast Norman at State Highway 9 and 24th Avenue S.E., the Noun Hotel on Campus Corner, rebuild of a sorority and a fraternity, and the Young Family Athletic Center. Nineteen of the 116 new construction permits were valued at over \$1 million. They are scattered throughout the city. **Map 3**, on the next page, depicts the location of new non-residential construction permit activity throughout Norman from 2019-2021.

Non-residential additions and alterations to existing building stock occurred throughout the city in 2021. The value of non-residential additions and alterations was \$51.2 million. There was one with a value in excess of \$5 million in 2021: the City of Norman’s new Development Center located in the old library and slated to open winter of 2023. There were 13 addition and alteration permits over \$1 million. Several were upgrades to Norman Public School properties. The remaining were a variety of commercial renovations throughout the city. **Map 4** depicts non-residential construction addition/alteration permit activity in Norman from 2019-2021.

MAP 3: 2019 - 2021 NEW NON-RESIDENTIAL CONSTRUCTION PERMIT ACTIVITY

GROWTH AREAS

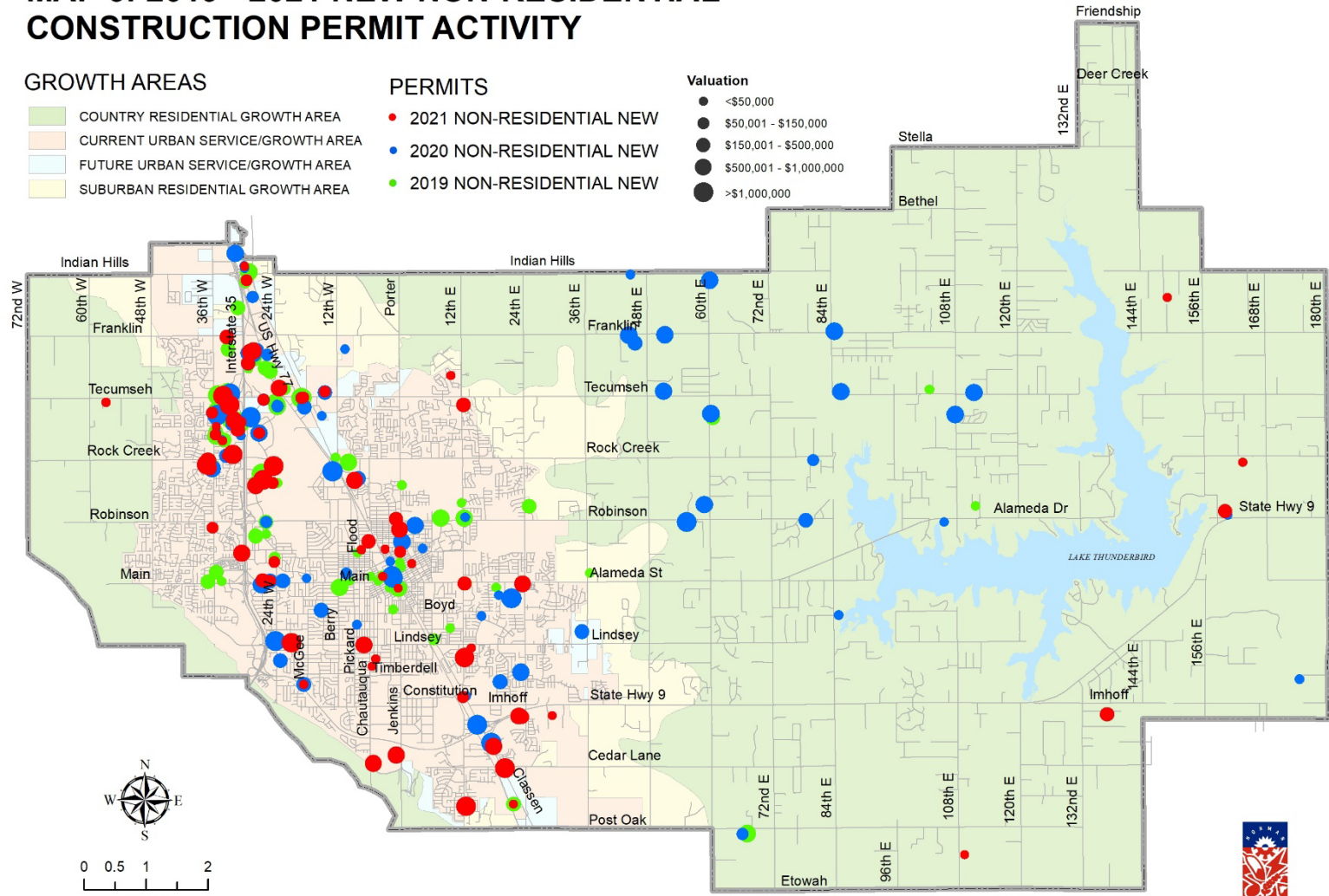
- COUNTRY RESIDENTIAL GROWTH AREA
- CURRENT URBAN SERVICE/GROWTH AREA
- FUTURE URBAN SERVICE/GROWTH AREA
- SUBURBAN RESIDENTIAL GROWTH AREA

PERMITS

- 2021 NON-RESIDENTIAL NEW
- 2020 NON-RESIDENTIAL NEW
- 2019 NON-RESIDENTIAL NEW

Valuation

- <\$50,000
- \$50,001 - \$150,000
- \$150,001 - \$500,000
- \$500,001 - \$1,000,000
- >\$1,000,000



MAP 4: 2019 - 2021 NEW NON-RESIDENTIAL ADDITION/ALTERATION PERMIT ACTIVITY

GROWTH AREAS

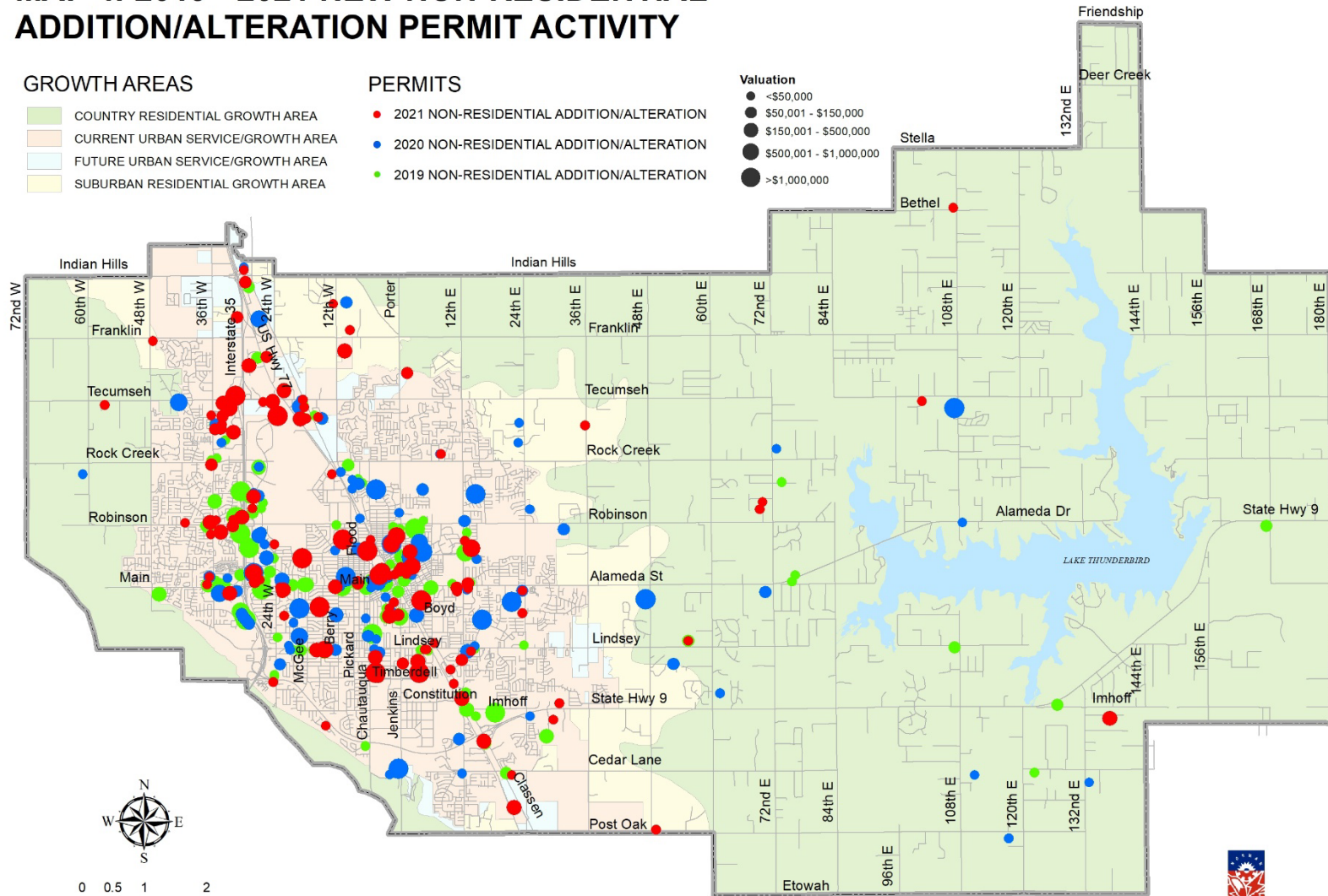
- COUNTRY RESIDENTIAL GROWTH AREA
- CURRENT URBAN SERVICE/GROWTH AREA
- FUTURE URBAN SERVICE/GROWTH AREA
- SUBURBAN RESIDENTIAL GROWTH AREA

PERMITS

- 2021 NON-RESIDENTIAL ADDITION/ALTERATION
- 2020 NON-RESIDENTIAL ADDITION/ALTERATION
- 2019 NON-RESIDENTIAL ADDITION/ALTERATION

Valuation

- <\$50,000
- \$50,001 - \$150,000
- \$150,001 - \$500,000
- \$500,001 - \$1,000,000
- >\$1,000,000



Norman Annual Development Report for 2021

III: LAND USE PLAN AND ZONING AMENDMENTS

The City of Norman processed eight applications for amendments to the *NORMAN 2025 Land Use and Transportation Plan* in 2021, two more than in 2020. If all had passed the amendments would have affected 89 acres; however, two of the eight applications were denied, so 46 acres were amended, which is about 132 acres less than in 2020. The largest proposed amendment in 2021 was a 41-acre request to allow for a new mixed-use neighborhood that Planning Commission denied. The second largest plan change was 29.3 acres modified to allow for the redevelopment Norman Regional Hospital property at the corner of Porter and Robinson.

Table 6 below and **Map 5** on page 14 identify each of the applications for *NORMAN 2025 Land Use and Transportation Plan* amendments approved during calendar year 2021. For each of the applications processed, the table summarizes the applicant's name, property location, original *NORMAN 2025* designation, change(s) requested, acreage involved, and dates of the decisions taken by the Planning Commission and City Council. The denied applications are not depicted on the map.

Table 6: Calendar Year 2021 Land Use Plan Amendments

RESOLUTION	APPLICANT	LOCATION	OLD USE	NEW USE	ACRES	PC ACTION	CC ACTION
2021-95	Jonathan Hunnell	309 S Peters Ave	Office	Commercial	0.1	3-11-21 APP	4-27-21 APP
2021-101	Geoffrey Arce	3766 E Robinson St	Country Residential	Mixed Use	5	5-13-21 DEN	Withdraw n
2021-114	Susan Draper	911 N Lahoma Ave	Industrial, Institutional	Office	15681 sq ft	5-13-21 APP	6-22-21 APP
2021-115	Shaz Investment LLC	West and south of Eagle Cliff South Add, Sec. 5	FUSA	CUSA	41.46	5-13-21 DEN	10-12-21 DEN
2122-21	Geoffrey Arce	3766 E Robinson St	Country Residential	Mixed Use	5	9/9/2021 APP	10-26-21 APP
2122-31	Sooner Traditions, LLC & Hunter Miller Family, LLC	1027 & 1035 S Berry Rd	Office, Low Density Residential	Commercial	1.33	10-14-21 APP	1-25-22 DEN
2122-64	Sanctuary Gardens & Wellness, LLC	West of Oliphant Ave, south of Alameda Dr	Country Residential	Commercial	5.99	12-9-21 APP	1-25-22 APP
2122-57	Norman Regional Health System & City of Norman	South of E. Robinson, west of N. Findlay, north of E Frank, east of N Porter	Institutional	Mixed Use	29.3	12-9-21 APP	1-25-22 APP

CUSA = Current Urban Service/Growth Area

FUSA = Future Urban Service/Growth Area

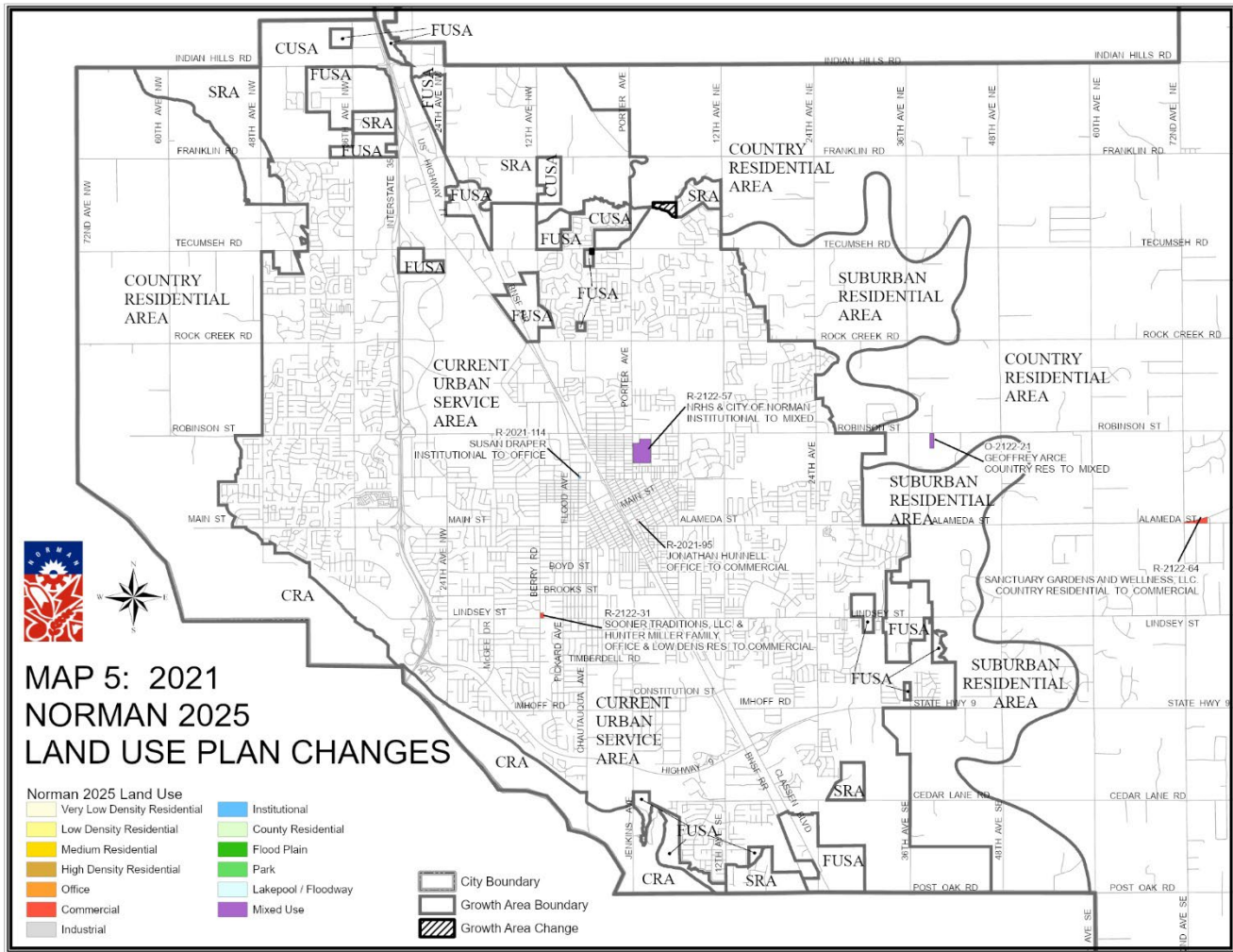
SRA = Suburban Residential Growth Area

CRA = Country Residential Growth Area

Norman Annual Development Report for 2021

The City of Norman processed 30 applications for rezoning during calendar year 2021, 3 more than were processed in 2020. Of those, both Planning Commission and City Council approved 25. The largest area rezoned was 115 acres rezoned to A-2 with Special Use to allow for government uses at 3500 Jenkins Avenue. The second was an amendment to the 79 acre PUD east of Porter Avenue north of Tecumseh Road by Ideal Homes. The third largest amendment was 36 acres at 3000 E Robinson Street. The fourth largest was 35.66 acres rezoned by the Norman Regional Hospital to allow for the expansion of their Tecumseh Road campus.

Table 7 on page 16 and **Map 6** on page 17 identify all of the zoning changes that were processed during calendar year 2021. The map only shows approved rezoning applications. For each of the 30 applications processed, the table summarizes the applicant’s name, property location, original zoning and zoning sought, acreage involved, and action taken by the Planning Commission and the City Council. Amendments that were not approved by Planning Commission and City Council are not depicted on the map.



Norman Annual Development Report for 2021

Table 7: Calendar year 2021 Zoning Amendments

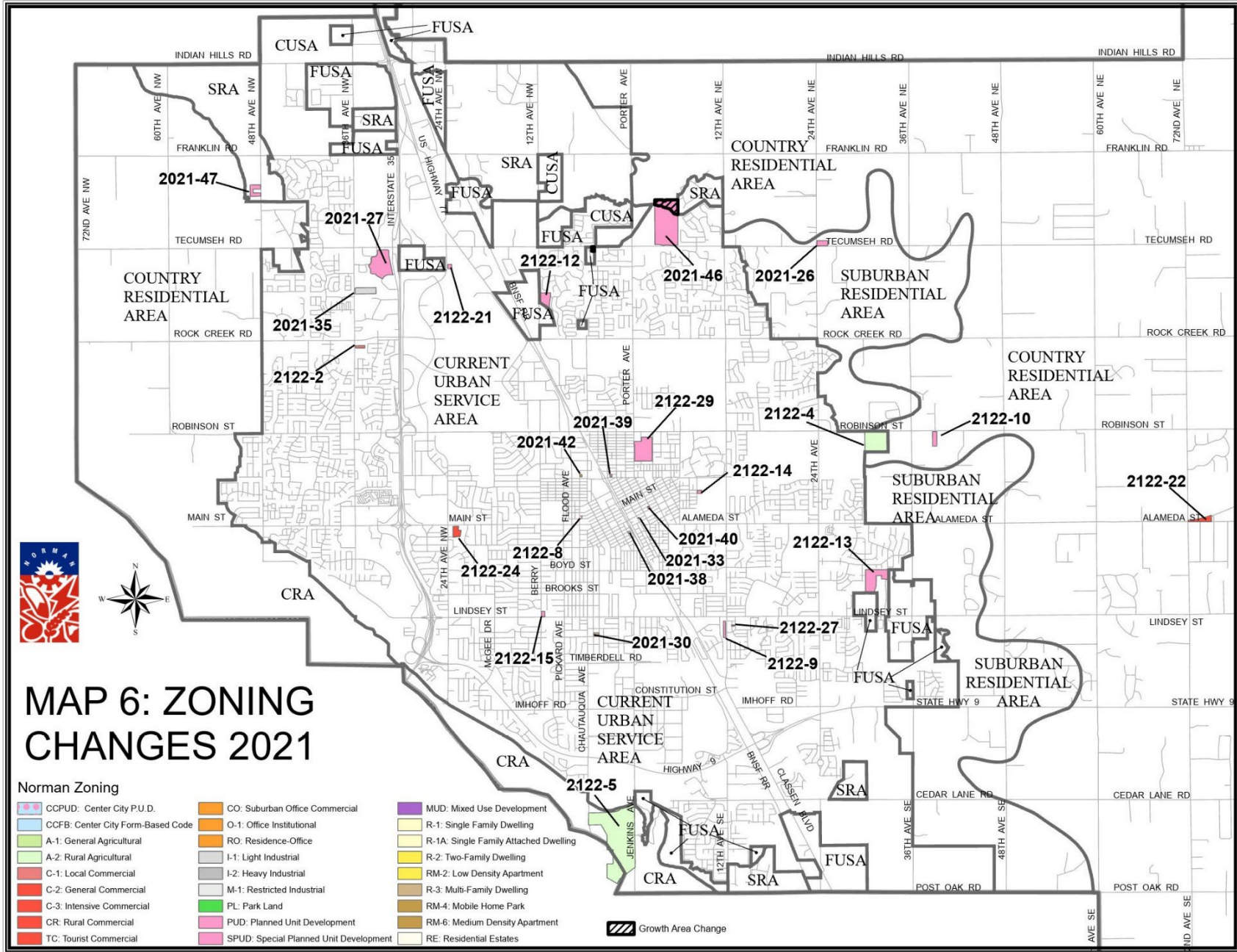
ORDINANCE	APPLICANT	LOCATION	FROM ZONING	TO ZONING	RELATED N2025 RESOLUTION	ACREAGE	PC ACTION	CC ACTION
2021-26	Larry & Joanne Klumpp	2413 E Tecumseh Rd	A-2	PUD	na	5.00	APP 1-14-21	APP 2-23-21
2021-27	Norman Regional Hospital Authority	SW corner of N Interstate Dr and W Tecumseh Rd	PUD	PUD	na	35.66	APP 1-14-21	APP 2-23-21
2021-30	Alpha Chi Omega Housing Corp	1115 College Ave	R-3	R-3 w SU	na	1.28	APP 2-11-21	APP 3-23-21
2021-33	Jonathan Hunnell	309 S Peters Ave	R-3	C-3	R-2021-95	0.10	APP 3-11-21	APP 4-27-21
2021-35	Joe Wilson	3001 36th Ave NW	I-1	I-1 w/SU	na	1248 sq ft	APP 3-11-21	APP 4-27-21
2021-37	Geoffrey Arce	3766 E Robinson St	A-2	PUD	R-2021-101	5.00	DEN 5-13-21	Withdrawn
2021-38	Peter Petromilli	430 S James Garner Ave	CCFBC	CCFBC w/SU	na	12,147 sq ft	APP 5-13-21	APP 6-22-21
2021-39	Katy Construction Co	111 & 113 E Acres St	R-2	SPUD	na	17,500 sq ft	APP 4-8-21	APP 5-25-21
2021-40	SW Armstrong Jr & John Traw	220 S Porter Ave	PUD	C-3	na	0.32	APP 4-8-21	APP 5-25-21
2021-42	Susan Draper	911 N Lahoma Ave	R-1	O-1	R-2021-114	13,939 sq ft	APP 5-13-21	APP 6-22-21
2021-44	Shaz Investments, LLC	West and south of Eagle Cliff South Add. Sec. 5	A-1 and A-2	R-1	R-2021-115	41.46	DEN 5-13-21	Not Considered
2021-46	Ideal Homes	1/4 mile east of N. Porter Ave on north of Tecumseh Rd	A-2	PUD	na	79.43	APP 6-10-21	APP 7-27-21
2021-47	McKown Family, LLC	West of 48th Ave NW, 1600 ft south of Franklin Rd	A-2	PUD	na	6.92	APP 6-10-21	APP 7-27-21
2122-2	Club Carwash Operating, LLC	SE corner 36th Ave NW and Rock Creek Rd	C-1	C-1 w/SU	na	1.70	APP 7-8-21	APP 8-24-21
2122-3	Cox Brothers Holdings, LLC	SW corner 72nd Ave NE and Tecumseh Rd	A-2	A-2 w/SU	na	68.80	Withdrawn	
2122-4	City of Norman - Norman Utilities Authority	3000 E Robinson St	A-2	A-2 w/SU	na	36.00	APP 7-8-21	APP 11-9-21
2122-5	City of Norman - Norman Utilities Authority	3500 Jenkins Ave	A-2	A-2 w/SU	na	115.22	APP 7-8-21	APP 11-9-21
2122-8	Jim Holmes Investment, LLC	453 W Gray St	CCFBC	CCPUD	na	0.22	APP 9-9-21	APP 10-26-21

Norman Annual Development Report for 2021

Table 7: Calendar year 2021 Zoning Amendments

ORDINANCE	APPLICANT	LOCATION	FROM ZONING	TO ZONING	RELATED N2025 RESOLUTION	ACREAGE	PC ACTION	CC ACTION
2122-9	East Village of 12th Avenue, LLC	SW corner of E Lindsey St and 12th AveSE	PUD	SPUD	na	2.75	APP 9-9-21	APP 10-26-21
2122-10	Geoffrey Arce	3766 E Robinson St	A-2	PUD	R-2122-21	5.00	APP 9-9-21	APP 10-26-21
2122-12	Sweetgrass Partners, LLC	1/2 mile south of Tecumseh Rd on east side 12th Ave NW	R-1	PUD	na	10.48	APP 9-9-21	APP 10-26-21
2122-13	Skyridge Homes, Inc	North of E Lindsey St approx 1/2 mile east of 24th Ave SE	PUD	Amend PUD	na	24.80	APP 9-9-21	APP 10-26-21
2122-14	Food & Shelter, Inc.	East side of Reed Ave approx 717 ft south of E Main St	PUD	SPUD	na	1.74	APP 9-9-21	APP 10-26-21
2122-15	Sooner Traditions, LLC & Hunter Miller Family, LLC	1027 & 1035 S Berry Rd	R-1 and CO	SPUD	R-2122-31	1.33	APP 10-14-21	Not Considered
2122-21	Johnson & Associates for University North Park	East of 24th Ave NW & south of W Tecumseh Rd	PUD	PUD	na	1.37	APP 11-18-21	APP 1-18-22
2122-22	Sanvctuary Gardens & Wellness, LLC	West of Oliphant Ave south of Alameda Dr	RE	CR	R-2122-64	5.99	APP 12-9-21	APP 1-25-22
2122-24	WH Normandy Creek, LP	2224 W Main St, Ste 2262	C-2	C-2 w/SU	na	11000.00	APP 11-18-21	APP 1-18-22
2122-27	Greg Iman, Binh Vu To and Hong Loan Thi Danh	1228 Lindsey Plaza Dr	C-2	C-2 w/SU	na	0.30	APP 12-9-21	APP 1-25-22
2122-28	12 Blocks High	13628 Crystal Brook Cir	A-2	A-2 w/SU	na	5.00	DEN 12-9-21	Not forwarded
2122-29	Norman Regional Hospital Authority & City of Norman	South of E Robinson, west of N Findlay, north of E Frank, east of N Porter	R-1, C-3, O-1	PUD	R-2122-57	29.30	APP 12-9-21	APP 1-25-22

*Does not include easement closures and administrative changes that do not alter map.



Norman Annual Development Report for 2021

IV: PLATTING AND SUBDIVISION ACTIVITY

Preliminary and Final Plats

Calendar year 2021 was above average in terms of the number of preliminary plats and average in the number of final plats processed in recent years. The number of lots receiving final approval was well above the five-year average. The number of acres subdivided using the Certificates of Survey or Short Form Plats was also well above the above the five-year average. More details regarding land divisions occurring in calendar year 2021 are illustrated by the tables and maps described below.

Tables 8 and 9 identify the number of preliminary and final plats applied for in calendar year 2021, the preceding four years, and a five-year average. The data includes acreages involved, number of lots proposed, and distribution among the four Service/Growth Areas of *NORMAN 2025*. The 17 preliminary plats approved consumed 477 acres and created 870 lots. This is well above the five-year average of 272 acres and 271 lots. The 14 final plats approved completed the development of 157 acres and 337 lots, which is also above the five-year average of 142 acres and 273 lots. Companion **Map 7** shows the location of the 2021 plats as well as plats from the preceding two years.

Table 8: Calendar Year Preliminary Plats by Service/Growth Area

	CURRENT URBAN SERVICE AREA	FUTURE URBAN SERVICE AREA	SUBURBAN RESIDENTIAL AREA	COUNTRY RESIDENTIAL AREA	TOTAL
2021 PRELIMS	12(1)	1	1	2(1)	17
2021 ACRES	422.09	1.00	6.92	46.89	476.90
2021 LOTS	860	1	3	6	870
2020 PRELIMS	8	1	0	0	9
2020 ACRES	260.63	16.87	0.00	0.00	277.50
2020 LOTS	117	2	0	0	119
2019 PRELIMS (PARTIAL)	6(2)	2(1)	0(1)	0	10
2019 ACRES	332.59	15.99	62.90	0.00	411.48
2019 LOTS	164	48	3	0	215
2018 PRELIMS (PARTIAL)	3(1)	0(1)	0	0	4
2018 ACRES	52.89	15.68	0.00	0.00	68.57
2018 LOTS	6	1	0	0	7
2017 PRELIMS (PARTIAL)	8	0(1)	0 (1)	0	9
2017 ACRES	108.23	3.45	12.88	0.00	124.56
2017 LOTS	144	1	1	0	146
5 YEAR Total # OF PLATS*	41.0	7.0	3.0	3.0	49.0
5 YEAR AVERAGE # OF PLATS*	8.2	1.4	0.6	0.6	9.8
5 YEAR AVERAGE # OF LOTS	258.2	10.6	1.4	1.2	271.4
5 YEAR AVERAGE ACRES	235.3	10.6	16.5	9.4	271.8
<i>*Partial plats counted in all growth areas</i>					

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Table 9: Calendar Year Approved Final Plats by Service/Growth Area

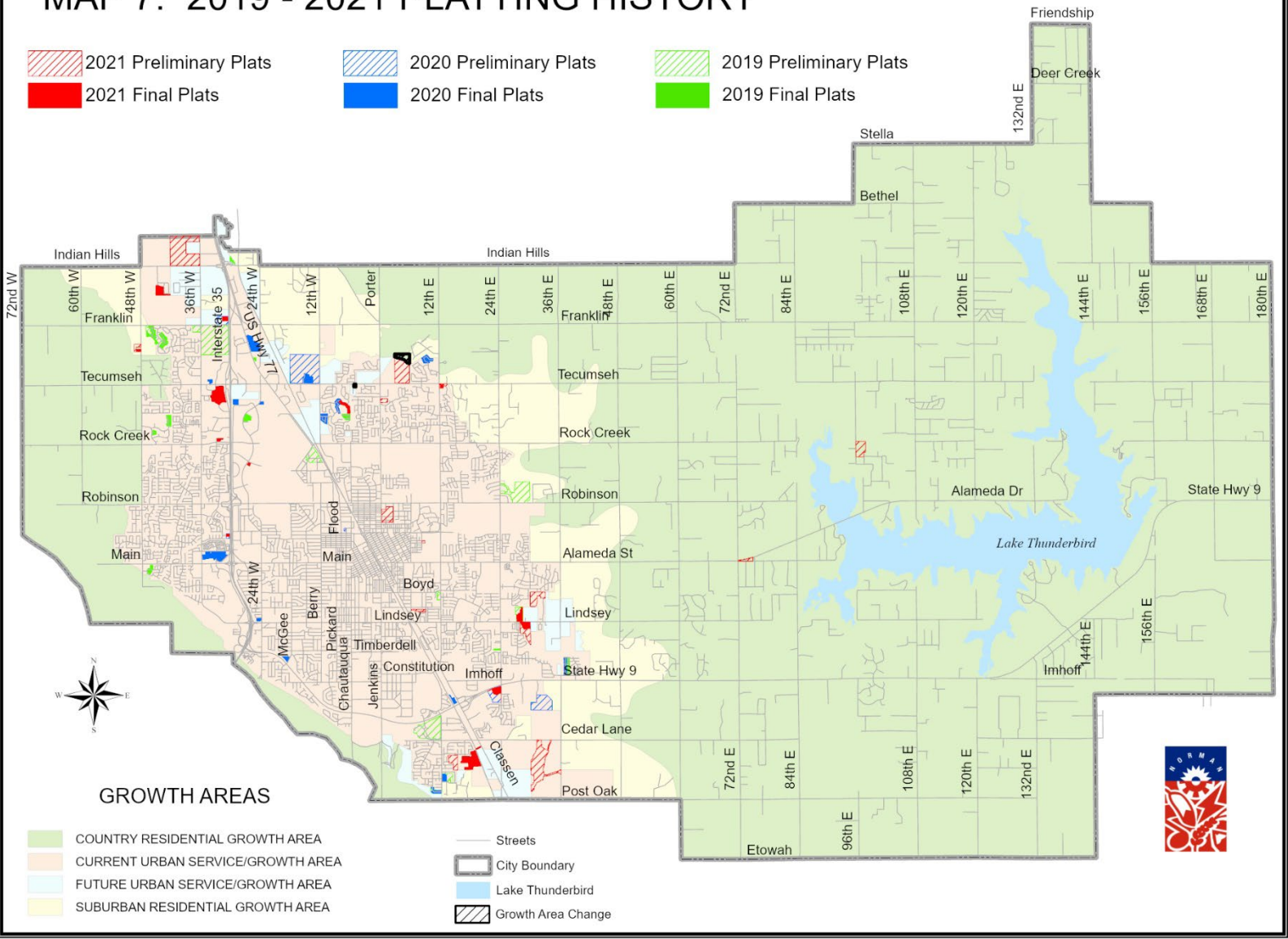
GROWTH AREA/ SERVICE AREA	CURRENT URBAN SERVICE AREA	FUTURE URBAN SERVICE AREA	SUBURBAN RESIDENTIAL AREA	COUNTRY RESIDENTIAL AREA	TOTAL
2021 # FINAL PLATS	13	0	1	0	14
2021 ACRES	154.71	0.00	1.93	0.00	156.64
2021 LOTS	336	0	1	0	337
2021 AVG SINGLE FAMILY LOT SIZE	0.28	0.00	1.93	0	0.28
2021 AVG OTHER LOT SIZE*	7.07	0	0	0	7.07
2020 # FINAL PLATS	15	0	0	0	15
2020 ACRES	153.57	0.00	0.00	0.00	153.57
2020 LOTS	236	0	0	0	236
2020 AVG SINGLE FAMILY LOT SIZE	0.23	0.00	0.00	0	0.23
2020 AVG OTHER LOT SIZE*	6.42	0	0	0	6.42
2019 # FINAL PLATS	8	1	0	0	9
2019 ACRES	84.25	3.45	0.00	0.00	87.70
2019 LOTS	166	1	0	0	167
2019 AVG SINGLE FAMILY LOT SIZE	0.39	0.00	0.00	0	0.39
2019 AVG OTHER LOT SIZE*	5.1	3.45	0	0	4.8
2018 # FINAL PLATS	9	1	0	0	10
2018 ACRES	115.87	10.82	0.00	0.00	126.69
2018 LOTS	173	1	0	0	174
2018 AVG SINGLE FAMILY LOT SIZE	0.47	0.00	0	0	0.47
2018 AVG OTHER LOT SIZE*	1.56	10.82	0	0	1.84
2017 # FINAL PLATS (Partial)	19(1)	0	1(1)	0	21
2017 ACRES	164.30	0.00	19.01	0.00	183.31
2017 LOTS	445	0	8	0	453
2017 AVG SINGLE FAMILY LOT SIZE	0.29	0.00	2.38	0	0.42
2017 AVG OTHER LOT SIZE*	2.89	0	0	0	2.89
5 YEAR TOTAL # FINAL PLATS**	65	2	3	0	69
5 YEAR AVG # FINAL PLATS**	13.0	0.4	0.6	0.0	14
5 YEAR AVG ACRES	134.54	2.9	4.2	0.0	141.6
5 YEAR AVG LOTS	271	0.4	1.8	0.0	273
5 YEAR AVG SF LOT SIZE	0.3	0.0	0.9	0.0	0.4
5 YEAR AVG OTHER LOT SIZE*	4.61	2.85	0.00	0.00	4.60

*Other includes all non-single family uses

**Partial plats counted in all growth areas

MAP 7: 2019 - 2021 PLATTING HISTORY

- 2021 Preliminary Plats
- 2020 Preliminary Plats
- 2019 Preliminary Plats
- 2021 Final Plats
- 2020 Final Plats
- 2019 Final Plats



Norman Annual Development Report for 2021

Norman Rural Certificates of Survey and Short Form Plats

This section summarizes land divisions using Norman Rural Certificates of Survey (NRCOS) and Short Form Plats (SFP). SFP's are plats that involve less than three acres, are subdivided into less than three lots, have a single ownership, and require no public improvements. Because they do not need infrastructure improvements, they have a shorter approval process. A NRCOS allows the development of properties larger than ten acres in the A-1 and A-2 Zoning Districts provided they are on roadways that are usable by public safety and other official government vehicles.

Table 10 identifies the number of Norman Rural Certificates of Survey (NRCOS) and Short Form Plats (SFP) applied for in Calendar Year 2021, the preceding four years, and a five-year average. The information provides the acreage involved, the number of lots proposed, and the distribution among the four Growth Areas of *NORMAN 2025*. In 2021, the City of Norman processed a total of 21 NRCOS/SFP's involving a total of 794 acres divided into 76 lots. This level of development exceeds the 2020 numbers when the City processed 9 NRCOS/SFP's involving 396 acres divided into 30 lots. The five-year average is 12 NRCOS/SFP's involving an average of 475 acres of land with an average of 40.4 lots. Companion **Map 8** shows the location of the 2020 NRCOS/SFP's as well as NRCOS/SFP's from the preceding two years.

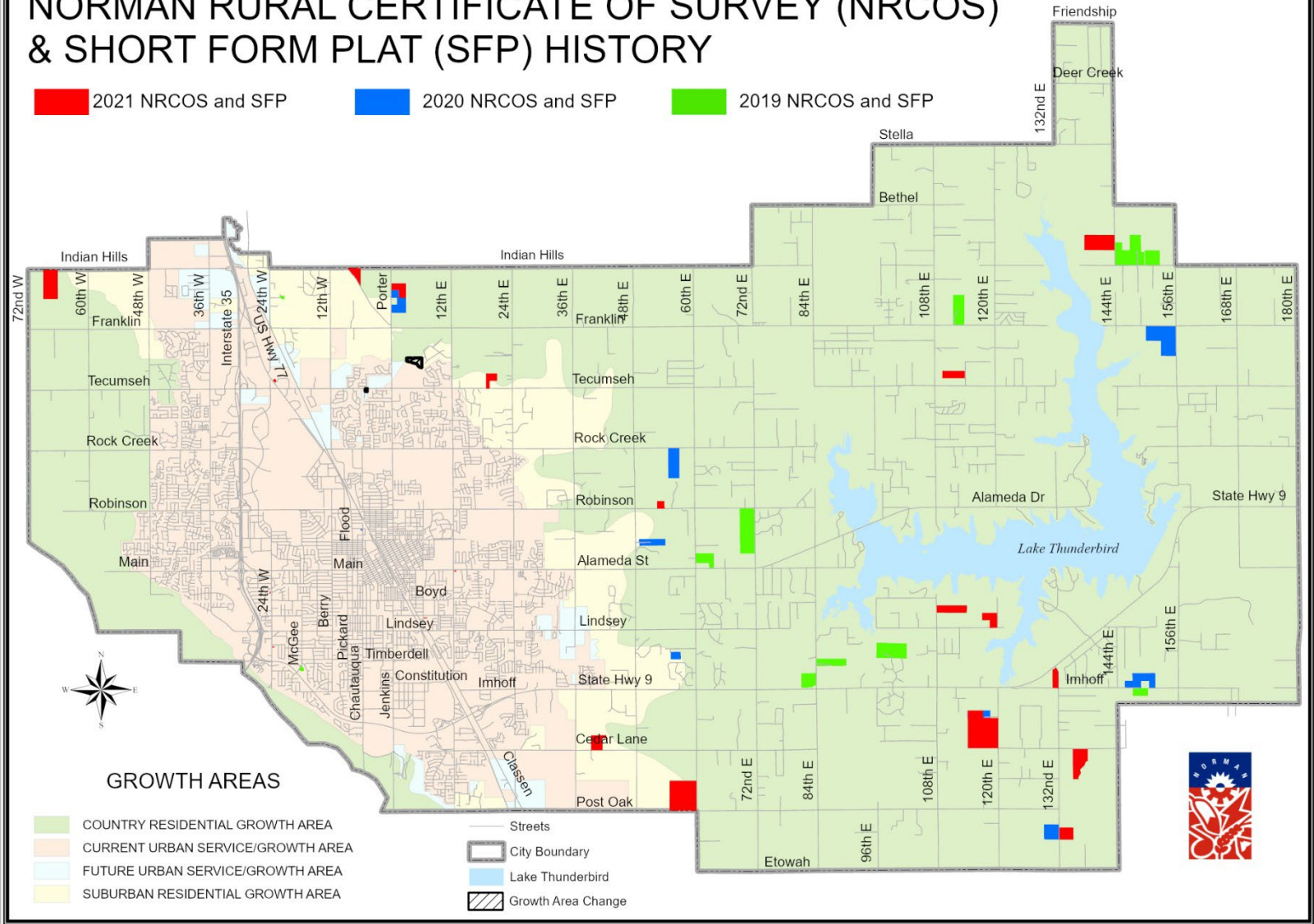
Norman Annual Development Report for 2021

Table 10: Calendar Year Approved Norman Rural Certificates of Survey and Short Form Plats by Service/Growth Area

GROWTH AREA	CURRENT URBAN SERVICE/ GROWTH AREA	FUTURE URBAN SERVICE/ GROWTH AREA	SUBURBAN RESIDENTIAL GROWTH AREA	COUNTRY RESIDENTIAL GROWTH AREA	TOTAL
2021 # COS AND SFP'S	5	0	3	13	21
2021 ACRES	3.52	0.00	191.52	599.27	794.31
2021 LOTS	7	0	19	50	76
2021 AVG LOT SIZE	0.50	0.00	10.08	11.99	10.45
2020 # COS AND SFP'S	1	0	1	7	9
2020 ACRES	0.51	0.00	13.25	382.24	396.00
2020 LOTS	2	0	1	27	30
2020 AVG LOT SIZE	0.26	0.00	13.25	14.16	13.20
2019 # COS AND SFP'S	1	0	1	8	10
2019 ACRES	3.23	0.00	2.52	543.62	549.37
2019 LOTS	2	0	1	41	44
2019 AVG LOT SIZE	1.62	0.00	2.52	13.26	12.49
2018 # COS AND SFP'S	5	1	0	4	10
2018 ACRES	7.26	2.26	0.00	156.63	166.15
2018 LOTS	10	2	0	13	25
2018 AVG LOT SIZE	0.73	1.13	0.00	12.05	6.65
2017 # COS AND SFP'S	3	1	0	6	10
2017 ACRES	2.81	2.30	0.00	465.38	470.49
2017 LOTS	6	2	0	19	27
2017 AVG LOT SIZE	0.47	1.15	0.00	24.49	17.43
5 YEAR TOTAL # COS AND SFP'S	15	2	5	38	60
5 YEAR AVG # COS AND SFP'S	3.0	0.4	1.0	7.6	12.0
5 YEAR AVG ACRES	3.5	0.9	41.5	429.4	475.3
5 YEAR AVG LOTS	5.4	0.8	4.2	30.0	40.4
5 YEAR AVG LOT SIZE	0.7	0.5	5.2	15.2	12.0

MAP 8: 2019 - 2021 NORMAN RURAL CERTIFICATE OF SURVEY (NRCOS) & SHORT FORM PLAT (SFP) HISTORY

2021 NRCOS and SFP 2020 NRCOS and SFP 2019 NRCOS and SFP



Norman Annual Development Report for 2021

V: SUMMARY AND FUTURE OUTLOOK

Construction

The value of construction permitted during this year was \$348.4 million. As previously outlined, the Norman Regional Hospital (NRH) bond projects accounted for \$192.2 million of the commercial construction. NRH had 11 permits, which included expansion of the HealthPlex campus on Tecumseh Road and the Norman Regional Nine Plan, the “freestanding emergency department plus” located in southeast Norman at State Highway 9 and 24th Avenue S.E.. Norman Public Schools (NPS) were also busy. They were issued 12 permits with a construction value of \$48.5 million. Other notable projects included the Noun Hotel on Campus Corner (\$16 million), the City of Norman’s new Development Center located in the old library location (\$7.1 Million), and the Young Family Athletic Center Norman Forward project (\$5 million).

The total value of single-family houses permitted in 2021 was \$171.4 million with an average value of the individual unit being \$306,000. This continues the trend of building upscale single-family housing. The value of duplexes permitted is down by \$1.4 million and additions and alterations were up \$8.1 million. Mobile homes are up slightly and multi-family permits are down about \$22 million in value in 2021.

The majority (94%) of all residential units were constructed in the Current Urban Service Area. Units constructed in the Suburban Residential and Country Residential Growth Areas account for the other 6%. The largest numbers of single-family units were permitted in Ward 7 followed by Wards 6 and 5.

Land Use and Zoning

The City of Norman processed eight applications for amendments to the *NORMAN 2025 Land Use and Transportation Plan* in 2021. The amendments affected 46 acres. The largest proposed amendment in 2021 was a 41-acre request to allow for a new mixed-use neighborhood that Planning Commission denied. The largest successful amendment was 29.3 acres modified to allow for the redevelopment of Norman Regional Hospital property at the corner of Porter and Robinson.

The City of Norman processed 30 applications for rezoning during calendar year 2021. Of those, both Planning Commission and City Council approved 25. The largest area rezoned was 115 acres rezoned to A-2 with Special Use to allow for government uses at 3500 Jenkins Avenue. The second was an amendment to the 79-acre PUD east of Porter Avenue and north of Tecumseh Road by Ideal Homes. The third largest amendment was 36 acres at 3000 E Robinson Street. The fourth largest was 35.66 acres rezoned by the Norman Regional Hospital to allow for the expansion of their Tecumseh Road campus.

Norman Annual Development Report for 2021

Platting and Subdivision

In 2021, the City processed 17 preliminary plats totaling approximately 477 acres and including 870 lots. Fourteen final plats were approved in 2021 totaling about 157 acres and including 337 lots. In 2021, the City of Norman processed a total of 21 NRCOS/SFP's involving a total of 794 acres divided into 76 lots.

Comprehensive Plan Update

It is very important that the comprehensive plan for the City of Norman be updated in the next year. The *Norman 2025 Land Use and Transportation Plan* is fast approaching the end of its planning horizon. It was expected that the Plan would be updated every 5-years and it is now 18-years since the city has completed/adopted an update/new comprehensive plan for the community.

The comprehensive plan is a tool used to plan for the future growth of the City of Norman. Most importantly, it is a tool to address the constant change and evolution of a community while providing long-term policy needed to support the economic prosperity of a community. The comprehensive plan deals with issues related to the appropriate uses of land, management and preservation of natural resources, identification and preservation of historically significant lands and structures, and adequate planning for infrastructure needs as the community grows/changes. It also addresses issues related to schools, recreation, and housing.

The most recent attempt to update the comprehensive plan, PlanNorman, was suspended in early 2018. The consultant's last action was drafting a revised version of the plan based on comments received from the Steering Committee in December 2017. That draft was available in January 2018 and remains available on the PlanNorman website. Given the length of time since the suspension of the PlanNorman document, reviving the comprehensive planning process and updating the document with data from the 2020 Census, the process will be a significant undertaking – one that the Planning Department cannot do without the assistance of an outside consultant.

Looking toward the future for Norman, once the vision provided by a new comprehensive plan is in place, it will be time to update some of the ordinances and regulations used to implement the plan. Of particular concern is the Zoning Ordinance. The Zoning Ordinance has been amended over the years but it has not had a complete evaluation of its regulatory content since the 1950s. It does not speak adequately to modern development trends and requirements.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

AUGUST 11, 2022

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 11th day of August, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 6:32 p.m.

* * *

Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

- Kevan Parker
- Liz McKown
- Steven McDaniel
- Erica Bird
- Doug McClure
- Cameron Brewer
- Shaun Axton

MEMBERS ABSENT

- Jim Griffith
- Michael Jablonski

A quorum was present.

STAFF MEMBERS PRESENT

- Jane Hudson, Director, Planning & Community Development
- Roné Tromble, Recording Secretary
- Colton Wayman, Planner I
- Logan Hubble, Planner I
- Ken Danner, Subdivision Development Manager
- Jack Burdett, Subdivision Development Coordinator
- Jami Short, Traffic Engineer
- Beth Muckala, Asst. City Attorney
- Todd McLellan, Development Engineer

* * *

Item No. 10, being:

CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF: ANNUAL 2021 STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 PLAN.

ITEMS SUBMITTED FOR THE RECORD:

1. Annual Report for 2021

PRESENTATION BY STAFF:

1. Jane Hudson briefly reviewed the report.
2. Mr. McDaniel asked about the comprehensive plan update. Ms. Hudson reported staff is currently working on an RFP. Mr. McDaniel asked whether we have ever removed the University, City projects, and the hospital from the numbers. Ms. Hudson said we have not done that, but could. She noted that we don't get OU numbers. There were \$192 million of Norman Regional Hospital projects.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Cameron Brewer moved to forward the Annual Report for 2021 to City Council. Steven McDaniel seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Kevan Parker, Liz McKown, Steven McDaniel, Erica Bird, Doug McClure, Cameron Brewer, Shaun Axton
NAYES	None
ABSENT:	Jim Griffith, Michael Jablonski

Ms. Tromble announced that the motion, to forward the Annual Report for 2021 to City Council, passed by a vote of 7-0.

* * *

File Attachments for Item:

5. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-19: FOR THE PURCHASE OF WATER LINE PIPE AND MATERIALS FROM OKLAHOMA CONTRACTORS SUPPLY, L.L.C., IN THE AMOUNT OF \$71,350 FOR THE BEAUMONT WATER LINE REPLACEMENT PROJECT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Scott Aynes, Line Maintenance Manager

PRESENTER: Scott Aynes, Line Maintenance Manager

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-19: FOR THE PURCHASE OF WATER LINE PIPE AND MATERIALS FROM OKLAHOMA CONTRACTORS SUPPLY, L.L.C., IN THE AMOUNT OF \$71,350 FOR THE BEAUMONT WATER LINE REPLACEMENT PROJECT.

BACKGROUND:

The Beaumont water line is located south of Alameda Street on Beaumont Drive. Line Maintenance staff has been making repairs to the Beaumont line for approximately 18 years. The water lines have been scheduled for replacement due to the age of the failing infrastructure.

DISCUSSION:

The Invitation to Bid for materials and parts needed for the Beaumont Water Line Replacement (Project WA0355) was published in the *Norman Transcript* on September 14, 2022 and September 21, 2022, in accordance with competitive bidding requirements. Bids were requested for 31 items needed for the project. Bids were submitted to the City of Norman Purchasing Department and opened on October 6, 2022. Three (3) vendors submitted bids. Total bids ranged from \$71,350 to \$83,446.84. Oklahoma Contractor's Supply, LLC was the low bidder at \$71,350.

The Materials account for Project WA0355 (31993346-46301) has an available balance of \$72,115.20 which is sufficient to fund the project.

City of Norman Water Line Maintenance Staff will perform installation of the new water lines for this project using the materials bid. Work on this project will commence after Norman Utilities Authority (NUA) approval and will end in February 2023.

RECOMMENDATION:

Staff recommends the NUA accept bids meeting project specifications and award Bid 2223-19 to Oklahoma Contractors Supply, LLC for the Beaumont Water Line Replacement Project in the amount of \$71,350.

Norman Utilities Authority			
Parts Beaumont Water Line Project WA0355			
Bid No. 2223-19			
Bid Opening Date:	Thursday, October 6, 2022		
Bid Opening Time:	2:00 PM		
<u>Company</u>	<u>City</u>	<u>State</u>	<u>Base Bid</u>
1 Oklahoma Contractor's Supply	Oklahoma City	OK	\$71,350.00
2 Core and Main	Oklahoma City	OK	\$77,685.17
3 Ferguson Waterworks	Oklahoma City	OK	\$83,446.84

NORMAN UTILITIES AUTHORITY
Office of the Purchasing Agent
Norman, Oklahoma

FORM FOR BIDDERS NO. 2223-19

Opening of Bids
Norman Utilities Authority
Office of the Purchasing Division
PO Box 370
Norman, Oklahoma 73070

Dear Sir:

The undersigned bidder declares that before preparing this bid he read carefully the detailed specifications and that his 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 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 Norman Utilities Authority 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 Norman Utilities Authority to purchase said quantity. Said purchases are to be made from date of award on or about October 25, 2022. All bids are to be made on a per unit basis. The anticipated quantity range is as follows.

SECTION I:

Beaumont Water Line Replacement Project

ITEM	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
1	8" C900 DR 18	LF	1500	24.00	36,000.00
2	8" 45 degree bends MJ	EA	5	180.00	900.00
3	6" 45 degree bends MJ	EA	4	125.00	500.00
4	8" x 6" anchor tee MJ	EA	4	315.00	1260.00
5	8" x 12" MJ sleeve	EA	6	225.00	1350.00
6	6" x 12" MJ sleeve	EA	2	140.00	280.00
7	8" MJ cap with 2" FIP thread	EA	2	120.00	240.00
8	8"x2" MJ cap	EA	2	120.00	240.00
9	8" MJ valve	EA	7	1240.00	8680.00
10	6" MJ valve	EA	4	800.00	3200.00
11	4' MJ fire hydrant	EA	2	2400.00	4800.00
12	6" anchor nipple	EA	2	240.00	480.00
13	8" megalugs MJ	EA	40	60.00	2400.00
14	8" rings/glands MJ	EA	20	18.00	360.00
15	8" gaskets	EA	60	7.00	420.00
16	6" megalugs MJ	EA	12	40.00	480.00
17	6" gaskets	EA	24	6.00	144.00
18	Valve boxes	EA	12	95.00	1140.00
19	2" corps	EA	3	245.00	735.00

ITEM	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
20	1" corps	EA	31	60.00	1860.00
21	2" poly SDR 9 (Blue)	LF	100	2.30'	230.00
22	1" poly SDR 9 (Blue)	LF	800	.65'	520.00
23	3/4" poly SDR 9 (Blue)	LF	400	.45'	180.00
24	2" Stainless Steel Inserts	EA	6	3.00	18.00
25	1" Stainless Steel Inserts	EA	200	1.90	380.00
26	3/4" stainless steel inserts	EA	130	1.60	208.00
27	2" cts splice/coupling	EA	3	100.00	300.00
28	4" stainless steel tee bolts	EA	600	5.50	3300.00
29	1 gallon blue lube	EA	3	24.00	72.00
30	5 pound container of HTH	EA	2	24.00	48.00
31	12 gauge tracer wire	LF	2500	.25'	625.00

TOTAL PRICE \$ 71,350.00

DELIVERY LEAD TIME IN DAYS 1-WK

Oklahoma Contractor Supply
 Firm/Company Name
[Signature]
 Signature
Sales
 Title

7216 SW 3rd
 Address
OKC OK 73128
 City State Zip Code
405-495-6161
 Telephone No.

License Number (if applicable)
 If partnership, give name and address of each member

(SEAL - IF BID IS BY A CORPORATION)
 ATTEST: _____
 TITLE: Secretary or Assistant Secretary
 (Please circle correct one)

**CITY OF NORMAN
SPECIFICATIONS FOR
WATER LINE MATERIALS**

1. **Material:**
 - a. Bolts: 304 Stainless Steel.
 - b. Nuts: 304 Stainless Steel. Nuts shall be sized accordingly, and shall include an Anti-Galling protective coating.
 - c. Gaskets: Shall be molded from NBR and/or SBR (grade 60) type material.
 - d. Taps: 304 Stainless Steel, with CC threads.
 - e. Welds: All welds shall be passivated for enhanced corrosion resistance.

2. **Deliveries:** To be delivered to the Line Maintenance Division, 1307 Da Vinci Street, Norman, Oklahoma, 73070. Deliveries shall be made via the east entry gate between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

3. **Quantities:** Items listed on Form for Bidders is an estimated quantity to be purchased, but does not in any way bind the Norman Utilities Authority to purchase said quantity.

4. **Security:** Advance notification shall be made of all deliveries at least 24 hours in advance. Advance notification shall include the expected date and time (within four hours) of delivery. Deliveries must be started and completed during normal business hours of 8:00 a.m. through 4:30 p.m. Monday through Friday except holidays, unless prior arrangements have been made. Anyone attempting to deliver without the advance notification or outside the agreed times will be turned away.

5. **Payment:** The bid price shall include all cost and expense of furnishing, delivering and unloading to the Line Maintenance Division Building, 1307 Da Vinci Street, Norman, Oklahoma 73070. Bidder shall include freight in the bid price. The City shall complete payment within 30 days of invoice receipt.

6. **Failure to Respond:** Any bidder who fails to respond to the invitation to bid for two consecutive years may be dropped from the bid list. Submitting a "no bid" response will be considered a response indicating the desire to remain on the bid list.

7. **Inquiries:** Inquiries may be directed to either the Line Maintenance Division Manager or Supervisor at Line Maintenance, 1307 Da Vinci Street, Norman, OK 73070; phone (405) 329-0703.

8. **Acceptance:** This bid will be guaranteed for acceptance up to 60 days after the bid opening date.

9. **Bid submission:** Each bid must be submitted in a separate sealed envelope. The envelope must state the bid number, bid date and time the outside of the envelope. If the bids are mailed and not hand delivered, then the bid envelope must be mailed in a separate outer envelope. Multiple bids may be included in one outer envelope, but each bid must be in its own inner envelope.

NOTICE TO BIDDERS / RFP RECIPIENTS

When submitting bids or responses to RFPs, corporate entities are required to comply with State law regarding authorized signatures.

State statute requires that bids/RFPs "be signed by the chair or vice chair of the Board of Directors, or the President, or by a Vice President, and attested by the Secretary or an Assistant Secretary; or by officers as may be duly authorized to exercise the duties...." 18 O.S. § 22

However, if some other official with the corporation, such as a secretary signing a document, such signature needs to be accompanied by a certificate or a copy of a resolution adopted by the Board setting forth the authority of that individual to execute a contract.

~~With respect to limited liability corporations, every manager is an agent of the company for the purpose of business and binds the limited liability company. Therefore, instruments and documents shall be valid and binding upon the limited liability company if executed by one or more of its managers. 18 O.S. § 32~~

As set forth above when submitting bids and RFPs, certification adhering to the state statutes should accompany documents being turned in for review.

BID AFFIDAVITS

The following affidavit is to accompany the bid:

A. Non-Collusion Affidavit

For purposes of competitive bids, I certify:

1. I am the duly authorized agent of Oklahoma Contractor Supply, the bidder submitting the competitive bid which is attached to this statement, for the purpose of certifying the facts pertaining to the existence of collusion among bidders and between bidders and municipal officers or employees, as well as facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the letting of any contract pursuant to the bid to which this statement is attached;
2. I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and having been personally and directly involved in the proceedings leading to the submission of such bid; and
3. Neither the bidder nor anyone subject to the bidder's direction or control has been a party:
 - a. to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding,
 - b. to any collusion with any municipal official or employee as to quantity, quality or price in the prospective contract, or as to any other terms of such prospective contract, nor
 - c. in any discussions between bidders and any municipal official concerning any exchange of money or other thing of value for special consideration in the letting of a contract.

I further certify, if awarded the contract, neither the contractor nor anyone subject to the contractor's direction or control has paid, given or donated or agreed to pay, give or donate to any officer or employee of the City of Norman any money or other thing of value, either directly or indirectly, in procuring the contract to which this statement is attached.

Oklahoma Contractor Supply
Bidder

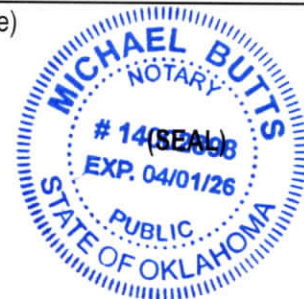
By: Richard Wilbanks
Signed

Richard Wilbanks Sales
(printed/typed name and title)

Subscribed and sworn to before me this 30th day of September, 20 22

[Signature]
Notary Public (or Clerk or Judge)

My Commission Expires: 4-1-2026



File Attachments for Item:

6. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2223-1: SUBMITTED BY TERRY GRAVEN IN THE NEGOTIATED AMOUNT OF \$19,000 FOR DAMAGE TO HIS AUTOMOBILE WHEN IT WAS STRUCK BY A POLICE VEHICLE ON AUGUST 8, 2022, AT 24TH AVENUE N.E., NEAR JACKSON DRIVE.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Kathryn Walker, Assistant City Attorney

PRESENTER: Anthony Purinton, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2223-1: SUBMITTED BY TERRY GRAVEN IN THE NEGOTIATED AMOUNT OF \$19,000 FOR DAMAGE TO HIS AUTOMOBILE WHEN IT WAS STRUCK BY A POLICE VEHICLE ON AUGUST 8, 2022, AT 24TH AVENUE N.E., NEAR JACKSON DRIVE.

BACKGROUND:

A claim was filed by Terry Graven in the negotiated amount of \$19,000 for car damage and rental fees when his car was struck by a City Police Department vehicle on August 8, 2022, at 24th Avenue NE near Jackson Drive.

DISCUSSION:

Kevin Foster, Chief of Police, investigated this incident. On August 8, 2022, a City Police Department officer was driving his patrol vehicle northbound in the outside lane of 24th Avenue NE. The officer observed another driver commit a traffic violation while traveling the opposite direction but in order to pull the driver over, the officer had to turn his vehicle around. The officer activated his lights and attempted to perform a U-turn but struck the Claimant's car, driven by the Claimant's wife that happened to be traveling northbound beside him. No injuries resulted from the accident.

Mr. Graven submitted three (3) estimates to repair damage to his 2018 Nissan Rogue, ranging from \$15,630 to \$19,415. The claimant also requested compensation for non-compensable expenses including taxes, window tint, time off work and other miscellaneous expenses related to the purchase of a vehicle, for a grand total of \$25,091. Rental fees were requested but cannot be calculated with accuracy due to variability of repair times. For reference, staff estimate a 30-day car rental at the average of \$50 per day totals \$1,500.

City staff research indicates the average value of claimant's vehicle is \$21,925. Individual auto values are as follows: KBB \$22,024; NADA \$22,900; CARFAX \$20,850. After negotiations, Mr. Graven has agreed to accept \$19,000 for the settlement of his claim.

As indicated above, there appears to be possible negligence on the part of the City in this matter

and consequently potential liability on the City. Mr. Graven's claim, in the negotiated amount of \$19,000, appears reasonable.

RECOMMENDATION:

Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Terry Graven, in the negotiated amount of \$19,000 as set forth above, be approved. Funds are available in Miscellaneous Services-Special Claims (43122351-44718) to cover the claim.

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: TERRY L. GRAVEN DATE: 8/8/22
ADDRESS: 2930 City View Court CITY NORMAN
STATE: OK ZIP: 73071 PHONE: (H) 580-685-5229 (W) 405-226-0027
EMAIL ADDRESS: terrylgraven@gmail.com
DATE OF INCIDENT: 8/8/22

LOCATION OF INCIDENT: ON 24th AVE NE 1/2 mile south of Robinson St.

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

Police officer headed Northbound in the outside lane activated his lights AND PROCEEDED to make a U-turn (Left) to go AFTER A CAR speeding Southbound - my wife was traveling Northbound in the inside lane - the policeman turned left into the passenger side of my wifes 2018 Nissan Rouge, causing A lot of damage. The police officer Failed to yield - my wife had no time to react or know the officers intentions.

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

Retail Value of CAR \$ 21,827 Excise Tax \$ 767.00
Sales Tax \$ 933.00 Window Tinting \$ 250.00
Misc. Doc/Title Fees \$ 474.00 Time off work \$ 840.00
TOTAL AMOUNT CLAIMED: \$ 25,091.00

NAME AND ADDRESS OF INSURANCE COMPANY: State Farm POBox 2358 Bloomington, IL 61702-2358 AGENT: Greg Ellis 405-321-0600

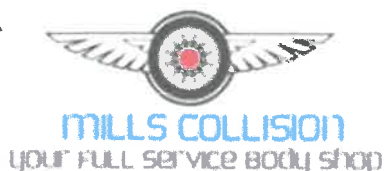
THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

Terry L. Graven
CLAIMANT'S SIGNATURE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/15/22





MILLS BODY SHOP

INVOICE Cosmetic Collision Care
 1527 24TH AVE SW, millsbody@aol.com,
 NORMAN, OK 73072
 Phone: (405) 321-4100
 FAX: (405) 321-4106

Workfile ID: eb130c8a
 PartsShare: 6TF2HF
 Federal ID: 450465113
 State ID: OKD039759220
 Federal EPA: OKD039759220
 State EPA: OKD039759220

Preliminary Estimate

Customer: Graven, Terry

Written By: Binx Mills



Insured: Graven, Terry Policy #: Claim #:
 Type of Loss: Date of Loss: Days to Repair: 0
 Point of Impact: 03 Right T-Bone (Right Side)

Owner: Graven, Terry (580) 695-5229 Cell
Inspection Location: MILLS BODY SHOP, 1527 24TH AVE SW, millsbody@aol.com, NORMAN, OK 73072, Repair Facility, (405) 321-4100 Business
Insurance Company:

VEHICLE

2018 NISS Rogue SV AWD 4D UTV 4-2.5L Gasoline Sequential MPI Gray Met

VIN: KNMAT2MV4JP601336 Interior Color: Mileage In: Vehicle Out:
 License: Exterior Color: Gray Met Mileage Out:
 State: OK Production Date: Condition: Excellent Job #:

- | | | | |
|------------------------|-------------------------------|----------------------------|---------------------------|
| TRANSMISSION | Air Conditioning | Stereo | Luggage/Roof Rack |
| Automatic Transmission | Intermittent Wipers | Search/Seek | SEATS |
| 4 Wheel Drive | Tilt Wheel | CD Player | Cloth Seats |
| POWER | Cruise Control | Auxiliary Audio Connection | Bucket Seats |
| Power Steering | Rear Defogger | Satellite Radio | Reclining/Lounge Seats |
| Power Brakes | Keyless Entry | SAFETY | Heated Seats |
| Power Windows | Alarm | Drivers Side Air Bag | WHEELS |
| Power Locks | Message Center | Passenger Air Bag | Aluminum/Alloy Wheels |
| Power Mirrors | Steering Wheel Touch Controls | Anti-Lock Brakes (4) | PAINT |
| Heated Mirrors | Rear Window Wiper | 4 Wheel Disc Brakes | Clear Coat Paint |
| Power Driver Seat | Telescopic Wheel | Traction Control | OTHER |
| DECOR | Climate Control | Stability Control | Rear Spoiler |
| Dual Mirrors | Backup Camera | Front Side Impact Air Bags | Signal Integrated Mirrors |
| Privacy Glass | Remote Starter | Head/Curtain Air Bags | TRUCK |
| Console/Storage | RADIO | Hands Free Device | Power Trunk/Liftgate |
| Overhead Console | AM Radio | Blind Spot Detection | |

Get live updates at www.carwise.com/e/4iSs8z

Preliminary Estimate

Customer: Graven, Terry

2018 NISS Rogue SV AWD 4D UTV 4-2.5L Gasoline Sequential MPI Gray Met

CONVENIENCE

FM Radio

ROOF

Preliminary Estimate

Customer: Graven, Terry

2018 NISS Rogue SV AWD 4D UTV 4-2.5L Gasoline Sequential MPI Gray Met

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		FRONT BUMPER & GRILLE					
2	R&I	R&I bumper cover				2.1	
3		FRONT LAMPS					
4	R&I	RT Headlamp assy				0.3	
5		FENDER					
6	R&I	RT Wheel opng mldg				0.3	
7	Blnd	RT Fender					1.1
8		WHEELS					
9	Repl	RT/Rear Wheel, alloy 18"	403006FL3A	1	957.22 m	0.3	
10		STEERING WHEEL					
11	R&I	R&I steering wheel			m	0.5 M	
12		CONSOLE					
13	R&I	R&I console assy				0.9	
14		RESTRAINT SYSTEMS					
15	Repl	RT Head air bag w/Korea Built	985P05HA9A	1	1,139.69 m	0.8 M	
16	Repl	RT Head air bag bolt	011250028U	1	1.20		
17	Repl	Diagnostic unit Korea built all	988205HS9A	1	1,169.02 m	0.3 M	
18	Repl	Clockspring w/o heated steering wheel Korea built	255545HA1D	1	325.71 m	0.2 M	
19	Repl	RT Side impact sens front door	988363TA5B	1	202.98 m	0.3 M	
20	#	Rpr OEM Pre/ Post Computer Scan				1.2 M	
21	#	Subl Software subscription		1	50.00 X		
22	Repl	RT Side impact sens B-pillar	988363TA5B	1	202.98 m	0.3 M	
23	Repl	RT Belt & retractor charcoal w/Korea built	868849TA8A	1	410.51	1.0	
24	Repl	LT Belt & retractor charcoal w/Korea built	868854BA8A	1	407.18	1.0	
25	Repl	RT Buckle charcoal w/o Japan built	868429TB8A	1	66.22	0.2	
26	Repl	LT Buckle charcoal w/o Japan built	868424BA7A	1	114.78	0.2	
27		SEATS & TRACKS					
28	R&I	RT R&I front seat				0.5	
29	R&I	LT R&I front seat				0.5	
30	Repl	Occupant sensor US built	988569TC0A	1	126.07		
31	Repl	Seat back assy w/o leather, Korea built, SV charcoal	876005HK6A	1	1,459.25	1.0	
32		ROOF					
33	R&I	RT Roof molding Korea built SV				0.4	
34		PILLARS, ROCKER & FLOOR					
35	*	Rpr RT Aperture panel				2.0	2.0
36		Add for Clear Coat					0.8
37	R&I	RT Rocker molding				0.8	
38		FRONT DOOR					

Preliminary Estimate

Customer: Graven, Terry

2018 NISS Rogue SV AWD 4D UTV 4-2.5L Gasoline Sequential MPI Gray Met

39		Repl	RT Door shell	801006FL0A	1	1,046.80	5.1	3.1
40			Overlap Major Adj. Panel					-0.4
41			Add for Clear Coat					0.5
42			REAR DOOR					
43		Repl	RT Lower molding w/o chrome	828764BA0A	1	107.09	0.3	
44	*	Repl	RCY RT door assy +25%	821004BA0A	1	1,056.25	<u>3.6</u>	3.0
45			Overlap Major Adj. Panel					-0.4
46			Add for Clear Coat					0.5
47			RT Clean, lube & adjust linkages & regulator				0.3	
48			RT Transfer door glass				0.7	
49	~		Clean or recondition parts or assemblies				<u>1.0</u>	
50			QUARTER PANEL					
51	*	Rpr	RT Quarter panel				<u>15.0</u>	2.7
52			Overlap Major Adj. Panel					-0.4
53			Add for Clear Coat					0.5
54			Add for Edging					0.3
55	*	R&I	RT Filler pocket w/o Japan built				<u>0.6</u>	
56		Refn	RT Fuel door w/o Japan built					0.3
57			Add for Clear Coat					0.1
58	#	Refn	Roof Rail					1.5
59		R&I	RT Wheelhouse liner				0.3	
60	**	Repl	Non OEM RT Wheel opng midg	788604BA0A	1	80.00	0.3	
61		R&I	RT Quarter glass Nissan, Korea built w/o tinted				1.4	
62	#	Repl	Glass Adhesive and Kit		1	35.00		
63	**	Rpr	Non OEM Setup time & measure				2.0	F
64	**	Repl	Non OEM Color tint / color match		1		1	0.8
65	**	Rpr	Non OEM Pull Rt B pillar				3.0	S
66	**	Repl	Non OEM Cover Interior		1			0.3
67	**		Non OEM ***** COVER-MASK Jambs and Interior		1			0.3
68	**	Rpr	Non OEM Aim headlamps				0.5	
69	#	Repl	Glass Masking		1	10.00	0.5	
70	**	Repl	Non OEM Color tint / color match		1		1	0.8
71	**	Repl	Non OEM Clips/retainers		1	45.00		
72	**	Rpr	Non OEM Align sheet metal				2.0	
73	**	Repl	Non OEM Cover Car 25' x 8.50 25% Markup \$5.00 Tape		1	10.00	0.3	
74	**	Rpr	Non OEM Damage from unibody clamps				0.5	0.5
75	**	Rpr	Non OEM Disconnect battery cable				0.3	
76	**	Rpr	Non OEM Disarm airbags				0.5	M
77	#	Repl	Hazardous waste removal		1	5.00	1	
78	**	Repl	Non OEM Feather edge,mask,		1		1	1.0

Preliminary Estimate

Customer: Graven, Terry

2018 NISS Rogue SV AWD 4D UTV 4-2.5L Gasoline Sequential MPI Gray Met

		prime and block					
79	**	Repl	Non OEM Rustproofing	1	8.00	0.2	
80	**	Repl	Non OEM Nib and Polish	1			1.0
81	#		Clean Haz Mat from Repair Areas, polishes, over spray, dust	1	30.00		
82	**	Subl	Non OEM Tire mount & wheel balance	1	15.00		
83	**	Subl	Non OEM Four wheel alignment	1	105.00		
SUBTOTALS					9,185.95	53.5	19.9

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			9,130.95
Body Labor	44.4 hrs @	\$ 56.00 /hr	2,486.40
Paint Labor	19.9 hrs @	\$ 56.00 /hr	1,114.40
Mechanical Labor	4.1 hrs @	\$ 100.00 /hr	410.00
Frame Labor	2.0 hrs @	\$ 85.00 /hr	170.00
Structural Labor	3.0 hrs @	\$ 85.00 /hr	255.00
Paint Supplies	19.9 hrs @	\$ 46.00 /hr	915.40
Body Supplies	53.5 hrs @	\$ 4.00 /hr	214.00
Miscellaneous			55.00
Subtotal			14,751.15
Sales Tax	\$ 10,046.35 @	8.7500 %	879.06
Grand Total			15,630.21
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			15,630.21

Warning - State Law. Use of contents for commercial solicitation is unlawful.

DO NOT WRITE IN THIS SPACE

Incident Report

Investigation Completed [X] Revised [X]
Investigation Made at Scene [X] Fatality [X]
Photographs [X] Hit and Run [X]

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

(1) Reporting Agency: NORMAN POLICE DEPARTMENT, Case Number: 2022-00048461
(2) Date of Collision: 08082022, Time: 0937, County: 14 CLEVELAND, City: 20 NORMAN
(3) Distance from Nearest City or Town Limits: [] Mi, [] Ft
(4) Street, Road or Highway: 24TH AVE NE, Distance from: 0681, (Nearest) Intersecting Street, Road or Highway: JACKSON DR
(5) Unit: 01, Occupants: 01, Type: D, Last Name: SCOTT, First: ROBERT, Date of Birth: []
(6) Address: 201 W GRAY ST B, City: NORMAN, State: OK, Zip: 73069, Telephone: 4053211600
(7) Driver License Number: [], State: OK, Class: D, Endorsement(s): [], Restriction(s): [], Inj. Sev.: 1, Type of Injury: 0, Drv./Ped. Cond.: 01, OP Use: 04
(8) Ejected: 1, Extricated: 1, Test: 1, (% BAC): 5.0, Transported by: [], To Medical Facility: [], License Plate Number: CI24082, State: OK, Month: 12, Year: 2022
(9) VIN: 1FM5K8AR0GGB43569, Vehicle Year: 2016, Color: BLK, 2nd Color: WHI, Make: FORD, Model: EXPL, Veh. Conf.: 20, Extent of Damage: 2
(10) Insurance Company Name: [], Policy Number: [], Insurance Telephone: []
(11) Vehicle Removed by: [], Owner's Last Name: CITY OF NORMAN, First: [], Middle: [], Suffix: []
(12) Owner's Address: 201 W GRAY ST, City: NORMAN, State: OK, Zip: 73069, Towed Veh. Type: [], Oversized Load: 0, Rollover: 0, Phone present: [X], Phone in use: []
(13) Citation Number: [], Statute/Ordinance Number: [], Citation Number: [], Statute/Ordinance Number: []
(14) Unit: 02, Occupants: 01, Type: D, Last Name: NGUYEN, First: HOANG, Date of Birth: []
(15) Address: [], City: NORMAN, State: OK, Zip: 73071, Telephone: []
(16) Driver License Number: [], State: 99, Class: 9, Endorsement(s): [], Restriction(s): [], Inj. Sev.: 1, Type of Injury: 0, Drv./Ped. Cond.: 01, OP Use: 04
(17) Ejected: 1, Extricated: 1, Test: 1, (% BAC): 5.0, Transported by: [], To Medical Facility: [], License Plate Number: [], State: OK, Month: 04, Year: 2023
(18) VIN: [], Vehicle Year: 2018, Color: GRY, 2nd Color: 0, Make: NISS, Model: ROGU, Veh. Conf.: 20, Extent of Damage: 2
(19) Insurance Company Name: STATE FARM, Policy Number: [], Insurance Telephone: 8007325246
(20) Vehicle Removed by: [], Owner's Last Name: [], First: [], Middle: [], Suffix: []
(21) Owner's Address: [], City: [], State: [], Zip: [], Towed Veh. Type: [], Oversized Load: 0, Rollover: 0, Phone present: [X], Phone in use: []
(22) Citation Number: [], Statute/Ordinance Number: [], Citation Number: [], Statute/Ordinance Number: []

(23) Investigating Officer: WOODARD, Badge Number: 118464, Trp/Div. Assigned: [], Trp/Div. Location: [], Reviewer (Init.): JF, Reviewer Badge Number: 109239, Date of Report: 08082022

Table with columns: Unit Type, Injury Severity, Type of Injury, Driver/Pedestrian Condition, Occupant Protection (OP) In Use, Air Bag Deployed, Ejected, Extricated, Chemical Test, Extent of Damage, Insurance Verification, Oversized Load, Towed Vehicle Type.

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful



(24) Unit	Injured <input type="checkbox"/>	Passenger <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
(25) Address	City	State	Zip	Telephone (Use Area Code)					
(26) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(27) Unit	Injured <input type="checkbox"/>	Passenger <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
(28) Address	City	State	Zip	Telephone (Use Area Code)					
(29) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(30) Unit	Injured <input type="checkbox"/>	Passenger <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
(31) Address	City	State	Zip	Telephone (Use Area Code)					
(32) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(33) Unit	Injured <input type="checkbox"/>	Passenger <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
(34) Address	City	State	Zip	Telephone (Use Area Code)					
(35) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type		

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address							
(37) City	State	Zip	GVWR <input type="checkbox"/>	0 - 10K lbs.	Axle Qty.	Cargo Body	Vehicle Use		
(38) U.S. DOT Number	NAHI Report Number	Placard Number	GCWR <input type="checkbox"/>	10,001 - 26K lbs.	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release	Interstate Commerce <input type="checkbox"/>	Intrastate Commerce <input type="checkbox"/>
	OK			26K+ lbs.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	Other Non-Commercial <input type="checkbox"/>	Government <input type="checkbox"/>
(39) Unit	Carrier Name	Address							
(40) City	State	Zip	GVWR <input type="checkbox"/>	0 - 10K lbs.	Axle Qty.	Cargo Body	Vehicle Use		
(41) U.S. DOT Number	NAHI Report Number	Placard Number	GCWR <input type="checkbox"/>	10,001 - 26K lbs.	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release	Interstate Commerce <input type="checkbox"/>	Intrastate Commerce <input type="checkbox"/>
	OK			26K+ lbs.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	Other Non-Commercial <input type="checkbox"/>	Government <input type="checkbox"/>

<h3>Position in Vehicle</h3> <p>00. Not Applicable 18. Front Row - Other 28. Second Row - Other 38. Third Row - Other 48. Fourth Row - Other 50. Sleeper Section of Truck Cab</p> <p>See manual for additional seating examples</p>	<h3>Vehicle Configuration</h3> <p>00. N/A</p> <p>01. Passenger Veh.-2 Dr</p> <p>02. Passenger Veh.-4 Dr</p> <p>03. Passenger Veh. Conv.</p> <p>04. Pickup</p> <p>05. Single Unit Truck, 2 axles</p> <p>06. Single Unit Truck, 3+ axles</p> <p>07. School Bus</p> <p>08. Truck/Trailer</p> <p>09. Truck-Tractor (Bobtail)</p> <p>10. Truck-Tractor/ Semi-Trailer</p> <p>11. Truck-Tractor/ Double</p> <p>12. Truck-Tractor/ Triple</p> <p>13. Bus/Large Van 9-15 occupants including driver</p> <p>14. Bus 16+ occupants including driver</p> <p>15. Motorcycle</p> <p>16. Motor Scooter/ Moped</p> <p>17. Motor Home</p> <p>18. Farm Machinery</p> <p>19. ATV</p> <p>20. SUV</p> <p>21. Passenger Van</p> <p>22. Truck more than 10,000 lbs., Cannot Classify</p> <p>23. Van 10,000 lbs. or Less</p> <p>24. Other</p> <p>99. Unknown</p>	<h3>Cargo Body Type</h3> <p>00. N/A</p> <p>01. Bus 9-15 seats</p> <p>02. Bus 16+ seats</p> <p>03. Van / Enclosed Box / Stock Trailer</p> <p>04. Cargo Tank</p> <p>05. Flatbed</p> <p>06. Intermodal</p> <p>07. Dump Truck/ Trailer</p> <p>08. Concrete Mixer</p> <p>09. Auto Transporter</p> <p>10. Garbage/Refuse</p> <p>11. Hopper (grain/ chips/gravel)</p> <p>12. Pole Trailer</p> <p>13. Log Trailer</p> <p>14. Vehicle Towing Vehicle</p> <p>15. Other</p> <p>99. Unknown</p>
---	--	---



This unit will correspond to 'Unit 1'	Unit	Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only				Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	01	04	40	Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking			
This unit will correspond to 'Unit 2'	02	04	40							

Light	1	Unit 1	Unit 2	Underride/Override	Unit 1	Unit 2
	01 Daylight	04	01		0 Not Applicable	
Weather	01			Traffic Control	Unit 1	Unit 2
	01 Clear	00	00		00 No Control	

Type of Work Zone	1 Lane Closure	Location of the Work Zone Collision	1 Before the First Work Zone Warning Sign
	2 Lane Shift/Crossover		2 Advance Warning Area
3 Work on Shoulder or Median	4 Intermittent or Moving Work	3 Transition Area	4 Activity Area
9 Unknown		5 Termination Area	9 Unknown

What Vehicle Was Going to Do	Unit 1	Unit 2	Unsafe / Unlawful Contributing Factors	Unit 1	Unit 2
	00 Not Applicable	01		12	98

What Vehicle Did	Unit 1	Unit 2	Road Surface Conditions	Unit 1	Unit 2
	04	01		01	01

Road Character	Unit 1	Unit 2	Special Function of Vehicle	Unit 1	Unit 2
	4	4		08	00

Road Alignment	Unit 1	Unit 2	Emergency Vehicle Responding to an Emergency	Unit 1	Unit 2
	1	1		1	0

Road Surface Type	Unit 1	Unit 2	Point of First Contact on Vehicle	Unit 1	Unit 2
	2	2		11	03

Driver Distracted by	Unit 1	Unit 2	Most Damaged Area	Unit 1	Unit 2
	0	0		11	03

Point of First Contact on Vehicle	Unit 1	Unit 2	Most Damaged Area	Unit 1	Unit 2
	11	03		11	03

Most Damaged Area	Unit 1	Unit 2	Point of First Contact on Vehicle	Unit 1	Unit 2
	11	03		11	03

Point of First Contact on Vehicle	Unit 1	Unit 2	Most Damaged Area	Unit 1	Unit 2
	11	03		11	03

Most Damaged Area	Unit 1	Unit 2	Point of First Contact on Vehicle	Unit 1	Unit 2
	11	03		11	03

Point of First Contact on Vehicle	Unit 1	Unit 2	Most Damaged Area	Unit 1	Unit 2
	11	03		11	03

Case Number 2022-00048461

Latitude

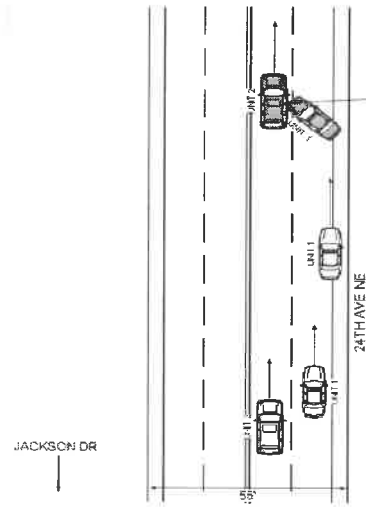
Longitude

Railroad Crossing Number

Roadway Orientation Unit Number 01 NE SW N

Unit Number 02 NE SW N

Map To Scale



RP = EXTENDED CURB LINE OF NW CORNER OF 24TH AVE NE AND JACKSON DR
APOI = 681 FT NORTH; 35 FT EAST

COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
01	34	00	00	00	34	34
02	34	00	00	00	34	

- 00 Not Applicable
- 10 Overtum/Rollover
- 11 Fire/Explosion
- 12 Immersion
- 13 Jackknife
- 14 Cargo/Equipment Loss or Shift
- 15 Equipment Failure (Blown Tire, Brake Failure, etc.)
- 16 Separation of Units
- 17 Departed Road Right
- 18 Departed Road Left
- 19 Cross Median/Centerline
- 20 Downhill Runaway

- 21 Fell/Jumped From Motor Vehicle
- 22 Thrown Or Falling Object
- 23 Other Non-Collision
- PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:**
- 30 Pedestrian
- 31 Pedal Cycle
- 32 Railway Vehicle (train, engine)
- 33 Animal
- 34 Motor Vehicle in Transport
- 35 Parked Motor Vehicle
- 36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle

- 37 Work Zone/Maintenance Equipment
- 38 Other Non-Fixed Object
- FIXED OBJECT:**
- 40 Barrier (Cable)
- 41 Barrier (Concrete)
- 42 Barrier (Other)
- 43 Fence Pole
- 44 Fence
- 45 Traffic Signal Support
- 46 Traffic Sign Support
- 47 Utility Pole/Light Support
- 48 Other Post/Pole/Support
- 49 Guardrail/Guardrail Face
- 50 Guardrail End
- 51 Culvert
- 52 Curb
- 53 Island
- 54 Sand Barrels
- 55 Impact Attenuator/ Crash Cushion
- 56 Pavement Drop-Off
- 57 Ditch
- 58 Embankment
- 59 Tree (Standing)
- 60 Dividing Strip
- 61 Retaining Wall
- 62 Bridge Abutment
- 63 Bridge Pier or Support
- 64 Bridge Rail
- 65 Bridge Post
- 66 Bridge Curb
- 67 Bridge Super Structure (Beams)
- 68 Bridge Overhead Structure
- 69 Delineator
- 70 Mailbox
- 71 Other Fixed Object
- 72 Other Highway Structure
- 73 Ground
- 99 Unknown

Remarks

UNIT 1 WAS A MARKED NORMAN POLICE DEPARTMENT PATROL CAR. UNIT 1 WAS NB IN THE OUTSIDE LANE OF 24TH AVE NE IN APPROXIMATELY THE 500 BLOCK. UNIT 2 WAS NB ON 24TH AVE NE IN APPROXIMATELY THE SAME LOCATION IN THE INSIDE LANE.

UNIT 1 OBSERVED A MOVING TRAFFIC VIOLATION ON A VEHICLE TRAVELING SB ON 24TH AVE NE IN APPROXIMATELY THE SAME LOCATION. UNIT 1 ACTIVATED ITS EMERGENCY LIGHTS AND ATTEMPTED TO PERFORM A U-TURN IN ORDER TO STOP THE TRAFFIC VIOLATOR. AS UNIT 1 ENTERED ITS U-TURN THE FRONT DRIVER SIDE PUSH BAR IMPACTED THE PASSENGER SIDE FRONT A REAR PASSENGER DOORS ON UNIT 2.

D1 STATED THAT AFTER HE ACTIVATED HIS EMERGENCY LIGHTS HE LOOKED BEHIND HIM AND OBSERVED TRAFFIC TO BE STOPPED. HE BEGAN TO START HIS U-TURN WHEN HIS VEHICLE IMPACTED UNIT 2.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.



OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT
ADDITIONAL NARRATIVE

Case Number 2022-00048461

Pg 5 of 5

D2 STATED THAT SHE SAW THE POLICE CAR WITH THE LIGHTS ON BUT WAS NOT SURE OF ITS INTENTION AND CONTINUED NB IN THE INSIDE LANE AND WHEN UNIT 1 ENTERED THE U-TURN THE CARS COLLIDED.

THERE WERE NO INJURIES. BOTH VEHICLES WERE DRIVEN FROM THE SCENE.

* My wife disputes the statement ABOVE. At No time did she tell the police officer that she seen his lights were on - She did not say that.



File Attachments for Item:

7. CONSIDERATION OF A APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE PAYMENT IN LIEU OF TAXES (PILOT) IN THE AMOUNT OF \$19,402.08 FOR FISCAL YEAR ENDING (FYE) 2023.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Brenda Hall

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF A APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE PAYMENT IN LIEU OF TAXES (PILOT) IN THE AMOUNT OF \$19,402.08 FOR FISCAL YEAR ENDING (FYE) 2023.

INFORMATION:

The Norman Housing Authority was established in 1974 pursuant to 63 Okla. Statutes Section 1051 et. seq. The mission of the Norman Housing Authority is to provide affordable housing opportunities for low income, handicapped, and elderly citizens of Norman. The Norman Housing Authority operates, among others: Rose Rock Villa located on North Berry Road; Redbud Village, a complex located north of West Rock Creek Road and east of 36th Ave. N.W.; Colonial Estates complex on East Lindsey Street; Jamestown on Vicksburg Court; Crystal Heights on Wren Street and Skylark Court; as well as several other collaborative projects throughout the city including McKinzie Gardens (providing independent living housing units for those with persistent mental illness) and NorthCliff Gardens (providing independent living facilities for the disabled).

Because the Norman Housing Authority is a non-profit entity created under Oklahoma Statutes, they are exempt from payment of most taxes and fees. However, the statutes require these types of entities to make Payments In Lieu Of Tax assessments (PILOT). The PILOT is determined based on the rental income and utility expenses of the Norman Housing Authority. The City entered into a Cooperation Agreement with the Housing Authority and Norman Public Schools in March 1979. This Agreement requires that the annual PILOT be split between the City of Norman and Norman Public Schools. The item coming before Council is a request that the PILOT fees due to the City of Norman be waived for FYE 2023.

DISCUSSION:

On an annual basis, prior Councils have considered waiving PILOT payments in recognition of the Norman Housing Authority's efforts toward providing affordable public housing to the citizens of Norman. It has also been pointed out in the Norman Housing Authority request letter that they have been required to absorb funding cuts from the Department of Housing and Urban Development. For the fiscal year ending on June 30, 2023, the total PILOT due is \$38,804.16.

Of that, \$19,402.08 is owed to the City. The Norman Housing Authority is requesting that the PILOT payment of \$19,402.08 to the City of Norman be waived.

RECOMMENDATION:

As in prior years, in accordance therewith, the above-described item is submitted for City Council's consideration. Staff will be available to answer questions or address concerns.

Rec'd 9/23/21 sp



NORMAN
HOUSING
AUTHORITY

700 N. Berry Road, Norman, OK 73069
Phone 405-329-0933 Fax 405-329-2542

Item 7.
P
F
H
BC
JH

"Affordable Housing...with Vision"

September 15, 2021

City of Norman
P.O. Box 370
Norman, OK 73070

Dear Mayor Clark:

The purpose of this letter is to request the waiver of the Norman Housing Authority's Payment in Lieu of Taxes (PILOT) for fiscal year ended 06/30/21; but I would first like to thank you for the support you have given to the Norman Housing Authority and our low-income residents as our Mayor. I want to also thank the City Council for their continuing support and for the waiver of the PILOT over the past years. With continuing funding cuts from HUD, this waiver helps insure we provide the best service possible to our low-income clients.

The PILOT is based on our rental income and utility expenses. As per the Cooperation Agreement signed in March, 1979, one half of the payment goes to the City of Norman and the other half to the Norman Public Schools. I have attached a copy of the worksheet for your information. You will notice the full PILOT is \$38,804.16. Of the full PILOT, \$19,402.08 is owed to the City of Norman. The remaining \$19,402.08 is owed, and will be paid to the Norman Public School system. We are requesting the City of Norman waive the \$19,402.08 owed by the Norman Housing Authority.

Your favorable consideration of our request will be greatly appreciated by the NHA Board of Commissioners, Staff, and the families, elderly, and disabled population we serve.

Sincerely,

Karen Canavan
Executive Director

Board of Commissioners

Jeff Cummins, Chairperson, Marianne Ratliff, Vice-Chairperson
Paul Austin, Commissioner, Jan Hunter, Commissioner, Rick McKinney, Commissioner
Karen S. Canavan, Executive Director

Computation of Payments in Lieu of Taxes

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

For Fiscal Year Ended

6/30/2021

OMB Approval No. 2577-0072 (Exp. 11/30/2007)

Public reporting burden for the collection of information is estimated to average .4 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used for HUD to ascertain compliance with requirements of Section 6(D) of the U.S. Housing Act, which provides for PHA exemptions from real and personal property taxes, and inclusion in the formula data used to determine public housing operating subsidies. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control Number.

Name of Local Agency: Norman Housing Authority	Location: Norman, Oklahoma	Contract Number:	Project Number: OK139
Part I - Computation of Shelter Rent Charged.			
1. Tenant Rental Revenue (FDS Line 703)		\$	464,704.56
2. Tenant Revenue Other (Excess utilities)		\$	336.32
3. Total Rental Charged (Lines 1 & 2)		\$	465,040.88
4. Utilities Expense (FDS Line 931 - 939)		\$	76,999.33
5. Shelter Rent Charged (Line 3 minus Line 4)		\$	388,041.55
Part II - Computation of Shelter Rent Collected. (To be completed only if Cooperation Agreement provides for Payment of PILOT on basis of Shelter Rent Collected.)			
1. Shelter Rent Charged (Line 5 of Part I, above)		\$	388,041.55
2. Add: Accounts Receivable - Tenants (FDS Lines 126, 126.1, & 126.2) at beginning of fiscal year			
3. Less: Tenant Bad Debt Expense (FDS Line 964)			
4. Less: Accounts Receivable - Tenants (FDS Lines 126, 126.1, & 126.2) at end of fiscal year			
5. Shelter Rent Collected (Line 1 plus Line 2 minus Lines 3 & 4)		\$	388,041.55
Part III - Computation of Approximate Full Real Property Taxes.			
(1) Taxing Districts	(2) Assessable Value	(3) Tax Rate	(4) Approximate Full Real Property Taxes
Total			
Part IV - Limitation Based on Annual Contribution. (To be completed if Cooperation Agreement limits PILOT to an amount by which real property taxes exceed 20% of annual contribution.)			
1. Approximate full real property taxes			
2. Accruing annual contribution for all projects under the contract			
3. Prorata share of accruing annual contribution*			
4. 20% of accruing annual contribution (20% of Line 3)			
5. Approximate full real property taxes less 20% of accruing annual contribution (Line 1 minus Line 4, if Line exceeds Line 1, enter zero)		\$	-
Part V - Payments in Lieu of Taxes			
1. 10% of shelter rent (10% of Line 5 of Part I or 10% of Line 5 of Part II, whichever is applicable)**		\$	38,804.16
2. Payments in Lieu of Taxes (If Part IV is not applicable, enter the amount shown on Line 1, above, or the total in Part III, whichever is the lower. If Part IV is applicable, enter the amount shown on Line 1, above, or the amount shown on Line 5 of Part IV, whichever is lower.)		\$	38,804.16
<p style="text-align:right; margin-right: 100px;"> <i>School - 50% - \$ 19,402.08</i> <i>City - 50% - \$ 19,402.08</i> </p>			
* Same as Line 2 if the statement includes all projects under the Annual Contributions Contract. If this statement does not include all projects under the Annual Contributions Contract, enter prorata share based upon the development cost of each project.			
** If the percentage specified in the Cooperation Agreement or the Annual Contributions Contract with HUD is lower, such lower percentage shall be used.			
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).			
Prepared by: Ronald Urlaub		Approved By:	
Name:		Name:	
Title: Fee Accountant		Title:	
Date: 6/30/21		Date:	

PAID

CK No. 30970 / 3761 OP
DATE 9-15-2021
\$ 19,402.08



NORMAN
HOUSING
AUTHORITY

700 N. Berry Road, Norman, OK 73069 Item 7.

Phone 405-329-0933 Fax 405-329-2542

"Affordable Housing...with Vision"

September 15, 2021

Mr. Nick Migliorino, Superintendent
Norman Public Schools
131 S. Flood
Norman, OK 73069

Subject: Payment in Lieu of Taxes

Dear Mr. Migliorino:

Enclosed is the NHA's check, in the amount of \$19,402.08 for the Payment in Lieu of Taxes (PILOT) for the fiscal year which ended June 30, 2021. The amount of the PILOT is determined by the amount of the Housing Authority's rental income and utility costs. The full PILOT is divided evenly between the City of Norman and Norman Public Schools.

Please do not hesitate to contact me for additional information.

Sincerely,

Karen Canavan
Executive Director

Board of Commissioners

Jeff Cummins, Chairperson, Marianne Ratliff, Vice-Chairperson
Paul Austin, Commissioner, Jan Hunter, Commissioner, Rick McKinney, Commissioner
Karen S. Canavan, Executive Director

File Attachments for Item:

8. CONSIDERATION OF AUTHORIZATION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE FOR THE CITY OF NORMAN FROM AFFILIATED FM INSURANCE COMPANY IN THE AMOUNT OF \$468,864 FOR THE PERIOD OF DECEMBER 1, 2022, TO DECEMBER 1, 2023, AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/8/2022

REQUESTER: Clint Mercer

PRESENTER: Clint Mercer, Chief Accountant

ITEM TITLE: CONSIDERATION OF AUTHORIZATION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE FOR THE CITY OF NORMAN FROM AFFILIATED FM INSURANCE COMPANY IN THE AMOUNT OF \$468,864 FOR THE PERIOD OF DECEMBER 1, 2022, TO DECEMBER 1, 2023, AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

The City of Norman self-insures against most risks (i.e., workers' compensation, vehicle/equipment damage, employee health benefit claims, tort claims, etc.) but historically has purchased insurance to cover casualty losses to City buildings and contents (including electronic information technology/computer equipment). This insurance is purchased in a blanket amount but is limited to agreed-upon values of independent buildings and contents, and is subject to a deductible.

In the past, the City of Norman bid out its buildings and contents insurance. However, several brokers expressed their frustration with this method as insurance underwriters will only work with the first insurance broker to contact them and the incumbent broker had already left "place markers" with most of the underwriters. In 2014 the City decided to pick a broker via a Request for Proposal process that would then bid and select the best buildings and contents insurance for the City. This is the method other cities in the metro use to select underwritten insurance products, including the City of Oklahoma City.

The City of Norman sent out Request for Proposal number 2122-08 on May 14, 2021 for insurance broker services. Three brokers responded, Arthur J. Gallagher & Co. (Gallagher), Alliant Specialty, and BancFirst Insurance Service, Inc. Gallagher is the incumbent broker the City has used for several years and has provided quality bids and rates in the past. Management has been pleased with their services. The City selected Gallagher.

DISCUSSION:

Gallagher received one bid for the upcoming policy year of December 1, 2022 to December 1, 2023 from Affiliated FM with a premium of \$468,864. Affiliated FM is rated as A+ by A.M Best and is one of the largest property and casualty providers in the industry. The prior year premium

was \$405,229. The blanket amount continues to increase as new Norman Forward and other projects are completed and added to the list of covered City properties. Also, according to Gallagher, the building insurance market continues to be tight.

The FYE 2023 blanket amount of property covered increased to \$271,303,169 from \$234,535,256, a 15.7% increase. A portion of this increase also had to do with an increase in the value of certain properties.

The City budgeted \$425,500 in the Risk Management Fund, Liability and Property (Account Org 43330104, Object 44403) in Fiscal Year 2022-2023 to pay for building and contents insurance. An additional appropriation of \$58,000 is needed to award this policy (includes a \$14,636 reserve in case new buildings are completed and added during the fiscal year).

RECOMMENDATION:

Staff recommends insuring the City's buildings and contents with Affiliated FM at a premium amount of \$468,864 for one year as it provides the lowest premium for coverage within acceptable deductible limits. In addition, staff requests an appropriation of \$58,000 from Risk Management Fund Balance (Account Org 43, Object 29000) to Liability and Property (Account Org 43330104, Object 44403) to cover this premium cost before beginning the new policy period.



Proposal of Insurance

City Of Norman, OK and Norman Utilities Authority

P.O. Box 370
Norman, OK 73070

Presented: November 3, 2022

Effective: December 1, 2022

Denise Engle, MBA, CPCU, AIC
Insurance Broker

Arthur J. Gallagher Risk Management Services, Inc.
615 East Britton Rd | Oklahoma City, OK 73114

denise_engle@ajg.com



ajg.com

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Gallagher

Insurance | Risk Management | Consulting

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22-2022 City of Norman-Quoted Values 10.26.22	

Service Team

Denise Engle has primary service responsibility for your company. We operate using a team approach. Your Service Team consists of:

NAME / TITLE	PHONE / ALT. PHONE	EMAIL	ROLE
Denise Engle, MBA, CPCU, AIC Insurance Broker	(405) 639-3816	denise_engle@ajg.com	Insurance Broker
Lisa Davis, CISR, CIC Client Service Manager	(405) 639-3813	Lisa_Davis@ajg.com	Client Service Manager
Erikah Davis Client Service Associate	(918) 764-7113	Erikah_Davis@ajg.com	Client Service Associate

Arthur J. Gallagher Risk Management Services, Inc.

Program Structure

Named Insured

Named Insured Schedule:

Add / Change / Delete	Named Insured	Property
	City Of Norman And Norman Utilities Authority	X
	Norman Utilities Authority	X

Note: Any entity not named in this proposal, may not be an insured entity. This may include affiliates, subsidiaries, LLC's, partnerships and joint ventures.

Market Review

We approached the following carriers in an effort to provide the most comprehensive and cost effective insurance program.

INSURANCE COMPANY	LINE OF COVERAGE	RESPONSE	PREMIUM
Affiliated FM Insurance Company	Property	Recommended Quote	\$482,930.00

Location Schedule

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
Property	001	3428 South Jenkins Avenue Norman, Oklahoma 73019
	002	405 East Constitution Street Norman, Oklahoma 73072
	003	515 East Constitution Street Norman, Oklahoma 73072
	004	125 Vicksburg Avenue Norman, Oklahoma 73071
	005	2000 West Brooks Street Norman, Oklahoma 73069
	006	329 South Peters Avenue Norman, Oklahoma 73069
	007	1701 12th Avenue Northeast Norman, Oklahoma 73071
	008	4145 West Robinson Street Norman, Oklahoma 73072
	009	SW 24th Avenue Norman, Oklahoma 73069
	010	West End, Little River Road Norman, Oklahoma 73071
	011	121 North Peters Avenue Norman, Oklahoma 73069
	012	1301 Da Vinci Street Norman, Oklahoma 73069
	013	1472 Da Vinci Street Norman, Oklahoma 73069
	014	636 & 676 & 668 East Lindsey Street Norman, Oklahoma 73069
	015	3942 Jenkins Avenue Norman, Oklahoma 73072
	016	215 East Constitution Street Norman, Oklahoma 73072
	017	3901 Chautauqua Avenue Norman, Oklahoma 73072
	018	411 East Main Street Norman, Oklahoma 73071
	019	2211 West Boyd Street Norman, Oklahoma 73069
	020	500 East Constitution Street Norman, Oklahoma 73072
	021	1000 168th Avenue Northeast Norman, Oklahoma 73026

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
	022	7405 East Alameda Drive Norman, Oklahoma 73026
	023	2207 Goddard Avenue Norman, Oklahoma 73069
	024	201B West Gray Street Norman, Oklahoma 73069
	025	4323 Country Club Terrace Norman, Oklahoma 73072
	026	201A West Gray Street Norman, Oklahoma 73069
	027	201 West Gray Street Norman, Oklahoma 73069
	028	201C West Gray Street Norman, Oklahoma 73069
	029	101 East Main Street Norman, Oklahoma 73069
	030	444 South Flood Avenue Norman, Oklahoma 73069
	031	508 North Peters Avenue Norman, Oklahoma 73069
	032	123 Beal Street Norman, Oklahoma 73069
	033	1001 East Robinson Street Norman, Oklahoma 73071
	034	3280 108th Avenue Northeast Norman, Oklahoma 73026
	035	200 South Jones Avenue Norman, Oklahoma 73069
	036	200 West Daws Street Norman, Oklahoma 73069
	037	3199 36th Avenue Northwest Norman, Oklahoma 73072
	038	Boyd Street & Wylie Road Norman, Oklahoma 73072
	039	600 East Lindsey Street Norman, Oklahoma 73069
	040	2498 36th Ave NE Norman, Oklahoma 73026
	041	1898 36th Avenue Northeast Norman, Oklahoma 73026
	042	3098 36th Avenue Northeast Norman, Oklahoma 73026
	043	2598 9th Avenue Northeast Norman, Oklahoma 73071
	044	1398 36th Avenue Northeast

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
		Norman, Oklahoma 73026
	045	2498 East Robinson Street Norman, Oklahoma 73071
	047	1399 East Rock Creek Road Norman, Oklahoma 73071
	048	3498 North Highway 77 Norman, Oklahoma 73071
	049	3998 North Highway 77 Norman, Oklahoma 73071
	050	4798 North Highway 77 Norman, Oklahoma 73071
	051	4198 North Highway 77 Norman, Oklahoma 73071
	052	4599 North Highway 77 Norman, Oklahoma 73071
	053	5099 North Interstate Drive Norman, Oklahoma 73069
	054	1/2 mi N. of Franklin Rd Norman, Oklahoma 73026
	055	5999 North Interstate Drive Norman, Oklahoma 73069
	056	6398 North Interstate Drive Norman, Oklahoma 73072
	057	6798 North Interstate Drive Norman, Oklahoma 73072
	058	900 Blk of East Apache Street Norman, Oklahoma 73071
	059	NE 12th Avenue & Robinson Street Norman, Oklahoma 73071
	060	East Carter Street & East Robinson Street Norman, Oklahoma 73071
	061	1/2 mi E. of NE 13th & Robinson Norman, Oklahoma 73071
	062	3599 North Porter Avenue Norman, Oklahoma 73071
	063	3298 12th Avenue Northeast Norman, Oklahoma 73071
	064	1898 East Tecumseh Road Norman, Oklahoma 73071
	065	3298 24th Avenue Northeast Norman, Oklahoma 73071
	066	4298 24th Avenue Northeast Norman, Oklahoma 73071
	067	2498 East Franklin Road Norman, Oklahoma 73071

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
	068	3398 East Franklin Road Norman, Oklahoma 73071
	069	4298 36th Avenue Northeast Norman, Oklahoma 73026
	070	3798 36th Avenue Northeast Norman, Oklahoma 73026
	071	4298 East Tecumseh Road Norman, Oklahoma 73026
	072	5401 East Tecumseh Road Norman, Oklahoma 73026
	073	5897 East Tecumseh Road Norman, Oklahoma 73026
	074	5799 North Floyd Cox Drive Norman, Oklahoma 73026
	075	6000 Corky Drive Northeast Norman, Oklahoma 73026
	076	6799 Day Drive Norman, Oklahoma 73026
	077	2198 72nd Avenue Northeast Norman, Oklahoma 73026
	078	7799 East Rock Creek Road Norman, Oklahoma 73026
	079	1399 Paso de Vaca Drive Norman, Oklahoma 73026
	080	1200 72nd Avenue Northeast Norman, Oklahoma 73026
	081	451 West Robinson Street Norman, Oklahoma 73069
	082	2900, 3000 & 3001 East Robinson Street Norman, Oklahoma 73071
	083	3500 South Jenkins Avenue Norman, Oklahoma 73072
	084	398 Bratcher-Miner Road Norman, Oklahoma 73072
	085	121 East Constitution Street Norman, Oklahoma 73072
	086	415 East Main Street Norman, Oklahoma 73071
	087	2400 Westport Drive Norman, Oklahoma 73069
	088	3180 108th Avenue Northeast Norman, Oklahoma 73026
	089	1900 West Robinson Street Norman, Oklahoma 73069
	090	3901 36th Avenue Northwest

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
		Norman, Oklahoma 73072
	091	1198 48th Avenue Northeast Norman, Oklahoma 73026
	092	859 36th Avenue Northeast Norman, Oklahoma 73026
	093	4698 96th Avenue Northeast Norman, Oklahoma 73026
	094	4799 72nd Ave NE Norman, Oklahoma 73069
	095	3998 72nd Avenue Northeast Norman, Oklahoma 73026
	096	6699 East Tecumseh Road Norman, Oklahoma 73026
	097	8399 East Rock Creek Road Norman, Oklahoma 73026
	098	4398 108th Avenue Northeast Norman, Oklahoma 73026
	099	4303 84th Avenue Northeast Norman, Oklahoma 73026
	100	4703 91st Avenue Northeast Norman, Oklahoma 73026
	101	101 West Gray Street Norman, Oklahoma 73069
	102	113 West Gray Street Norman, Oklahoma 73069
	103	115 West Gray Street Norman, Oklahoma 73069
	104	2351 Goddard Avenue Norman, Oklahoma 73069
	105	1507 West Lindsey Street Norman, Oklahoma 73069
	106	1310 Da Vinci Street Norman, Oklahoma 73069
	107	1800 Block of Creighton Court Norman, Oklahoma 73071
	108	3001 East Alameda Street Norman, Oklahoma 73069
	109	1898 Legacy Park Drive Norman, Oklahoma 73069
	110	1311 Da Vinci Street Norman, Oklahoma 73069
	111	1317 Da Vinci Street Norman, Oklahoma 73069
	112	3051 Alameda Street Norman, Oklahoma 73071

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
	113	3432 South Jenkins Avenue Norman, Oklahoma 73072
	114	198 36th Avenue SE Norman, Oklahoma 73072
	115	2595 East Robinson Street Norman, Oklahoma 73071
	116	2699 East Post Oak Road Norman, Oklahoma 73068
	118	2996 East Rock Creek Road Norman, Oklahoma 73071
	119	3496 Wood Valley Road Norman, Oklahoma 73071
	120	4199 12th Avenue NE Norman, Oklahoma 73071
	121	4799 West Rock Creek Road Norman, Oklahoma 73072
	122	499 Sandpiper Lane Norman, Oklahoma 73071
	123	594 24th Avenue NE Norman, Oklahoma 73071
	124	598 Coalbrook Drive Norman, Oklahoma 73071
	125	698 Accipiter Street Norman, Oklahoma 73072
	126	4799 12th Avenue NW Norman, Oklahoma 73069
	127	103 West Acres Street Norman, Oklahoma 73069
	128	1800 Northcliff Avenue Norman, Oklahoma 73071
	129	8495 East Franklin Road Norman, Oklahoma 73026
	130	8481 East Tecumseh Road Norman, Oklahoma 73026
	131	10999 East Tecumseh Road Norman, Oklahoma 73026
	132	4486 East Franklin Road Norman, Oklahoma 73026
	133	5198 East Franklin Road Norman, Oklahoma 73026
	134	5499 60th Avenue NE Norman, Oklahoma 73026
	135	5192 East Tecumseh Road Norman, Oklahoma 73026
	136	3197 60th Avenue NE

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
		Norman, Oklahoma 73026
	137	3801 108th Avenue NE Norman, Oklahoma 73026
	140	3408 Jenkins Avenue Norman, Oklahoma 73072
	141	15295 State Highway 9 Norman, Oklahoma 73026
	142	3240 108th Avenue Northeast Norman, Oklahoma 73026
	143	2797 East Robinson Street Norman, Oklahoma 73071
	144	3599 84th Avenue Southeast Norman, Oklahoma 73026
	145	3440 South Jenkins Avenue Norman, Oklahoma 73072
	146	3803 Chautauqua Avenue Norman, Oklahoma 73072
	147	531 East Symmes Street Norman, Oklahoma 73071
	149	1320 Da Vinci Street Norman, Oklahoma 73069

Program Details

Coverage: Property
Carrier: Affiliated FM Insurance Company
Policy Period: 12/1/2022 to 12/1/2023

The following is a general summary of the Insuring Agreement. Refer to actual policy form for complete terms and conditions.

Coinsurance or Agreed Amount:

DESCRIPTION	AGREED AMOUNT	COINSURANCE %
Real Property	Yes	N/A

Coverage:

LOCATION DETAILS	SUBJECT OF INSURANCE	LIMIT TYPE	AMOUNT	BASIS
	Policy Limit - This Company's total limit of liability, including any insured Business Interruption loss, will not exceed the Policy Limit of as a result of any one occurrence subject to the respective sub-limits of liability shown elsewhere in this Policy.	Limit	\$271,303,169	
	Earth Movement	Sublimit	\$50,000,000	Annual Aggregate
	- Not to exceed for Data Service Provider - Business Interruption, Data Service Provider - Property Damage, Errors and Omissions, Off-Premises Service Interruption - Business Interruption, Off-Premises Service Interruption - Property Damage, Supply Chain and Unnamed Property, Combined	Sublimit	\$50,000	Annual Aggregate
	Flood	Sublimit	\$50,000,000	Annual Aggregate
	- Not to exceed for Data Service Provider - Business Interruption, Data Service Provider - Property Damage, Errors and Omissions, Off-Premises Service Interruption - Business Interruption, Off-Premises Service Interruption - Property Damage, Supply Chain and Unnamed Property, combined Sub-Limited Location Schedule:	Sublimit	\$50,000	Annual Aggregate
			-	
Loc.# 147	Location Limit	Sublimit	\$100,000 not to exceed	
Loc.# 147	Real Property	Sublimit	\$100,000	

Deductibles / Self-Insured Retention

TYPE	COVERAGE	AMOUNT
Deductible	Qualifying Periods and Deductibles:	-
Deductible	Communicable Disease - Property Damage and Communicable Disease - Business Interruption	48 hours
Deductible	Data Restoration	48 hours

Deductibles / Self-Insured Retention

TYPE	COVERAGE	AMOUNT
Deductible	Data Service Provider - Property Damage and Data Service Provider - Business Interruption	24 hours
Deductible	Off-Premises Service Interruption - Property Damage and Off-Premises Service Interruption - Business Interruption	24 hours
Deductible	Owned Network Interruption	48 hours
Deductible	Boiler and Machinery:	-
Deductible	Property Damage	\$10,000
Deductible	Business Interruption	1 day equivalent
Deductible	Earthquake - per location	\$100,000
Deductible	Flood - per location	\$100,000
Deductible	water damage	\$100,000
Deductible	wind and hail - per location	\$50,000
Deductible	Except for the following	-
Deductible	- Loc.# 1, 12, 82, 105, 127 - per location	\$300,000
Deductible	- Loc.# 106 - per location	\$250,000
Deductible	- Loc.# 7, 14, 17, 24, 87, 149 - per location	\$200,000
Deductible	- Loc.# 5, 26, 27, 28, 108, 112 - per location	\$100,000
Deductible	All Other Losses	\$10,000

Additional Coverage:

DESCRIPTION	LIMIT TYPE	AMOUNT	BASIS
Sub-Limits - Unless Otherwise Stated Below or Elsewhere in This Policy, The Following Sub-Limits of Liability, Including any Insured Business Interruption Loss, Will be the Maximum Payable and Will Apply on a Per Occurrence Basis.			
Accounts Receivable	Sublimit	\$1,000,000	
Arson or Theft Reward	Sublimit	\$100,000	
Attraction Property	Sublimit	\$100,000	
boiler and machinery		Policy Limit	
Brand Protection		Policy Limit	
Change of Temperature	Sublimit	\$100,000	
Civil or Military Authority		30 days	
Communicable Disease - Property Damage and Communicable Disease - Business Interruption combined	Sublimit	\$1,000 annual aggregate, not to exceed 12 months	
Contractual Penalties	Sublimit	\$100,000	
Crisis Management	Sublimit	\$100,000, not to exceed 30 days	
cyber event			

Additional Coverage:

DESCRIPTION	LIMIT TYPE	AMOUNT	BASIS
- For Data Restoration and Owned Network Interruption combined	Sublimit	\$1,000	Annual Aggregate
- For Data Service Provider - Property Damage and Data Service Provider - Business Interruption Combined	Sublimit	\$1,000	Annual Aggregate
- For Loss or Damage to Stock in Process or Finished Goods Manufactured by or for the Insured Caused by or Resulting from Cyber Event that Impacts the Processing, Manufacturing, Or Testing of Such Property or While it is Otherwise Being Worked on.	Sublimit	\$50,000	Annual Aggregate
Data Restoration	Sublimit	\$500,000	Annual Aggregate
Data Service Provider - Property Damage and Data Service Provider - Business Interruption Combined	Sublimit	\$50,000	Annual Aggregate
Debris Removal		Policy Limit	
Decontamination Costs		Policy Limit	
Deferred Payment	Sublimit	\$100,000	
Demolition and Increased Cost of Construction		Policy Limit	
Errors and Omissions	Sublimit	\$1,000,000	
Expediting Expenses	Sublimit	\$250,000	
Extra Expense	Sublimit	\$100,000	
fine arts	Sublimit	\$250,000, not to exceed \$10,000 per item for irreplaceable fine arts	
Green Coverage	Sublimit	\$50,000 not to exceed 25% of the amount of the property damage loss	
Ingress/Egress	Sublimit	\$500,000	
Land and Water Clean Up Expense	Sublimit	\$50,000	Annual Aggregate
Leasehold Interest	Sublimit	\$250,000	
Locks and Keys	Sublimit	\$100,000	
Logistics Extra Cost	Sublimit	\$100,000	
Money and Securities	Sublimit	\$100,000	
Newly Acquired Property	Sublimit	\$2,500,000	
Off-Premises Service Interruption - Property Damage and off-Premises Service Interruption - Business Interruption Combined	Sublimit	\$500,000	
Owned Network Interruption		Included in cyber event limit	
Professional Fees	Sublimit	\$100,000	
Property Removed from a Location		Policy Limit	
Protection and Preservation of Property - Business Interruption		Policy Limit	
Protection and Preservation of Property - Property Damage		Policy Limit, not to exceed \$	

Additional Coverage:

DESCRIPTION	LIMIT TYPE	AMOUNT	BASIS
		250,000 for security costs	
Research and Development	Sublimit	\$250,000	
Soft Costs	Sublimit	\$100,000	
Supply Chain	Sublimit	\$500,000	
Tax Treatment	Sublimit	\$100,000	
Tenants Legal Liability	Sublimit	\$100,000	
Terrorism	Sublimit	\$100,000	Annual Aggregate
- not to exceed for Flood and Property Removed from a Location combined	Sublimit	\$100,000	Annual Aggregate
Terrorism: Supplemental United States Certified Act of Terrorism Endorsement(S)	Sublimit	\$100,000 / for property located in the United States of America	
Transit	Sublimit	\$500,000	
- not to exceed for Business Interruption	Sublimit	\$250,000	
Unnamed Property	Sublimit	\$1,000,000	
valuable papers and records	Sublimit	\$500,000, not to exceed \$10,000 per item for irreplaceable valuable papers and records	

Valuations:

DESCRIPTION	LIMITATIONS
Real Property	Replacement Cost

Perils Covered:

TYPE	DESCRIPTION
Special Form Perils	Applies

Endorsements include, but are not limited to:

DESCRIPTION
United States Certified Act of Terrorism - PRO 207 (01/20)
Declarations Page - PRO DEC 4100 (04/15)
Declarations - PRO S-1 4100 (01/20)
All Risk Coverage - PRO AR 4100 (06/21)
Supplemental United States Certified Act of Terrorism Endorsement - AFM 7312 (06/21)
Oklahoma Amendatory Endorsement - AFM 6242 (04/15)

Exclusions include, but are not limited to:

DESCRIPTION
Earth Movement Exclusion
Flood Exclusion
Government Action Exclusion
War Exclusion
Nuclear Hazard, Power Failure
Transmission and Distribution Systems Exclusion - PRO 132 (01/19)
Specific Flood Exclusion - PRO 128 (01/17)

Binding Requirements:

DESCRIPTION
Subject To: Signed TRIA Forms.

Other Significant Terms and Conditions/Restrictions:

DESCRIPTION
Policy Territory: Coverage Provided by This Policy is Limited to Property While Located Within the United States of America. Cyber Coverage Territory: Coverage Provided in Data Restoration; Data Service Provider Property Damage and Business Interruption; And Owned Network Interruption is Limited to Anywhere in the World Except Cuba; Iran; North Korea; Russian Federation; Sudan; Syria; And Crimea, Donetsk People'S Republic (Dpr) and Luhansk People'S Republic (Lpr) Regions of Ukraine.
Total Premium includes TRIA Premium of \$14,066.00

Premium	\$482,930.00
ESTIMATED PROGRAM COST	\$482,930.00
TRIA/TRIPRA PREMIUM (+ Additional Surcharges, Taxes and Fees as applicable)	INCLUDED

Statement of Values: see attached spreadsheet

Premium Summary

The estimated program cost for the options are outlined in the following table:

LINE OF COVERAGE		EXPIRING PROGRAM		PROPOSED PROGRAM	
		CARRIER	EXPIRING COST	CARRIER	ESTIMATED COST
Property	Premium	Affiliated FM Insurance Company (Factory Mutual Insurance Company)	\$421,558.00	Affiliated FM Insurance Company (Factory Mutual Insurance Company)	\$468,864.00
	Estimated Cost		\$421,558.00		\$468,864.00
	TRIA Premium		Rejected		\$14,066.00
Total Estimated Program Cost			\$421,558.00		\$482,930.00

Quote from **Affiliated FM Insurance Company (Factory Mutual Insurance Company)** is valid until **12/1/2022**

Premiums are due and payable as billed and may be financed, subject to acceptance by an approved finance company. Following acceptance, completion (and signature) of a premium finance agreement with the specified down payment is required. Note: Unless prohibited by law, Gallagher may earn compensation for this optional value-added service.

Gallagher is responsible for the placement of the following lines of coverage:

- Property**
- Property (Solar)**
- Crime**

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

Premium Financing

Arthur J. Gallagher is pleased to offer Premium Financing for our clients.

What is Premium Financing?

Premium financing is a short-term loan that provides premium payment flexibility. By financing, you have the option to spread out your premium payments instead of paying in full at the time of policy purchase or renewal.

Why Premium Financing May be Good for Your Business?

- May improve **capital and cash flow management** by spreading out premium payments over the policy period.
- Allows for **consolidation of** multiple policies into one premium finance agreement with a single monthly or quarterly payment.
- Provides automated **ACH options and flexible payment** terms.

Want to Learn More?

If you are interested in learning more or obtaining a quote, contact your Client Service Manager.

Payment Plans

CARRIER / PAYABLE CARRIER	LINE OF COVERAGE	PAYMENT SCHEDULE	PAYMENT METHOD
Affiliated FM Insurance Company (Factory Mutual Insurance Company)	Property	Annual	Agency Bill

Coinsurance Illustration

Coinsurance Formula:

$$\text{Insurance Carried} \div \text{Insurance Required} \times \text{Loss} - \text{Deductible} = \text{Settlement}$$

Example of Coinsurance formula applied to a hypothetical loss situation:

Property Value	=	\$1,000,000
Coinsurance Amount	=	80%
Deductible	=	\$500
Insurance Required	=	\$800,000 (80% of \$1,000,000)
Insurance Carried	=	\$400,000
Loss Incurred	=	\$200,000

Settlement determined by applying the coinsurance formula:

$$\frac{\$400,000 \text{ (Insurance Carried)}}{\$800,000 \text{ (Insurance Required)}} \times \$200,000 \text{ (Loss)} - \$500 \text{ (Deductible)} = \$99,500 \text{ Settlement}$$

Note: If the property in the above example is insured for the full insurance required (\$800,000), the insured will recover \$199,500. In the above example, the insured will suffer a \$100,000 penalty for not being insured to the proper limit.

Carrier Ratings and Admitted Status

PROPOSED INSURANCE COMPANIES	A.M. BEST'S RATING & FINANCIAL SIZE CATEGORY *	ADMITTED/NON-ADMITTED **
Affiliated FM Insurance Company	A+ XV	Admitted

*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

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A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. Best's Credit Ratings™ are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings™ and Guide to Best's Credit Ratings, visit the A.M. Best website at <http://www.ambest.com/ratings>.

**If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

Proposal Disclosures

Proposal Disclosures

The following disclosures are hereby made a part of this proposal. Please review these disclosures prior to signing the Client Authorization to Bind or e-mail confirmation.

Proposal Disclaimer

IMPORTANT: The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at Compensation_Complaints@ajg.com or by regular mail at:

Chief Compliance Officer
Gallagher Global Brokerage
Arthur J. Gallagher & Co.
2850 Golf Rd.
Rolling Meadows, IL 60008

TRIA/TRIPRA Disclaimer

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

TRIPRA is set to expire on December 31, 2027. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2027. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.

Property Estimator Disclaimer

These property values were obtained using a desktop Property Estimator software operated by non-appraisal professionals. These property values represent general estimates which are not to be considered a certified appraisal. These property values include generalities and assumptions that may produce inaccurate values for specific structures.

Terms and Conditions

It is important that we clearly outline the nature of our mutual relationship. The following terms and conditions (these "Terms") govern your relationship with Gallagher unless you have separately entered into a written services agreement with Gallagher relative to the policies and services outlined in this Proposal, in which case that services agreement will govern and control with respect to any conflicts with these Terms. These Terms will become effective upon your execution of the Client Authorization to Bind Coverage (the "CAB") included in this Proposal and shall survive for the duration of your relationship with Gallagher relative to the policies placed pursuant to the CAB or otherwise at your request.

Services

Gallagher will represent and assist you in all discussions and transactions with insurance companies relating to the lines of insurance coverage set forth in the CAB and any other lines of insurance coverage with which you request Gallagher's assistance. Gallagher will consult with you regarding any matters involving these or other coverages for which you have engaged Gallagher. You have the sole discretion for approving any insurance policies placed, as well as all other material decisions involving your risk management, risk transfer and/or loss prevention needs.

Although you are responsible for notifying applicable insurance companies directly in connection with any claims, demands, suits, notices of potential claims or any other matters as required by the terms and conditions of your policies, Gallagher will assist you in determining applicable claim reporting requirements.

Treatment of Information

Gallagher understands the need to protect the confidentiality and security of your confidential and sensitive information and strives to comply with applicable data privacy and security laws. Your confidential and sensitive information will be protected by Gallagher and only used to perform services for you; provided that Gallagher may disclose and transfer your information to our affiliates, agents or vendors that have a need to know such information in connection with the provision of such services (including insurance markets, as necessary, for marketing, quoting, placing and/or servicing insurance coverages). We may also disclose such information as required by applicable data protection laws or the order of any court or tribunal, subject to our providing you with prior notice as permitted by law.

We will (i) implement appropriate administrative, physical and technical safeguards to protect personal information; (ii) timely report security incidents involving personal information to affected parties and/or regulatory bodies; (iii) create and maintain required policies and procedures; and (iv) comply with data subjects' rights, as applicable. To the extent applicable under associated data protection laws, you are a "business" or "controller" and Gallagher is a "service provider" or "data processor." You will ensure that any information provided to Gallagher has been provided with any required notices and that you have obtained all required consents, if any and where required, or are otherwise authorized to transfer all information to Gallagher and enable Gallagher to process the information for the purposes described in this Proposal and as set forth in Gallagher's Privacy Policy located at <https://www.ajg.com/privacy-policy/>. Gallagher may update its Privacy Policy from time to time and any updates will be posted to such site.

Dispute Resolution

Gallagher does not expect that it will ever have a formal dispute with any of its clients. However, in the event that one should arise, we should each strive to achieve a fair, expedient and efficient resolution and we'd like to clearly outline the resolution process.

A. If the parties have a dispute regarding Gallagher's services or the relationship governed by this Proposal ("Dispute"), each party agrees to resolve that Dispute by mediation. If mediation fails to resolve the Dispute, you and Gallagher agree to binding arbitration. Each party waives all rights to commence litigation in court to resolve a Dispute, and specifically waives all rights to pursue relief by class action or mass action in court or through arbitration. However, the parties do not waive the ability to seek a court order of injunction in aid of the mediation and arbitration required by these Terms.

B. The party asserting a Dispute must provide a written notice ("Notice") of the claim to the other party and to the American Arbitration Association ("AAA") in accordance with its Commercial Arbitration Rules and Mediation Procedures. All Dispute resolutions will take place in Chicago, IL, unless you and Gallagher agree to another location. The parties will equally divide all costs of the mediation and arbitration proceedings and will each pay their own attorneys' fees. All matters will be before a neutral, impartial and disinterested mediator or arbitrator(s) that have at least 20 years' experience in commercial and insurance coverage disputes.

C. Mediation will occur within sixty (60) days of filing the Notice with the AAA. Mediation results will be reduced to a memorandum of understanding signed by you, Gallagher and the mediator. A Dispute that is not resolved in mediation will commence to binding arbitration. For Disputes in excess of \$500,000, either party may elect to have the Dispute heard by a panel of three (3) arbitrators. The award of the arbitrator(s) must be accompanied by a reasoned opinion prepared and signed by the arbitrator(s). Except as may be required by law, neither

you, Gallagher, nor a mediator or arbitrator may disclose the existence, content or results of any Dispute or its dispute resolution proceeding without the prior written consent of both you and Gallagher.

Electronic Delivery

In lieu of receiving documents in paper format, you agree, to the fullest extent permitted by law, to accept electronic delivery of any documents that Gallagher may be required to deliver to you (including, but not limited to, insurance policies and endorsements, account statements and all other agreements, forms and communications) in connection with services provided by Gallagher. Electronic delivery of a document to you may be made via electronic mail or by other electronic means, including posting documents to a secure website.

Miscellaneous Terms

Gallagher is engaged to perform services as an independent contractor and not as your employee or agent, and Gallagher will not be operating in a fiduciary capacity.

Where applicable, insurance coverage placements and other services may require the payment of federal excise taxes, surplus lines taxes, stamping or other fees to the Internal Revenue Service, various State(s) departments of revenue, state regulators, boards or associations. In such cases, you will be responsible for the payment of the taxes and/or fees, which Gallagher will separately identify on related invoices.

The Proposal and these Terms are governed by the laws of the State of Illinois, without regard to its conflict of law rules.

If an arbitrator/court of competent jurisdiction determines that any provision of these Terms is void or unenforceable, that provision will be severed, and the arbitrator/court will replace it with a valid and enforceable provision that most closely approximates the original intent, and the remainder of these Terms will remain in effect.

Except to the extent in conflict with a services agreement that you may enter into with Gallagher, these Terms and the remainder of the Proposal constitute the entire agreement between you and Gallagher with respect to the subject matter of the Proposal, and supersede all prior negotiations, agreements and understandings as to such matters.

Client Signature Requirements

Coverages for Consideration

Overview

Gallagher recommends that you consider purchasing the following additional coverages for which you have exposure. A Proposal for any of the coverages below can be provided.

- Cyber Liability

Please note the recommendations and considerations summarized in this section are not intended to identify all potential exposures. Gallagher is not an expert in all aspects of your business and assumes no responsibility to independently investigate the risks your business faces. Gallagher has relied upon the information you provided in making our insurance Proposals. If you are interested in pursuing additional coverages other than those listed above, please list the additional coverages in the Client Authorization to Bind.

Client Authorization to Bind Coverage

After careful consideration of Gallagher's proposal dated 11/3/2022, we accept the following coverage(s). Please check the desired coverage(s) and note any coverage amendments below:

	COVERAGE/CARRIER
<input type="checkbox"/> Accept <input type="checkbox"/> Reject	Property
	Affiliated FM Insurance Company
<input type="checkbox"/> Accept <input type="checkbox"/> Reject	<i>TRIA (Rejected on Expiring Term)</i>

Additional Recommended Coverages

Gallagher recommends that you purchase the following additional coverages for which you have exposure. By checking the box(es) below, you are requesting that Gallagher provide you with a Proposal for this coverage. By not requesting a Proposal for this coverage, you assume the risk of any uncovered loss.

Other Coverages to Consider

Cyber Liability

The above coverage(s) does not necessarily represent the entirety of available insurance products. If you are interested in pursuing additional coverages other than those listed in the Additional Recommended Coverages, please list below:

Coverage Amendments and Notes:

Exposures and Values

You confirm the payroll, values, schedules, and any other information pertaining to your operations, and submitted to the underwriters, were compiled from information provided by you. If no updates were provided to Gallagher, the values, exposures and operations used were based on the expiring policies. You acknowledge it is your responsibility to notify Gallagher of any material change in your operations or exposures.

Additional Terms and Disclosures

Gallagher is not an expert in all aspects of your business. Gallagher’s Proposals for insurance are based upon the information concerning your business that was provided to Gallagher by you. Gallagher expects the information you provide is true, correct and complete in all material respects. Gallagher assumes no responsibility to independently investigate the risks that may be facing your business, but rather have relied upon the information you provide to Gallagher in making our insurance Proposals.

Gallagher’s liability to you arising from any of Gallagher’s acts or omissions will not exceed \$20 million in the aggregate. The parties each will only be liable for actual damages incurred by the other party, and will not be liable for any indirect, special, exemplary, consequential, reliance or punitive damages. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with the Proposal, any of Gallagher’s services or your relationship with Gallagher may be brought by either party any later than two (2) years after the accrual of the claim or cause of action.

Gallagher has established security controls to protect Client confidential information from unauthorized use or disclosure. For additional information, please review Gallagher’s Privacy Policy located at <https://www.aig.com/privacy-policy/>.

You have read, understand and agree that the information contained in the Proposal and all documents attached to and incorporated into the Proposal, is correct and has been disclosed to you prior to authorizing Gallagher to bind coverage and/or provide services to you. By signing below, or authorizing Gallagher to bind your insurance coverage through email when allowed, you acknowledge you have reviewed and agree with terms, conditions and disclosures contained in the Proposal.

By: _____
Print Name (Specify Title)

Company

Signature

Date: _____

Statement of Values (SOV)

(Refer to attached statement of values)

Appendix

Bindable Quotations & Compensation Disclosure Schedule

Client Name: City Of Norman, OK and Norman Utilities Authority

COVERAGE(S)	CARRIER NAME(S)	WHOLESALE, MGA, OR INTERMEDIARY NAME ¹	EST. ANNUAL PREMIUM ²	COMM.% OR FEE ³	GALLAGHER U.S. OWNED WHOLESALE, MGA, OR INTERMEDIARY %
Property	Affiliated FM Insurance Company (Factory Mutual Insurance Company)	N/A	\$482,930.00	15 %	

1 We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

2 If the premium is shown as an indication: The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

* A verbal quotation was received from this carrier. We are awaiting a quotation in writing.

3 The commission rate is a percentage of annual premium excluding taxes & fees.

* Gallagher is receiving ___% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.

Binding Requirements

Coverage (Issuing Carrier)	Binding Requirements
Property Affiliated FM Insurance Company	Subject To: Signed TRIA Forms.

Claims Reporting By Policy

Immediately report all claims. Each insurer requires notice of certain types of claims depending on the potential exposure or particular injury types. It is important to thoroughly review your policy to ensure you are reporting particular incidents and claims, based upon the insurer’s policy requirements.

If you are using a third party administrator (“TPA”), your TPA may or may not report claims to an insurer on your behalf. Although we will assist you where requested, it is important that you understand whether your TPA will be completing this notification.

Reporting Direct to Carrier [Only When Applicable]

COVERAGE(S): Property	IMMEDIATELY REPORT CLAIMS DIRECTLY TO:
Insurer: Affiliated FM Insurance Company Policy Number: TBD Policy Term: 12/1/2022 to 12/1/2023	Insurer/TPA Name: Affiliated FM Insurance Company Phone: 877-639-5677 (Use website to find state specific details) Web: https://www.affiliatedfm.com/report-contact-page/report-a-property-loss

Reporting to Gallagher or Assistance in Reporting

COVERAGE(S):	IMMEDIATELY REPORT CLAIMS DIRECTLY TO:
Gallagher Claim Center Policy Number: TBD Policy Term: 12/1/2022 to 12/1/2023	Phone: 855-497-0578 Fax: 225-663-3224 Email: ggb.nrcclaimscenter@ajg.com

Gallagher STEP



Reduce Your Risk and Simplify Training

Safety training programs and educational materials for employees are critical for reducing accidents, increasing retention, and minimizing your total cost of risk now and in the future.

Gallagher Safety Training Education Platform (STEP) is our proprietary learning management system (LMS) that supports your safety program, provides real-time access to your loss control plans and keeps employees up to date with the latest safety standards.

Key Benefits of Gallagher STEP

- **Register** for up to 10 complimentary modules every year from a library of over 100 training and safety shorts. In addition, monthly bulletins are available, covering topics such as general and environmental safety, human resources, and health and wellness.
- **Save** valuable time by assigning employee training and monitoring their latest progress and completion.
- **Simplify** the process of training to stay in compliance and avoid costly penalties.
- **Onboard and train** an unlimited number of users while enhancing your overall risk control program.
- **Customize** your platform with your company's logo, training content and modules tailored to your business, and personalized procedures and forms for an added fee.

Please visit ajg.com/us/gallagher-step/ to learn more.

Most Popular Training Modules

- Sexual Harassment and Discrimination
- Slip, Trip and Fall Training
- Electrical Safety Training
- Back Safety Training
- Bloodborne Pathogens
- Safe Lifting Practices
- Defensive Driving Basics
- Fire Prevention Basics
- Personal Protective Equipment
- GHS Hazard Communication



Gallagher CORE360® is our unique, comprehensive approach of evaluating your risk management program that leverages our analytical tools and diverse resources for custom, maximum impact on six cost drivers of total cost of risk.



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Sample of Available Training Modules and Safety Shorts

Human Resources Training

- Americans with Disabilities Act (ADA)
- California Ethics
- California Sexual Harassment & Discrimination—Employees (English and Spanish)
- California Sexual Harassment and Discrimination—Supervisors (English and Spanish)
- Connecticut Sexual Harassment Prevention and Response
- Diversity
- Drug-Free Workplace—Supervisor
- Ethics in Action
- Fair and Accurate Credit Transaction Act (FACTA)
- Family Medical Leave Act (FMLA)
- Interviewing Strategies
- Job Applications
- Maine Sexual Harassment Prevention and Response
- Personnel Files
- Sensitivity Basics: Creating Positive Working Relationships
- Sexual Harassment and Discrimination—Employees
- Sexual Harassment and Discrimination—Supervisors
- New York City Sexual Harassment and Discrimination—Employees (English and Spanish)
- New York City Sexual Harassment and Discrimination—Supervisors (English and Spanish)
- New York State Sexual Harassment and Discrimination—Employees (English and Spanish)
- New York State Sexual Harassment and Discrimination—Supervisors (English and Spanish)
- Smart Hiring
- Smart Risk Management—Core Principles
- Theft
- Unsafe Acts
- Violence Prevention
- Workers Compensation Essentials
- Workplace Investigations Basics
- Wrongful Termination

Safety Training

- Accident Investigation Techniques
- Asbestos Awareness (General Industry)
- Basic Conveyor Safety
- Bloodborne Pathogens (English and Spanish)
- Creating a Safe Holiday Celebration
- Common Fire and Life Safety Hazards
- Continuity of Operations Planning
- Defensive Driving—Accident Scene Management
- Defensive Driving—Backing Safely, R is for Reverse
- Defensive Driving Basics—Part I (English and Spanish)
- Defensive Driving—Changing Lanes Safely
- Defensive Driving—Driving Safely in School Zones
- Defensive Driving—General Auto Risk Management
- Defensive Driving—Intersections
- Defensive Driving—Reducing Deer-Related Incidents
- Defensive Driving—Safe Following Distance
- Defensive Driving—Spring Weather Conditions
- Defensive Driving—Winter Weather Conditions
- Determining the Root Cause of Accidents
- Disaster Planning 101
- Electrical Safety (English and Spanish)
- Ladder Safety
- Employee and Family Disaster Planning
- Evacuation Planning and Procedures
- Fire Prevention Practices (English and Spanish)
- Forklift Safety Basics for General Industry
- Hazard Communication (English and Spanish)
- Hearing Protection
- Housekeeping—Custodial, Safe Housekeeping Practices
- Identifying Strain and Exertion Exposures (English and Spanish)
- Lead-Based Paint
- Lockdown Procedures
- Lockout/Tagout (English and Spanish)
- Machine Guarding (English and Spanish)
- Means of Egress (English and Spanish)
- Mold
- Office Ergonomics Defined
- Office Ergonomics—Working in Comfort
- Office Workstation Safety
- Office Workstation Safety for Supervisors
- Personal Protective Equipment (English and Spanish)
- Portable Fire Extinguishers I
- Portable Fire Extinguishers II
- Power Tool Safety
- Preparation for Physical Activity
- Preventing Back Injuries (English and Spanish)
- Preventing Slips, Trips and Falls (English and Spanish)
- Preventing Injuries When Lifting, Moving and Transferring Residents
- Safety Pays for Life
- Temp Staffing Services. Employee Safety Orientation (English and Spanish)

Safety Shorts

Two safety shorts are considered one module selection.

- Bloodborne Pathogens
- Electrical Safety
- Emergency Procedures
- Fire Prevention and Protection
- Hand and Power Tools
- Hazard Communication
- Housekeeping/Custodial—Before You Start
- Housekeeping/Custodial—Cleaning by Hand
- Housekeeping/Custodial—Emptying Trash
- Housekeeping/Custodial—Mopping and Emptying Buckets
- Housekeeping/Custodial—Preventing Slips, Trips and Falls
- Housekeeping—General
- Ladder Safety
- Lockout/Tagout
- Personal Protective Equipment
- Safe Lifting Practices
- Slip, Trip and Fall

The Gallagher Way. Since 1927.

Please visit ajg.com/us/gallagher-step/ to learn more.

Overview and Login Information

The Gallagher eRiskHub® portal provides you with exclusive risk management tools and best practices to improve your organization's cyber risk posture. This important resource serves your cyber risk management strategies by enhancing your capabilities in cyberattack prevention, loss mitigation and cyber risk transfer techniques.

To access the Gallagher eRiskHub® now:

1. Navigate to <https://eriskhub.com/gallagher>
2. Complete the new user registration at the bottom of the page. Choose your own user ID and password. The access code is **447597**.
3. After registering, you can access the hub immediately using your newly created credentials in the member login box located at the top right of the page.

If you have any questions about the Gallagher eRiskHub®, please reach out the eRiskHub® support staff at support@eriskhub.com

Key Features of the Gallagher eRiskHub®

- **Risk Manager Tools**—A collection of tools for risk managers including research of known breach events, information to calculate the potential cost of a breach event, sample policies, breach response planning and more.
- **Learning Center**—An extensive collection of thought leadership articles, webinars, videos and blog posts covering everything from emerging cyber threats to data protection and more.
- **Security and Privacy Training**—Resources for creating an effective security training program for your employees.
- **Strategic Third-Party Relationships and Partner Resources**—Information on third-party vendors that can assist your organization improve your overall cyber risk, as well as access to exclusive Gallagher discounts on tools.

Gallagher's Cyber Capabilities

Gallagher's Cyber practice has the expertise to deliver a full complement of cyber risk management and insurance services to help your team stay protected. We take a consultative, action-based approach to address the sophisticated and evolving nature of cyber liability to design custom solutions that meet your unique needs. For more information, please contact us.

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The information contained herein is offered as insurance industry guidance and provided as an overview of current market risks and available coverages and is intended for discussion purposes only. This publication is not intended to offer legal advice or client-specific risk management advice. Any description of insurance coverages is not meant to interpret specific coverages that your company may already have in place or that may be generally available. General insurance descriptions contained herein do not include complete Insurance policy definitions, terms, and/or conditions, and should not be relied on for coverage interpretation. Actual insurance policies must always be consulted for full coverage details and analysis.

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Business Continuity & Resilience Services

Businesses face so many challenges in today's marketplace that can disrupt operations or interrupt a supply chain, including:

- Cyber attacks
- COVID-19
- Natural disasters

Having a plan in place and being prepared to successfully manage these situations should be a critical component of any operating model.

The turbulence of 2020, especially the global COVID-19 pandemic, revealed to many organizations just how underprepared they are to effectively respond to and recover from major business disruptions or crises.

Organizations suddenly found they had to deal with unprecedented direct and indirect challenges to their businesses, including major supply chain disruptions, sudden shifts in customer demand and increased cyberthreats since a large portion of the workforce was operating remotely.

However, the incidence of these types of threats was escalating well before COVID-19, as were threats posed by workplace violence, societal unrest and natural disasters as a result of climate change.

To make matters worse, organizations are now faced with increased costs for insurance coverage as a result of a hard market.

Building resilient and recoverable operations has proven to be more difficult than ever. Organizations often struggle to develop a comprehensive yet pragmatic business continuity management framework to identify, assess and manage threats/vulnerabilities.

Underpreparedness has consequences. A minor incident can escalate to a major crisis that can consume an organization, and impact its brand/reputation and financial results for months, if not years.

According to Oxford Metrica, "Of the companies that faced a crisis, on average, more than three-quarters experienced a 20%–30% drop in their stock price as a result of the way the incident was managed."

For companies to achieve long-term resilience, they must be agile enough to respond and recover from any crisis, regardless of its nature or origin.

If COVID-19 taught us anything, it is that the ability to recover critical business processes builds confidence among key stakeholders such as employees, regulators, customers, investors, the media, the public and insurers.

Resilient organizations manage uncertainty. As a trusted partner and advisor, Gallagher's **Business Continuity and Resilience Services** team works with organizations to first assess their level of business resilience and then develop custom programs to improve it. We have developed business continuity, crisis management, crisis communications and supply chain risk management programs for clients in virtually every industry.

Oxford Metrica study 2020



Gallagher **CORE360**® is our unique, comprehensive approach of evaluating your risk management program that leverages analytical tools and diverse resources for customized, maximum impact on six cost drivers of your total cost of risk.

When evaluating potential crises you may face, it's important to focus on **Uninsured & Uninsurable Losses** to identify any risks you have that are either uninsured or uninsurable.

Business Continuity

A business continuity plan reduces the operational impact of an incident by directly targeting the recovery of an organization's value drivers—those business processes that directly drive revenue and reputation—and enables an organization to recover more efficiently and effectively following a major business disruption or crisis.

Crisis Management

Crisis management plans prevent or mitigate risks to people, brands, reputations and financial results, and provide the overarching framework for all response and recovery activities within the organization. Moreover, these plans improve coordination and accelerate decision-making at all levels of an organization in the event of a crisis.

Crisis Communications

Crisis communication plans communicate promptly, accurately and confidently to all stakeholders during an incident or actual crisis, and enable organizations to better coordinate internal and external global communications with media, employees, regulators, customers, investors and the public at large.



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Gallagher provides insurance, risk management and consultation services for our clients in response to both known and unknown risk exposures. When providing analysis and recommendations regarding potential insurance coverage, potential claims and/or operational strategy in response to national emergencies (including health crises), we do so from an insurance/risk management perspective, and offer broad information about risk mitigation, loss control strategy and potential claim exposures. We have prepared this commentary and other news alerts for general informational purposes only and the material is not intended to be, nor should it be interpreted as, legal or client-specific risk management advice. General insurance descriptions contained herein do not include complete insurance policy definitions, terms and/or conditions, and should not be relied on for coverage interpretation. The information may not include current governmental or insurance developments, is provided without knowledge of the individual recipient's industry or specific business or coverage circumstances, and in no way reflects or promises to provide insurance coverage outcomes that only insurance carriers control.

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Supply Chain Risk Management

A supply chain risk management program will help assess and manage third-party risks and vulnerabilities to ensure that products/services continue to be delivered both during and following a major disruption.

Leaders Where it Counts

Gallagher was founded on a culture of ethics, service and a common interest—doing what's in our clients' best interest, not ours. That's one of the reasons why Gallagher has been named as one of the World's Most Ethical Companies® by Ethisphere for ten consecutive years.

We are proud to be the only insurance broker to receive this recognition honoring companies who understand the importance of leading, making hard but values-based decisions, and exemplifying overall commitment to integrity.





A Next Generation Engagement Solution

Gallagher Insight is a user-friendly web portal that allows secure, real-time collaboration between you and your Gallagher team. It empowers Clients with 24/7 access to their summary insurance information and an array of materials needed to run your risk management program, all at your fingertips on any device. Gallagher Insight is a password-protected portal accessible through any browser on your mobile phone, tablet or PC. Insight offers a modern design, robust features and upgraded functionality, including:

- Secure web-based document libraries for our clients
- Policy and document sharing with your Gallagher account team
- A private social network between your global team and ours
- Stewardship through goals, events and tasks set up by you and your Gallagher team
- Access to Gallagher's resource library
- Submission and tracking of service requests

Insight can be accessed from any electronic device using a secure ID and password to login.



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Contractual Risk Compliance



Gallagher Verify monitors expiration dates, insurance limits and other details across thousands of COIs. In addition, their team delivers a very consultative, custom approach, which has allowed us to significantly improve our overall risk exposure.

Mitigate contractual risk with confidence

There is more to managing compliance than just collecting your third-party vendors' certificates. **Gallagher VerifySM** ensures you are tracking all the information you need to keep your company organized, compliant and properly protected. Take advantage of our intelligent technology and experienced compliance experts to gain insight into your level of risk, giving you the freedom to focus on your day-to-day operations.

Protect your business from unknown risk

A majority of organizations face unknown risk. In fact, research shows that most organizations average only 20% compliance for vendor insurance. Gallagher Verify limits your unknown risk and significantly improves compliance. Most companies that use Gallagher Verify average over 80% compliance.*

Track more than just Certificates of Insurance

Our cloud software has the capability to track and verify compliance for any type of document your business is required to keep on file. These documents can include but are not limited to:

W-9 forms	OSHA mod rates	Background checks
MVRs	Contracts	Certifications and licenses

Gallagher Verify brings big benefits to your business

- Increased profitability due to reduced internal administrative costs
- Insurance consulting with a risk advisor
- Reports and dashboards to manage compliance trends
- Ongoing monitoring of A.M. Best insurance carrier ratings and vendor compliance with A.M. Best rating
- Easy-to-use cloud software used to track and record incoming COIs
- Proactive compliance calls to vendors
- Industry-specific software configurations

*Tier 2 model.



Learn More About CORE360™

Gallagher Verify is part of Gallagher CORE360™, our unique, comprehensive approach to evaluating your risk management program that leverages our analytical tools and diverse resources for custom, maximum impact on six cost drivers of your total cost of risk.

We consult with you to understand your **Contractual Liability**, and how to mitigate risks and associated costs.

This will empower you to know, control and minimize your total cost of risk, and improve your profitability.

Tiers of service tailored to the needs of your organization

	TIER 1	TIER 2
Gallagher Verify cloud software	✓	✓
Dedicated implementation project managers (includes data entry and software configuration)	✓	✓
Automated COI endorsement and document compliance verification	✓	✓
Automated noncompliance and renewal notifications to vendors	✓	✓
Client access to software support	✓	✓
Customizable daily, weekly and monthly reports, and historical compliance dashboard widgets	✓	✓
Risk management consulting for clients (insurance requirement exception guidance)	✓	✓
Outgoing vendor compliance enforcement and educational phone calls (up to four phone calls per certificate of insurance)		✓
Weekly or monthly client stewardship calls with a risk advisor		✓
Unlimited phone support for vendors with insurance and contract-related questions		✓

“When we initially implemented Gallagher Verify, our third-party insurance compliance was less than 20%. Today, compliance is more than 90%. The aggressive tracking of insurance requirements and vendor compliance mitigates financial exposure, should there be a claim.”

The Gallagher Way.
Since 1927.

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The information contained herein is offered as insurance industry guidance and provided as an overview of current market risks and available coverages and is intended for discussion purposes only. This publication is not intended to offer legal advice or client-specific risk management advice. Any description of insurance coverages is not meant to interpret specific coverages that your company may already have in place or that may be generally available. General insurance descriptions contained herein do not include complete insurance policy definitions, terms, and/or conditions, and should not be relied on for coverage interpretation. Actual insurance policies must always be consulted for full coverage details and analysis.

Insurance brokerage and related services to be provided by Arthur J. Gallagher Risk Management Services, Inc. (License No. 0D69293) and/or its affiliate Arthur J. Gallagher & Co. Insurance Brokers of California, Inc. (License No. 0726293).

File Attachments for Item:

9. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Frederick Duke

PRESENTER: Frederick Duke, Procurement Analyst

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

BACKGROUND:

Section 8-301 of the Code of Ordinances of the City of Norman provides that “The City Council must declare surplus or obsolete any supplies, materials, or equipment where the valuation exceeds one thousand dollars (\$1,000) prior to the selling of such supplies, materials, or equipment.” The Auction will be conducted by Big Iron. Big Iron upon sale of any item sold will retain as total commission and compensation 7% of gross sales less sales tax. All items sold at auction are understood to be sold as is. The auction date is to be determined.

DISCUSSION:

The attached list is the supplies, materials, or equipment identified as surplus or obsolete, and is therefore being prepared for sale at auction.

RECOMMENDATION:

It is recommended that the attached list of supplies, materials, or equipment be declared surplus or obsolete, and approved for sale at public auction or disposal.

INVENTORY OF GOODS TO BE AUCTIONED

Department IT

Signature _____

Reviewed by Accounting Fred Duke 8-8-22

Condition	Item and Year	Detailed Description	Serial Number	City Unit No.
Good	iSeries 2004	IBM Iseries 9406-520	10-E3E7E	
Good	tape drive 2004	IBM 3581 Model I2	78-A6949	
Good	Storage unit 2004	IBM iSeries storage unit	53P0215YL1B82013250	
Poor	desktop	hp z230	2ua4181sz5	
Poor	desktop	hp z230	2ua4100g5g	
Poor	desktop	hp z220	2ua3200djh	
Poor	desktop	hp z220	2ua3241xq7	
Poor	desktop	hp z230	2ua4331fqb	
Poor	switch	cisco2821	fhk0848f25s	
Poor	u/a	1u	181a51010501	
Poor	desktop	hp z230	2ua4301szl	
Poor	desktop	hp z230	2ua4350cw4	
Poor	desktop	hp z230	2ua4331fq7	
Poor	desktop	hp z230	2ua4100g59	
Poor	desktop	hp z220	2ua3250c13	
Poor	desktop	hp z210	2ua2040nn7	
Poor	desktop	hp z230	2ua32312vc	
Poor	desktop	supermicro	c7330ld28m70019	
Poor	desktop	hp z230	2ua4100g4s	
Poor	receipt printer	n/a	fd1000037249	
Poor	receipt printer	firstdata	bt0000054172	
Poor	receipt printer	firstdata	bt0000078620	
Poor	printer	hp lj 600	cnccf121dg	
Poor	printer	hp lj 600	phblkc3dr0	
Poor	desktop	hp elitedesk 800	2ua53326rd	
Poor	printer	hp lj4200	usgnx43237	

Fred Duke 8-8-22

Item 9.

Poor	printer	hp lj3505	cnbc84n1l9	
Poor	desktop	hp elitedesk 800	2ua6272k1n	
Poor	desktop	hp elitedesk 800	2ua6332lrd	
Poor	desk phone	cp-8945	7.89836E+12	
Poor	laptop	nx9110	2ur445p8qn	
Poor	desktop	hp elitedesk 800	2ua5391cs3	
Poor	desktop	hp elitedesk 800	2ua5332clk	
Poor	laptop	fujitsu lifebook t726	r6x01953	
Poor	laptop	fujitsu lifebook t734	q5703342	
Poor	receipt printer	firstdata	bt0000030827	
Poor	receipt printer	firstdata	n7kmm09bt110p	
Poor	receipt printer	firstdata	bt0000134281	
Poor	receipt printer	firstdata	bt0000030795	
Poor	receipt printer	firstdata	bt0000054012	
Poor	receipt printer	firstdata	n7kmm09bt110p1	
Poor	receipt printer	firstdata	bt0000030815	
Poor	receipt printer	firstdata	bt0000134241	
Poor	receipt printer	firstdata	n7kmm09bt110p2	
Poor	printer	canon	dr155837	
Poor	monitor	hp	3cq533172r	
Poor	phone	cisco cp8945	7.89836E+12	
Poor	monitor	hp zr2330	3cq3131jr9	
Poor	monitor	hp	11120610202639	
Poor	dock	hp	n/a	
Poor	tablet	ipad	n/a	
Poor	tablet	ipad	n/a	
Poor	monitor	samsung	0l2ahthg300107x	
Poor	monitor	hp zr2330	3cq3140nbm	
Poor	monitor	hp	cn49290644d	
Poor	monitor	dell	jwqs4x2	
Poor	monitor	hp zr2330	3cq3131kt3	
Poor	monitor	hp z23i	3cq4281lgr	
Poor	monitor	hp zr2330	3cq3131zww	
Poor	printer	hp 2420d	cngkj03831	

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Poor	server	1u	l67410abvuz1kp
Poor	switch	c170	ftx1734m025
Poor	switch	c170	ftx1734m01v
Poor	server	Refurbished 600426-005 HP Proliant ML350 G6 S	mxq13307nd
Poor	server	Supermicro CSE-813M 1U Server	c813mld46n10158
Poor	server	293765-001 HP Gen 2 Proliant DL580 Dual Xeon,	use019n6cx
Poor	server	293765-001 HP Gen 2 Proliant DL580 Dual Xeon,	eb2hmsgz44
Poor	monitor	hp	cnc813q4xy
Poor	monitor	hp	6cm9011rm0
Poor	monitor	hp z23i	3cq422023n
Poor	monitor	dell	4wnrf43
Poor	monitor	n/a	cng64607v9
Poor	monitor	hp	111206l0202780
Poor	monitor	hp z23i	3cq42600b0
Poor	monitor	hp zr2330	3cq3140n5q
Poor	monitor	hp z23i	3cq531qrn1
Poor	monitor	hp z23n	5cm901155m
Poor	monitor	hp lp2275w	cnc00117j4
Poor	monitor	hp	cn317ph153
Poor	laptop	fujitsu	r6703222
Poor	laptop	dell	3538jv1
Poor	laptop	panasonic cf31	2dtya65008
Poor	laptop	panasonic cf53	5ktsa36472
Poor	laptop	panasonic cf53	4ktya63111
Poor	laptop	hp zbook 17	cnd063810rw
Poor	laptop	zbook 15	cnd4323djw
Poor	laptop	panasonic cf31	2ftya71878
Poor	monitor	unknown 19"	spl1004wct00015
Poor	desktop	hp z230	2ua22611y5
Poor	desktop	hp z240	2ua64623y8
Poor	desktop	hp z230	2ua5471yfb
Poor	desktop	hp z640	2ua6292xt5
Poor	desktop	hp z230	2ua4392cpv
Poor	desktop	hp z230	2ua4100g5d

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Poor	desktop	hp elitedesk 800	2ua6332lrc	
Poor	printer	brother mfc9460	u62511b1j160916	
poor	desktop	hp 4000 pro	2ua22611y5	
Good	Machine	FD130	FD10000475683	
Good	Machine	FD130	FD1000475644	
Good	Machine	FD130	FD1000475444	
Good	Machine	FD130	FD1000475447	
Good	Machine	FD130	FD1000076942	
Good	Machine	FD130	FD1000475453	
Good	electric typewriter	Xerox 6076 memory writer	06C005797	
Poor	Brother Fax	intellifax 1250 ppf	F67705762	
Poor	Brother Fax	intellifax 1150 ppf	K67850834	
Poor	DFG Binding Machine	Etitancomb - in box		
Good	Sanyo transcribe	TRC-8080 w/ accessories	P4654731G	
Good	Pitneybowes folder	model 1820	307044	
Poor	Airmux 400 Bridge			
Poor	Airmux 400 Bridge			
Poor	Airmux 400 Bridge			
Fair	Z210 Desktop PC			
Fair	Z210 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Fair	Z230 Desktop PC			
Poor	Panasonic CF54	CF54D4617KM	6HTSA82161	
Poor	Panasonic CF54	CF54D4617KM	6HTSA82080	
Poor	IPAD			
Poor	IPAD			
Poor	IPAD			
Poor	IPAD			

File Attachments for Item:

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. SIX TO CONTRACT K-1920-73: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HORSESHOE CONSTRUCTION, INC., DECREASING THE CONTRACT AMOUNT BY \$110,989.49 FOR A REVISED CONTRACT AMOUNT OF \$2,861,354.06 FOR THE FYE 2017 SEWER MAINTENANCE PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$178,878.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/8/2022

REQUESTER: Nathan Madenwald, Utilities Engineer

PRESENTER: Nathan Madenwald, Utilities Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. SIX TO CONTRACT K-1920-73: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HORSESHOE CONSTRUCTION, INC., DECREASING THE CONTRACT AMOUNT BY \$110,989.49 FOR A REVISED CONTRACT AMOUNT OF \$2,861,354.06 FOR THE FYE 2017 SEWER MAINTENANCE PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$178,878.

BACKGROUND:

In 2001, the citizens of Norman approved a five dollar per month sewer maintenance fee to provide for the systematic replacement of aged and deteriorating neighborhood sewer lines. After extensive study by Sewer Line Maintenance Division and Utilities Engineering, the sanitary sewer lines within the FYE17 Sewer Maintenance Project (SMP17) study area were determined to require either rehabilitation or replacement, repair, or no action due to the pipe and appurtenances being in good condition.

The SMP17 study area is generally bounded by Cavecreek Street to the north, Porter Avenue to the west, Rock Creek Road to the south, and 12th Avenue N.E. to the east. It will replace about 28,500 feet (about 5.7 miles) of old sewer lines and rehabilitate or replace 161 manholes. Generally, the selected contractor will install high-density polyethylene (HDPE) sewer pipe, primarily using the pipe-bursting technique. This technique allows long lengths of joint less HDPE piping to be pulled into the old pipe at manholes as it is expanded with the bursting tool. House sewer service connections are then re-connected to the new pipe; approximately 455 private residences will be affected.

Bids were opened on March 12, 2020 and Horseshoe Construction, Inc. (Horseshoe) of La Porte, Texas was the low bidder for the Base Bid at \$2,796,161.25. On April 14, 2020, the NUA authorized award and approved Contract K-1920-73 with Horseshoe for \$2,796,161.25. Five previous change orders were approved on the project as follows:

1. Change Order No. 1 – Approved on April 14, 2020, by City Council at no cost change to adjust the unit price for mobilization and restoration pay items;

2. Change Order No. 2 – Approved on June 9, 2020, by City Council increasing the contract amount by \$129,563.50 to add 990 feet of pipe rehabilitation along Chautauqua from Symmes Street north to Main Street;
3. Change Order No. 3 – Approved on October 28, 2020, by City Manager decreasing the contract amount by \$910.00 to increase paving and rock quantities, account for two unforeseen storm sewer crossings, and eliminate the need for clean-outs on the service lines;
4. Change Order No. 4 – Approved on November 9, 2021, by the City Manager increasing the contract amount by \$27,528.80 to modify the sewer alignments on 9th Avenue NE between Rock Creek Road and Sequoyah Trail Parkway; and
5. Change Order No. 5 – Approved on April 9, 2022, by City Council increasing the contract amount by \$20,000.00 to convert areas for pipe bursting to cast-in-place fiberglass pipe.

DISCUSSION:

The proposed final Change Order No. 6 includes two items:

1. Item 1 – Bid quantities will be reconciled to match final as-built quantities;
2. Item 2 – Consists of two new pay items:
 - a. Removal of unforeseen concrete around existing sewer mains that impacted pipe bursting activities and required open cut removal of concrete – \$31,819.69; and
 - b. Payment for unused manhole rings and covers to be used in the future by Line Maintenance – \$34,471.57.

As shown in the change order, the overall project cost will decrease by a total of \$110,989.49 or approximately 3.97% below the original contract amount. Combined with all change orders, the total change to the original contract for the project is \$65,192.81 or 2.33 percent. Approval of Change Order No. 6, acceptance of the project, and payment of the final claim are recommended by the Engineer/Staff.

RECOMMENDATION:

Staff recommends the NUA approve Change Order No.6; accept FYE17 Sewer Maintenance Project (Project WW0307 – Account 32193338-46101); and authorize final payment in the amount of \$178,878 to Horseshoe Construction, Inc.

NORMAN UTILITIES AUTHORITY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

DATE: October 18, 2022

CHANGE ORDER NO.: Six (6) - Final

CONTRACT NO.: Contract K-1920-73

PROJECT: FYE17 Sewer Maintenance Project

CONTRACTOR: Horseshoe Construction, Inc.
2309 S. Battleground Road
La Porte, TX 77571

	<u>Contract Time</u>		<u>Contract Amount</u>
ORIGINAL:	<u>360</u>	calendar days	<u>\$2,796,161.25</u>
PREVIOUS CHANGE ORDERS:	<u>359</u>	calendar days	<u>\$176,182.30</u>
THIS CHANGE ORDER:	<u>100</u>	calendar days	<u>-\$110,989.49</u>
REVISED AMOUNT:	<u>819</u>	calendar days	<u>\$2,861,354.06</u>
ORIGINAL START DATE:	<u>April 27, 2020</u>		
ORIGINAL COMPLETION DATE:	<u>April 22, 2021</u>		
PREVIOUS COMPLETION DATE:	<u>April 16, 2022</u>		
NEW COMPLETION DATE:	<u>July 25, 2022</u>		

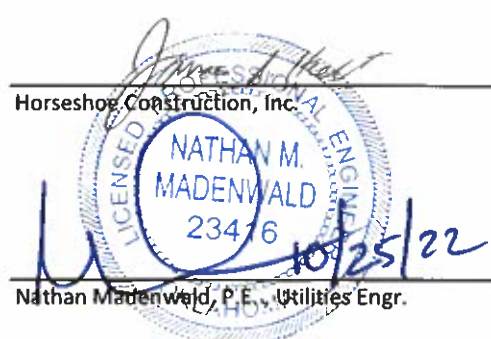
DESCRIPTION:	Increase / Decrease
Item 1: Modification of existing pay items to match field conditions as outlined in Attachment 1.	\$ (181,180.75)
Item 2: Creation of new pay item for obstruction removals during pipe bursting operations and payment for manhole rings and covers to be used by staff as outlined in Attachment 1.	\$ 70,191.26

SUBMITTED BY _____ Date: 10/25/2022
CONTRACTOR: Horseshoe Construction, Inc.

RECOMMENDED BY _____ Date: _____
ENGINEER: Nathan Madenwald, P.E., Utilities Engr.

REVIEWED AS TO FORM _____ Date: _____
AND LEGALITY: Heather Poole, Authority Attorney

ACCEPTED BY _____ Date: _____
NORMAN UTILITIES AUTHORITY: Larry Heikkila, Chairman



Attachment 1

Bid Item	Description	Units	Original Contract		Original Contract	Proposed Quantity Increase/	Cost Increase /	Percent Change
			Amount	Unit Price	Amount	Decrease	Decrease	
1	Mobilization/Demobilization and Insurance (Revised CO#1)	LS	1.092	\$ 80,000.00	\$87,360.00		\$0.00	0.00%
2	OSHA Trench Safety	LS	1.092	\$ 50,000.00	\$54,600.00		\$0.00	0.00%
3	Work Zone Traffic Control Plan	LS	1.092	\$ 10,000.00	\$10,920.00		\$0.00	0.00%
4	Point Repair – 8-inch PVC	EA	6	\$ 4,200.00	\$25,200.00	-1.00	-\$4,200.00	-16.67%
5	Service Tap Repair – 8-inch PVC	EA	6	\$ 3,200.00	\$19,200.00	-4.00	-\$12,800.00	-66.67%
6	Open Trench Pipe Replacement – 8-inch PVC	LF	210	\$ 190.00	\$39,900.00	95.00	\$18,050.00	45.24%
7	Pipe-burst 12-inch Pipe to 12-inch HDPE Pipe	LF	1,190	\$ 75.00	\$89,250.00	-32.00	-\$2,400.00	-2.69%
8	Pipe-burst 8-inch Pipe to 12-inch HDPE Pipe	LF	1,700	\$ 75.00	\$127,500.00	-85.00	-\$6,375.00	-5.00%
9	Pipe-burst 8-inch Pipe to 8-inch HDPE Pipe	LF	25,500	\$ 60.00	\$1,530,000.00	-757.00	-\$45,420.00	-2.97%
10	Pipe-burst 6-inch Pipe to 8-inch HDPE Pipe	LF	840	\$ 60.00	\$50,400.00	-61.00	-\$3,660.00	-7.26%
11	Pipe-burst 4-inch Pipe to 8-inch HDPE Pipe	LF	25	\$ 75.00	\$1,875.00	3.00	\$225.00	12.00%
12	Seal and Coat Manhole with New Ring and Cover to 6 foot Depth	EA	144	\$ 1,350.00	\$194,400.00	-10.00	-\$13,500.00	-6.94%
13	Seal and Coat Manhole Additional Depth Manhole Wall Greater Than 6-Foot	VF	614	\$ 105.00	\$64,470.00	-278.36	-\$29,227.80	-45.34%
14	Abandon Existing Manhole	EA	5	\$ 800.00	\$4,000.00	1.00	\$800.00	20.00%
15	Remove Existing Manhole	EA	1	\$ 1,150.00	\$1,150.00	-1.00	-\$1,150.00	-100.00%
16	Raise Existing 4-Foot Manhole Wall	VF	5	\$ 700.00	\$3,500.00	-4.00	-\$2,800.00	-80.00%
17	Construct 4-foot ID Manhole to 6 foot Depth	EA	9	\$ 5,500.00	\$49,500.00	-1.00	-\$5,500.00	-11.11%
18	Construct Additional Depth 4-foot ID Manhole Wall	VF	40	\$ 300.00	\$12,000.00	-29.95	-\$8,985.00	-74.88%
19	Bypass Pumping	LS	1.090	\$ 100.00	\$109.00	-0.33	-\$33.00	-30.28%
20	Plug Existing 8-inch Sewer	EA	2	\$ 500.00	\$1,000.00	-2.00	-\$1,000.00	-100.00%
21	Flowable Fill	CY	20	\$ 300.00	\$6,000.00	-20.00	-\$6,000.00	-100.00%
22	Re-Connect Existing Service to New HDPE Sewer	EA	448	\$ 575.00	\$257,600.00	-31.00	-\$17,825.00	-6.92%
23	Re-Connect Existing Service to New PVC Sewer	EA	15	\$ 250.00	\$3,750.00	-13.00	-\$3,250.00	-86.67%
24	Extend 4-inch Service Greater Than 10 Feet	LF	222	\$ 60.00	\$13,320.00	63.00	\$3,780.00	28.38%
25	Curb and Gutter Removal and Replacement	LF	20	\$ 22.00	\$440.00	-9.00	-\$198.00	-45.00%
26	Sidewalk Removal and Replacement	SY	50	\$ 100.00	\$5,000.00	-44.39	-\$4,439.00	-88.78%
27	Pavement Removal and Replacement	SY	150	\$ 100.00	\$15,000.00	-150.00	-\$15,000.00	-100.00%
28	Street Pavement Removal and Replacement	SY	257	\$ 120.00	\$30,808.80	11.34	\$1,360.80	4.42%
29	Landscaping and Sprinkler Repair Allowance	LS	1	\$ 20,000.00	\$20,000.00	-0.87	-\$17,400.00	-87.00%
30	Site Restoration	LS	1.092	\$ 42,500.00	\$46,502.00	0.00	\$0.00	0.00%
31	Pre-Construction Clean and TV Inspection	LS	1.092	\$ 150,000.00	\$163,800.00	0.00	\$0.00	0.00%
32	Post Construction Clean and TV Inspection	LF	28,967	\$ 1.25	\$36,208.75	-3387.00	-\$4,233.75	-11.69%
SUBTOTAL					\$2,964,763.55		(\$181,180.75)	-6.11%
CHANGE ORDER PAY ITEMS								
CO2-1	Rock Backfill Under Paving	TN	266	\$30.00	\$7,980.00	0.00	\$0.00	N/A
CO3-1	Storm Sewer Crossings and Reconstructions	EA	2	\$9,500.00	\$19,000.00	0.00	\$0.00	N/A
	Cost Reduction for Elimination of Clean-Outs on Service							
CO3-2	Lines	EA	434	(\$100.00)	-\$43,400.00	-39.00	\$3,900.00	N/A
CO4-1	Clearing and Grubbing	LS	1	\$4,000.00	\$4,000.00	0.00	\$0.00	N/A
	Addition of Cast-In-Place Pipe (CIPP) as Allowable							
	Installation Method per Attached Specifications (Quantity to be Claimed in Addition to Item 9)							
CO5-1	Service Reconnections for CIPP Sections - Includes Internal Reconnections and Service Line Lining to Top Vertical Bend or Internal Reconnection to Previously Replaced Service Reconnection per Attached Specifications (Services cannot also be claimed under	LF	1,806	\$0.00	\$0.00	0.00	\$0.00	N/A
	Item 22)							
CO5-2		LS	1	\$20,000.00	\$20,000.00	0.00	\$0.00	N/A
CO6-1	Obstruction Removals	LS	0	\$31,819.69	\$0.00	1.00	\$31,819.69	N/A
CO6-2	Manhole Rings and Covers	LS	0	\$34,471.57	\$0.00	1.00	\$34,471.57	N/A
SUBTOTAL					\$7,580		\$70,191.26	2.37%
Original Contract Amount					\$2,796,161.25			
Change Order No. 1					\$0.00		0.00%	
Change Order No. 2					\$129,563.50		4.63%	CO 2 Corrected
Change Order No. 3					-\$910.00		-0.03%	
Change Order No. 4					\$27,528.80		0.98%	CO 4 Corrected
Change Order No. 5					\$20,000.00		0.72%	
Change Order No. 6					-\$110,989.49		-3.97%	
Final Contract Amount					\$2,861,354.06			

File Attachments for Item:

11. CONSIDERATION OF ADOPTION, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-51: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY AUTHORIZING THE CHAIRMAN TO SUBMIT AN AMERICAN RESCUE PLAN ACT APPLICATION TO THE OKLAHOMA WATER RESOURCES BOARD.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Rachel Croft, Staff Engineer

PRESENTER: Rachel Croft, Staff Engineer

ITEM TITLE: CONSIDERATION OF ADOPTION, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-51: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY AUTHORIZING THE CHAIRMAN TO SUBMIT AN AMERICAN RESCUE PLAN ACT APPLICATION TO THE OKLAHOMA WATER RESOURCES BOARD.

BACKGROUND:

As part of the American Rescue Plan Act (ARPA), funds are being made available as grant funds being administered by the Oklahoma Water Resources Board (OWRB) for water and wastewater projects. The maximum grant allowed for large systems is \$2 million with a 50 percent local contribution. Norman is classified as a large system since the population exceeds 7,000. A total of \$40 million is available for disbursement and applications will be competitively scored.

DISCUSSION:

Applications are open from October 1, 2022, through November 30, 2022. An approved or adopted resolution is a required component of the application. The Norman Utilities Authority (NUA) City of Norman has six (6) projects that could qualify for OWRB ARPA grant funds:

1. Project WA0352 – Southlake Waterline Replacement
2. Project WA0351 – Advanced Water Metering
3. Project WA0212 – Groundwater Well Improvements
4. Project WA0329/WW0329 – Line Maintenance Facility
5. Project WA0338 – James Garner Water Line Replacement
6. Project WA0353 – Jenkins Water Line Replacement

The application and resolution do not commit the NUA to accepting funds. If NUA is able to secure the grant, the decision would return to the NUA Trustees for approval at that time.

RECOMMENDATION:

Staff recommends the Norman Utilities Authority adopt Resolution R-2223-51 authorizing the submittal of an ARPA grant application to the OWRB for water and wastewater.

A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY
AUTHORIZING THE CHAIRMAN TO APPLY FOR AMERICAN
RESCUE PLAN ACT (ARPA) GRANT FROM THE OKLAHOMA
WATER RESOURCES BOARD.

1. WHEREAS, the American Rescue Plan Act (ARPA) funds are being made available as grant funds being administered by the Oklahoma Water Resources Board (OWRB); and
2. WHEREAS, the OWRB ARPA program will fund \$40 million for water/wastewater projects by communities with a population greater than 7,000 or rural water districts with more than 2,300 non-pasture taps; and
3. WHEREAS, the OWRB is limiting funding to no more than \$2 million per applicant and a minimum 50 percent cost share; and
4. WHEREAS, applications must be submitted to the OWRB by November 30, 2022, to be considered for funding as part of the competitive evaluation; and
5. WHEREAS, the following water and wastewater needs justify the Norman Utilities Authority (NUA) apply for OWRB ARPA grant funds:
 - A. Project WA0352 – Southlake Water Line Replacement – Necessary to replace existing water lines with corrosion and higher incidences of water line breaks and leaks;
 - B. Project WA0351 – Advanced Water Metering – Improvements necessary to replace existing meters and upgrade to current meter reading technology to become more efficient, better conserve water, and provide improved customer service;
 - C. Project WA0212 – Groundwater Water Well Improvements – Install groundwater well on currently permitted site and re-drill two existing wells that have failed;
 - D. Project WA0329/WW0329 – Line Maintenance Facility – Construct new facility to allow the Line Maintenance Division for the Utilities Department to have sufficient space for equipment and staff and also making additional space available at the current City-owned North Base complex;
 - E. Project WA0338 – James Garner Water Line Replacement – Replace existing 16-inch iron pipe installed in the 1950s along James Garner Avenue prior to streetscape project.
 - F. Project WA0353 – Jenkins Water Line Replacement – Replace existing 6 and 12-inch ductile iron water lines prior to a street widening project; and
6. WHEREAS, the OWRB has directed applicants to include in the application an official resolution adopted by the applicant’s board of directors or governing body verifying 1) the identity of the official with legal authority to enter into an agreement; 2) the board of directors, governing body, or appropriate official who has reviewed and supports the application submitted; 3) the capability of the applicant to provide the amount of funding and/or in-kind contributions specified in the funding plan; and 4) that the applicant will work with the OWRB to meet established deadlines for entering into a grant or cooperative agreement; and
7. WHEREAS, it is in the best interest of the citizens of the City of Norman and the NUA to expedite the preparation and submission of an ARPA grant application to the OWRB.



Resolution R-2223-51
Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED BY THE NORMAN UTILITIES AUTHORITY:

SECTION 1. The NUA hereby finds that it is in the City of Norman’s and public’s interest in health, safety and welfare of the community to file the ARPA application with the OWRB.

SECTION 2. The Chairman of the NUA is hereby authorized and directed to sign this resolution authorizing and directing the City Manager or his designees, the Director of Utilities or his agents to:

- (a) file and sign, for and on behalf of the NUA, the ARPA application with the OWRB for the above referenced projects;
- (b) provide the assurances, certifications, and commitments required for the ARPA application or resulting award (if successful); and
- (c) represent the NUA in carrying out the NUA’s responsibilities under the ARPA grant (if successful), including certifying payment of fund requests on behalf of the NUA and compliance with applicable state and federal laws.

PASSED AND ADOPTED this _____ day of _____, 2022.

Larry Heikkila, Chairman

ATTEST:

Brenda Hall, Secretary

File Attachments for Item:

12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF 2023 MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Brenda Hall, City Clerk

PRESENTER: Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF 2023 MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF 2023 MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.

- § 1. WHEREAS, Title 26 of the Oklahoma Statutes, §13-102, requires Notice of Election be filed with the Secretary of the Cleveland County Election Board by Resolution of the City Council no fewer than fifteen (15) days before the filing period begins; and
- § 2. WHEREAS, Article II, Section 5, of the Charter of the City of Norman requires that City Council adopt a resolution each year to designate a date for a non-partisan Municipal Election for the election of officers, such election will be held on Tuesday, February 7, 2023; and
- § 3. WHEREAS, a filing period shall be opened by the Cleveland County Election Board beginning at 8:00 a.m. on Monday, December 5, 2022, and ending at 5:00 p.m. on Wednesday, December 7, 2022; and
- § 4. WHEREAS, Article II, Section 6, of the Charter of the City of Norman requires that City Council adopt a resolution each year to designate a date for a non-partisan Municipal Runoff Election for the election of officers, such election will be held on April 4, 2023, subject to the provisions for the ipso facto election of an officer in the Municipal Election found in Article II, Section 17; and
- § 5. WHEREAS, said elections aforementioned in Sections 2 and 4 shall be held to elect Councilmembers filling Ward position numbers one (1), three (3), five (5) and seven (7), for terms of two (2) years; and
- § 6. WHEREAS, each candidate must be a registered voter of the City of Norman for six (6) months prior to the date of the Municipal election and in the case of Ward City Councilmembers, a candidate must reside in the ward from which they seek election on the date of filing.

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

- § 7. That notice be given of the 2023 Municipal and Municipal Runoff Elections by transmittal of this Resolution to the Secretary of the Cleveland County Election Board.

PASSED AND ADOPTED this 8th day of November, 2022.

ATTEST:

Mayor

City Clerk



File Attachments for Item:

13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE INVESTMENT POLICY FOR THE CITY OF NORMAN.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Anthony Francisco

PRESENTER: Anthony Francisco, Director of Finance

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE INVESTMENT POLICY FOR THE CITY OF NORMAN.

BACKGROUND:

The City Council adopted the updated City of Norman Investment Policy (Resolution 0809-52) on October 28, 2008. The Investment Policy calls for the Finance Director/City Treasurer to maintain a list of financial institutions and broker-dealers to be authorized for the investment of “surplus” City cash.

DISCUSSION:

On October 4, 2022, the City Treasurer solicited proposals (Request for Proposals 2223-27) from qualified securities investment firms to add to the City’s list of approved broker-dealer organizations. Seven firms submitted qualified proposals. Of these proposals, three firms are recommended to be added to the list of approved broker-dealer organizations with whom the Department of Finance will conduct investment security transactions. In accordance therewith, the above-described items are submitted for Council’s consideration, acting jointly as the Norman Municipal Authority, Norman Utilities Authority, Norman Tax Increment Finance Authority and other related City Trusts and Authorities for whom the City Treasurer/Finance Director may conduct investment transactions.

RECOMMENDATION:

It is recommended that the updated City Investment Policy and list of approved Broker-Dealer Organizations be approved by Resolution R-2223-61. It is further recommended that the City Treasurer/Finance Director be empowered to approve related contracts and certifications with the approved organizations to comply with City Code and Investment Policy requirements and certifications of the approved organizations.

Resolution

R-2223-61

A RESOLUTION OF THE COUNCIL OF THE CITY OF
NORMAN, OKLAHOMA, AMENDING THE INVEST-
MENT POLICY FOR THE CITY OF NORMAN.

- § 1. WHEREAS, Title 62 of the Oklahoma Statutes, Section 348, provides guidelines for the investment of municipal funds within the State and directs the adoption of formal investment policies by the governing body; and
- § 2. WHEREAS, Article IV, Section 1, of the City Charter authorizes the Finance Director to invest City funds; and
- § 3. WHEREAS, on March 26, 1996, City Council adopted Resolution R-9596-94 which adopted an investment policy for the City of Norman and its related trusts; and
- § 4. WHEREAS, on October 28, 2008, City Council adopted Resolution R-0809-52 to reflect changes adopted by the Oklahoma State legislature to the State investment statutes which allowed municipalities with population of at least 3,000 to invest “idle” funds in a broader range of investment securities.
- § 5. WHEREAS, on October 4, 2022, the City Treasurer solicited proposals from qualified securities firms to add to the City’s list of approved broker dealer organizations and three firms were recommended to be added to the list of approved broker-dealer organization with whom the Department of Finance will conducted investment security transactions.

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

- § 6. The Investment Policy of the City of Norman shall be hereby amended to reflect the list of approved Broker-Dealer Organizations which are listed in Exhibit A to the resolution and the City Treasurer/Finance Director be empowered to approve related contracts and certifications with the approved organizations to comply with City Code and the Investment Policy requirements and certifications of the approved organizations.

PASSED AND ADOPTED this _____ day of _____, 2022.

Mayor

ATTEST:

City Clerk



EXHIBIT A

1. Bank of Oklahoma (BOSC Securities)*
2. Bank of Oklahoma Trust Company*
3. Federal Reserve Bank*
4. FTN Financial*
5. Raymond James and Associates*
6. Piper, Sandler and Company
7. Commerce Bank, N.A.
8. Hilltop Securities, Incorporated

*Incumbent Organization – not included in RFP responses

NOTICE OF SOLICITATION

for

Investment Security Broker/Dealer Services

The City of Norman, Oklahoma

The City of Norman, Oklahoma, a municipal corporation, solicits proposals for Investment Security Broker/Dealer Services, pursuant to the provisions of the Norman City Charter, Article IV, the City of Norman Investment Policy and investment provisions of Title 62 Oklahoma Statutes, Section 348.3. Copies of the Solicitation package may be obtained from:

Anthony Francisco, Finance Director
P.O. Box 370
201 West Gray Street, Building C
Norman, Oklahoma 73070

Investment security broker/dealer services may also be provided to the Norman Utilities Authority, the Norman Municipal Authority, the Norman Tax Increment Finance Authority, and other public trusts as deemed necessary. Responses will be received in the Director of Finance's Office until 2:00 p.m. on October 19, 2022. Responses received after 2:00 p.m. October 19, 2022, shall not be considered and shall be returned unopened (there will be no exceptions to this policy). Solicitation will also be made from, and responses can also be forwarded to: Anthony.Francisco@normanok.gov.

Responses will be publicly opened at the time stated above or later in the Office of the Finance Director/City Treasurer, 201 West Gray Street, Building C. All responses will remain on file at least 48 hours thereafter before an agreement shall be awarded. The City of Norman reserves the right to reject any or all responses.

Anthony M. Francisco, CTP, ACPFIM, CPFO, CPFA
Director of Finance/City Treasurer

THE CITY OF NORMAN, OKLAHOMA
OFFICE OF THE FINANCE DIRECTOR

BROKER/DEALER SERVICES
SOLICITATION
QUESTIONNAIRE AND CERTIFICATION

* Attach additional sheets as necessary.

- 1. Name of Firm:
- 2. Address:
(Local)**

(National Office)

- 3. Telephone: () _____ ()
(Local) (National)

FAX :() _____ ()
(Local) (National)

Electronic Mail (Local Representative): _____

Electronic Mail (National Office): _____

- 4. Primary representative/manager/partner-in-charge:

Name/Title

Telephone: ()
(Local)**

Name/Title

Telephone: ()

(National)**

5. How many years has the firm been in business? ___ If under another name, please explain.
6. Is your firm a subsidiary of another company? ___ If so, please give details and a list of any other subsidiaries of the parent company.
7. Is your firm a primary dealer in U.S. Government Securities? ___ If so, how many years?
8. Are you a member of NASD? ___ If so, for how many years?
9. Who is your primary examining authority?

NASD_ SEC_ FDIC_ OTHER

10. If your firm is NOT a primary dealer in U.S. Government securities, please provide certified documentation of your capital adequacy as measured by SEC or Treasury Department, and provide the following information.
 - (a) Has your firm consistently complied with the capital adequacy guidelines?
 - (b) As of today, does your firm comply with the capital adequacy guidelines?
 - (c) Has your firm's capital position ever fallen short of the capital adequacy guidelines?
 - (d) By what factor does your firm presently exceed capital adequacy guidelines?
 - (e) Include certified documentation of your capital adequacy as measured by Federal Reserve standards.
11. What was your firm's total volume last year in:
 - (a) U.S. Government Securities Trading?

Firm-wide: \$ ___ # of Transactions:

Local Office: \$ ___ # of Transactions:
 - (b) Agency Securities Trading?

Firm-wide: \$ ___ # of Transactions:

Local Office: \$ ___ # of Transactions:

12. Which of the following instruments are offered regularly by your local office? Do you have particular specialization in any type of instrument (Please circle/highlight specialties)?

- Treasury Bills BAs (domestic)
- Treasury Notes/Bonds BAs (foreign)
- U.S. Agencies (type) Commercial Paper
- _____ Bank CDs
- _____ S & L CDs
- U. S. Instrumentalities Other (specify)

13. Identify all personnel who will be trading with or quoting securities to the City of Norman.

Name/Title Telephone

Name/Title Telephone

Name/Title Telephone

Attach resumes of all the above personnel, including the following information for each:

--Detailed work history with date of employment for at least the past 10 years.

--Number of clients being served at current position.

14. Indicate which agents of your firm's local offices are currently licensed, certified or registered, and by whom.

Agent Licensed or Registered By

Agent Licensed or Registered By

Agent Licensed or Registered By

15. Please identify up to five comparably sized (population 75,000-150,000), public-sector clients, preferably in our region, with whom you transact business currently (organization, contact person, telephone number, years as client).
- (a)
 - (b)
 - (c)
 - (d)
 - (e)
16. Has your firm ever bid or been a participant in a syndicate of bidders on a competitive bond sale by the City of Norman or its related City trusts? If so, please list examples.

Questions 17 - 20 apply to your firm and any parent or holding companies, if applicable.

17. Have any of your public sector clients claimed in writing or through an attorney that they sustained a loss resulting from misrepresentation of the risk characteristics of a security? ___ If so, explain.
18. Have any public-sector clients ever notified your firm or your officers in writing that they sustained a loss on an individual security exceeding 10 percent of the original purchase price? Explain.
19. Has your firm ever been notified that it has been suspended, revoked, or disbarred by any State or regulatory agency for improper, fraudulent, disreputable or unfair activities related to the sale of any securities or money market instruments? ___ Have any of your employees (past or current) ever been suspended, revoked, or disbarred by any State or regulatory agency? Explain.
20. Has a public-sector client filed a written claim against your firm for investment losses? Explain.

21. Please include samples of research reports (electronic format) that your firm regularly provides to public-sector clients.
22. Please explain your normal security delivery process (all transactions will be delivery versus payment). Who audits this system?
23. Please provide certified financial statements and other indicators regarding your firm's capitalization.
24. Describe the capital line and trading limits that support/limit the office that would conduct business with our government.
25. What training would you provide to our employees and investment officers?
26. Do you participate in the **SIPC** insurance program? __ If not, explain why not.
27. What portfolio information do you require from your clients?
28. What reports, transactions, confirmations and paper trail will we receive?
29. What percentage of your local office's transactions failed in the:
Last month? __ Last year?
30. Provide a detailed organizational chart of the local office that would be conducting transactions with the City of Norman. Be sure to include clerical/support personnel.
31. Provide local firm turnover, including new hires and departures, for the past five years. Provide detail of senior level management and explanations.

**** Local is defined as the main office that would be doing business with the City of Norman.**

Background

The City of Norman, under the authority of the Finance Director's Office, has a total portfolio that will range from \$200-300 million, of which approximately \$100-\$200 million are investible funds under this solicitation (general obligation bond proceeds, short-term investments, and bank deposits are not considered "idle" investible funds for these purposes). The City's Investment Policy calls for City Council approval of all securities dealers that will provide services to the City. It is anticipated that 4-6 securities dealers may be selected as authorized broker/dealers.

A competitive bidding process will be used by the City for placement of security purchases. Up to three quotes will be secured for each bid or offer from the list of approved broker/dealers. The broker/dealers will be rotated for purposes of seeking bids and offers, as directed by the Norman Investment Policy.

Solicitation Evaluation and Selection

The responses to the Solicitation and Questionnaire will be reviewed by the Finance Director in accordance with the City's established procedures.

The responses will be evaluated on the following criteria:

1. Responsiveness and completeness of written responses to the Solicitation and Questionnaire ***(note: all portions of the Solicitation must be completed, including the Certification and Affidavit of Non-Collusion, for the response to be considered).***
2. Experience of firm in providing services to other public sector clients and municipalities.
3. Experience of personnel in local office in providing services to other public-sector clients and municipalities.
4. Ability of firm to provide product diversification within the scope of the City's Investment Policy.
5. References of existing clients being served.

Right to Reject

The City reserves the right to reject any or all responses.

Clarification

The City reserves the right to request clarification of information submitted and to request additional information from any or all respondents.

CERTIFICATION

I hereby certify that I have personally read and understand the investment policies and objectives of the City of Norman and have implemented reasonable procedures and controls designed to prohibit investment transactions inconsistent with your investment policies between our firm and The City of Norman and its Trusts. All sales personnel will be routinely informed of your investment objectives, horizon, outlook, strategies and risk constraints. We will notify you immediately by telephone and in writing within two hours of our being made aware of a material adverse change in our financial condition, or in the personnel conducting business with the City of Norman. We pledge to exercise due diligence in informing you of all foreseeable risks associated with financial transactions conducted with our firm. I attest to the accuracy of our responses as of the date below.

Signed:

Title: _____ Date:

COUNTERSIGNED by company president, local office manager, or person in charge of government securities operations who is responsible for compliance.

ATTEST:

SEAL

AFFIDAVIT OF NON-COLLUSION

STATE OF _____)

COUNTY OF _____)ss

_____, 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 quantity, quality, or price in the prospective contract, or any other terms of prospective contract; or in any discussion between bidders and any city official concerning exchange of money or other thing 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.

Bidder

By: _____

Subscribed and sworn to before me on this _____ day of _____, 20_____

My Commission Expires _____

**INVESTMENT POLICY FOR THE CITY OF NORMAN,
THE NORMAN MUNICIPAL AUTHORITY,
THE NORMAN TAX INCREMENT FINANCE AUTHORITY
AND THE NORMAN UTILITIES AUTHORITY**

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**INVESTMENT POLICY FOR THE CITY OF NORMAN,
THE NORMAN TAX INCREMENT FINANCE AUTHORITY
AND THE NORMAN MUNICIPAL AUTHORITY, AND
THE NORMAN UTILITIES AUTHORITY**

Policy:

It is the policy of the City of Norman to invest all public funds in a manner which will provide the maximum security of principal, while meeting the daily cash flow demands of the City, conforming to all state and local statutes governing the investment of public funds, and providing the highest practical investment return within these guidelines.

Scope:

This investment policy applies to all financial assets of the City of Norman. Any and all references in this document to the "City of Norman", or the "City" shall be understood to include all funds of the City of Norman, Oklahoma as well as all funds of the Norman Municipal, Norman Tax Increment and Norman Utilities Authorities.

These funds are accounted for in the City of Norman's general ledger system and reported in its annual Comprehensive Annual Financial Report. These funds include the following, existing accounting fund types, and will include any new funds created by the Norman City Council in the future:

General Fund	Special Revenue Funds
Capital Project Funds	Enterprise Funds
General Debt Service Funds	Internal Service Funds
Trust and Agency Funds	

Prudence:

Investments shall be made with judgment and care - under circumstances then prevailing - which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by the investing official shall be this "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investing officials acting in accordance with written procedures and this Investment Policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Objectives:

The primary objectives, in priority order, of the City of Norman's investment activities shall be:

1. **Safety** Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required such that any realized losses on individual securities do not exceed income generated from the remainder of the portfolio.
2. **Liquidity** The City of Norman's investment portfolio will remain sufficiently liquid to enable the City to meet all day-to-day cash flow requirements.
3. **Return on investment** The City of Norman's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority:

The City Finance Director has the authority to manage the City of Norman's investments as delineated in the Norman City Charter, Article IV, Section 1, and in the Norman Municipal Code, Section 8-102. The City Finance Director shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to: safekeeping, bid practices and reporting, wire transfer agreements, collateral/depository agreements, and banking service contracts. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the City Finance Director. The City Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Bonding of all City staff and elected officials who have authority to invest City funds, make wire transfers, or who have signatory authority for depository accounts shall be required in accordance with the City Code (Section 8-109).

Ethics and Conflicts of Interest:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officers shall disclose to the City Manager any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial or investment positions that could be related to the performance of the City's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchases and sales.

Authorized Financial Institutions and Dealers:

The City Finance Director will maintain a list of financial institutions and broker/dealers authorized to provide investment services. Before investments of surplus funds are placed, a competitive telephone "bid" process (consisting of quoted yield or interest rates, dollar prices, or discount rates) will be conducted among eligible financial institutions and broker/dealers. Bids will be secured from at least three institutions for all investments. Bidders are required to bid a firm price or yield, which will remain effective for a reasonable period of time (approximately 15 minutes), given market fluctuations, for further bids to be received and tabulated. Typically, awards will be made to the bidder offering the highest effective yield consistent with policy restrictions (for purchases; lowest yield for sales); however, transaction costs, diversification requirements and other factors may be considered when awarding investments. Securities dealers wishing to bid on investments must be approved by the City Council and must meet the following requirements:

1. Either be a primary U.S. Government securities dealer or comply with the New York Federal Reserve Bank's capital adequacy guidelines as evidenced by audited financial statements; AND
2. Completion of a Certification of Compliance with tenets of this Investment Policy; AND
3. Deliver most recently audited financial statements to the City of Norman Finance Department prior to the placement of investments and on an annual basis.

Authorized & Suitable Investments:

The City of Norman is authorized by Oklahoma Statutes Title 62, Section 348.3, to invest in the following types of securities:

1. Obligations of the United States Government, its agencies or instrumentalities; or
2. Collateralized or insured certificates of deposit and other evidences of deposit at banks, savings banks, savings and loan associations and credit unions located in this state, or fully insured

certificates of deposit at banks, savings banks, savings and loan associations and credit unions located out of state; or

3. Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings bank, a savings and loan association or a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit shall not exceed ten percent (10%) of the surplus funds of the city which may be invested. Not more than one-half (1/2) of the 10% limit shall be invested in any one financial institution specified in this paragraph.

4. Prime banker's acceptances (BAs) which are eligible for purchase by the Federal Reserve System and which do not exceed two hundred seventy (270) days' maturity. Purchases of BAs shall not exceed ten percent (10%) of the surplus funds of the City which may be invested. Not more than one-half (1/2) of the 10% limit shall be invested in any one commercial bank specified in this paragraph.

5. Prime commercial paper which shall not have a maturity that exceeds one hundred eighty (180) days nor represent more than ten percent (10%) of the outstanding paper of an issuing corporation. Purchases of prime commercial paper shall not exceed seven and one-half percent (7.5%) of the surplus funds of the City which may be invested pursuant to this Policy.

6. Repurchase agreements that have underlying collateral consisting of those items specified in paragraph 1 of this section.

7. Money market funds regulated by the Securities and Exchange Commission and whose investments consist of those items specified in paragraph 1 above.

Collateralization:

All collateral pledged to secure public deposits shall be valued at no more than their market value. In order to protect against market changes and to provide a greater level of security for all funds, market value of the securities pledged to secure public deposits will equal at least 102% of the value of the funds on deposit. The City of Norman chooses to limit collateral to:

1. U.S. Treasury, Agency and Instrumentality Securities
2. Direct debt obligations of municipalities, counties, and school districts in Oklahoma.

Collateral will be held by the City Finance Director of the City of Norman or by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied in either case.

Substitution of collateral is allowed upon approval of the City Finance Director.

Safekeeping and Custody:

All security transactions entered into by the City of Norman shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by the City Finance Director or by a third party custodian designated by the Finance Director. Evidence of ownership (safekeeping receipt) on behalf of the City of Norman is required in either case.

According to Governmental Accounting Standards Board statement number 3, paragraph 68, the three categories of credit risk for investments, depending on safekeeping arrangements are:

- a. Insured or registered, or securities held by the entity (the City) or its agent in the entity's name;
- b. Uninsured and unregistered, with securities held by the counterparty's (seller's) trust department or agent in the entity's name; and
- c. Uninsured and unregistered, with securities held by the counterparty (seller) or by its trust department or agent, but not in the entity's (City's) name.

Investments will be carried in accordance with category (a) or (b) above, insofar as compatible with applicable law; the Finance Director shall arrange safekeeping procedures so that investments fall into category (a) whenever possible.

Diversification:

The City of Norman will diversify its investments by institution. With the exception of U.S. Treasury and agency securities and authorized pools, no more than 50% of the entity's total investment portfolio will be placed through a single financial institution.

Maximum Maturities:

To the extent possible, the City of Norman will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City of Norman will not directly invest in securities maturing more than ten years from the date of purchase.

Internal Control:

The City Finance Director shall establish an annual process of independent review by an external auditor. The review will provide internal control by assuring compliance with policies and procedures.

Performance Standards:

The investment portfolio will be designed to obtain a market average rate of return during budgetary and economic cycles, taking into account the City of Norman's investment risk constraints and cash flow needs.

Reporting/Oversight:

The City Finance Director shall provide the City Council with a monthly investment activity report within fifteen days of the closing of financial transactions for the month for which the report is made. The report shall include a listing of the investment transactions made and the amounts therefor; interest earned on each investment within the month; current investment and maturity schedules; and overall performance compared to previous years and market benchmarks.

The City Manager shall review each investment transaction. The Finance Director shall provide the City Manager with documentation of each investment transaction as requested, including documentation of the bidding process conducted, within 24 hours of the settlement of the investment transaction.

An Investment Committee, consisting of a Council Member, the Finance Director, City Manager and an independent external financial market expert will conduct a monthly review of the status of the City's portfolio of investments and will meet at least quarterly to discuss U.S. financial markets and the City's strategic investment outlook. The Investment Committee will report on its activities to the City Council Finance Committee.

Investment Policy Adoption/Amendment:

The City of Norman's investment policy shall be adopted by resolution of the City Council of the City of Norman. The policy shall be reviewed on an annual basis by the City Council and any modifications made thereto must be approved by the City Council.

This Investment Policy was adopted by Resolution # _____ dated this ___ day of _____, 2008.

Mayor/Chair

City Clerk/Secretary

File Attachments for Item:

14. CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING CLOSURE OF THE RIGHT-OF-WAY LOCATED EAST OF TOLLIE DRIVE BETWEEN LOT 4, BLOCK 7 AND LOT 1, BLOCK 8, HANLY ADDITION.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: Ken Danner, Subdivision Development Manager

PRESENTER: Shawn O’Leary, Director of Public Works

TITLE: CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING CLOSURE OF THE RIGHT-OF-WAY LOCATED EAST OF TOLLIE DRIVE BETWEEN LOT 4, BLOCK 7 AND LOT 1, BLOCK 8, HANLY ADDITION.

THE APPLICANT HAS WITHDRAWN THE CLOSURE APPLICATION

BACKGROUND:

This is a request for closing a certain platted right-of-way (typically used for street and utility purposes). The property is generally located south of Alameda Street and west of 12th Avenue S.E.

DISCUSSION:

The applicant’s representatives have made a request to close a certain right-of-way (platted for street purposes known as Creston Way) located east of Tollie Drive between Lot 4, Block 7 and Lot 1, Block 8, Hanly Addition. The final plat Hanly Addition, Block’s 5-6-7 & 8 was filed of record with the Cleveland County Clerk on February 25, 1953. The right-of-way (Creston Way) is specifically located east of Tollie Drive. There are existing utilities running north and south within the eastern portion of the right-of-way and a reserved utility easement was requested by some of the Utility Companies.

Planning Commission, at its meeting of September 11, 2022, recommended rejection by a vote of 7-0. There was a protest from an adjacent property owner to the east regarding her need to be able to utilize the right-of-way at any time including in the future.

If approved, the closed public right-of-way will revert to private ownership. The existing parcels on each side of the existing right-of-way, Lot, 4, Block 7 and Lot 1, Block 8 of the Hanly Addition will each receive half of the right-of-way or a parcel that is 25’ X 120’ or 3,000 square feet.

RECOMMENDATION:

Based on the fact a public street has never been constructed within this right-of-way, staff has supported the closure as described in the applicant's request.

Jane Hudson

From: Gunner Joyce <gjoyce@riegerlawgroup.com>
Sent: Friday, October 28, 2022 10:09 AM
To: Jane Hudson; Lora Hoggatt; Ken Danner; Colton Wayman; Brenda Hall; Ellen Usry
Subject: EXTERNAL EMAIL : Request to Vacate Tollie Drive - Withdrawal

Good morning all,

The applicant for the request to vacate a portion of Tollie Drive desires to formally withdraw the application. Please me know if you need anything else from me.

Thanks!

Gunner



Gunner Joyce
Attorney | Rieger Law Group
A: 136 Thompson Dr., Norman, OK 73069
P: 405.310.5274 E: gjoyce@riegerlawgroup.com
W: www.RiegerLawGroup.com



RIEGER
LAW GROUP
PLLC

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O-2223-10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PORTION OF CRESTON WAY LOCATED BETWEEN LOT FOUR (4), BLOCK SEVEN (7) AND LOT ONE (1), BLOCK EIGHT (8) OF THE HANLY ADDITION BLOCKS 5, 6, 7 & 8 TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That, pursuant to Resolution Number R-8182-66, Ronald K. Dodgion, the owner of the subject property, has petitioned the City to have that portion of Creston Way located between Lot Four (4), Block Seven (7) and Lot One (1), Block Eight (8) of HANLY ADDITION BLOCKS 5, 6, 7 & 8 closed; and,

§ 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and

§ 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and

§ 4. That, the portion of the public rights-of-way described as follows are hereby closed:

That portion of Creston Way located between Lot Four (4), Block Seven (7) and Lot One (1), Block Eight (8) of the HANLY ADDITION BLOCKS 5, 6, 7 & 8, Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day of _____, 2022.

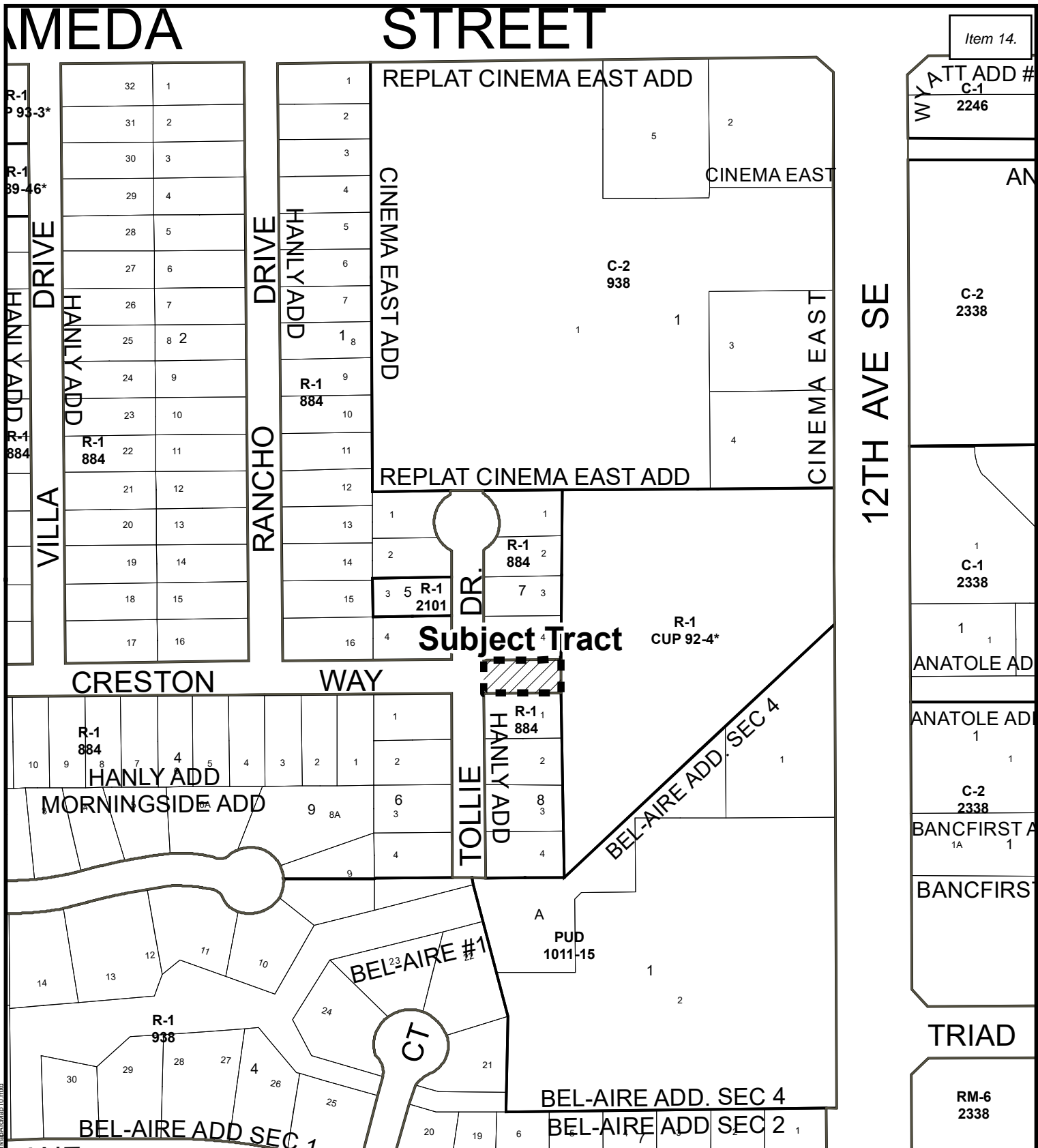
NOT ADOPTED this _____ day of _____, 2022.

(Mayor)

(Mayor)

ATTEST:

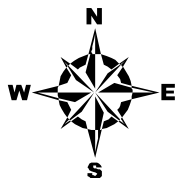
(City Clerk)



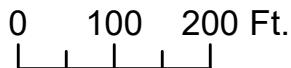
Location Map





Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



August 9, 2022



-  Subject Tract
-  Zoning

\\norman-city-gis\parsons\GIS\AcGIS\10 Map Templates\Bk11_LocationMap\Map10.mxd



DATE: August 1, 2022

TO: Kathryn Walker, City Attorney
Chris Mattingly, Director of Utilities
Ken Danner, Subdivision Manager
Rone Tromble, Administrative Technician IV
Jane Hudson, Director of Planning and Community Development

FROM: Brenda Hall, City Clerk

SUBJECT: Request to Vacate/Close Public Easement

I am in receipt of a request to vacate and close an easement for property located between Lot 4, Block 7, and Lot 1, Block 8, Hanly Addition.

In accordance with Resolution No. R-8182-66, I am forwarding the request, legal description, and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

office memorandum



August 1, 2022

Ms. Brenda Hall
 City Clerk
 City of Norman
 201 West Gray
 Norman, OK 73069

RE: Vacation & Closure of a Portion of Creston Way

Dear Ms. Hall,

We submit this request to vacate and close the public interest in a certain portion of Creston Way, as more particularly described in the attached application. Pursuant to 11 O.S. § 42-101 et seq., we submit this application on behalf of Ronald K. Dodgion, the owner of the property located at 701 Tollie Dr., which directly abuts the portion of Creston Way sought to be vacated herein. The legal description of the portion of Creston Way sought to be vacated is attached. The applicant believes there may be one or more utilities located within this area and the applicant agrees to grant new easements or allow reservations of rights as may be necessary to ensure continued access and rights to existing utilities. This area has never been utilized as an extension of Creston Way and the applicant does not believe that the City has any plans to improve this area as a public street.

In addition to this request, we hereby submit the filing fee and a certified ownership list reflecting the property owners within 300 feet of the area sought to be vacated. Please let us know if you need any additional information from us in order to place this item on the agenda for Planning Commission and City Council consideration. Thank you very much for your assistance and cooperation.

Respectfully Submitted,
RIEGER LAW GROUP PLLC

A handwritten signature in blue ink, appearing to read 'G. Joyce', is written over a faint, larger version of the signature.

GUNNER B. JOYCE
Attorney at Law

Sean Paul Rieger
Attorney • Architect • Broker

Daniel L. Sadler
Attorney at Law

Gunner B. Joyce
Attorney at Law

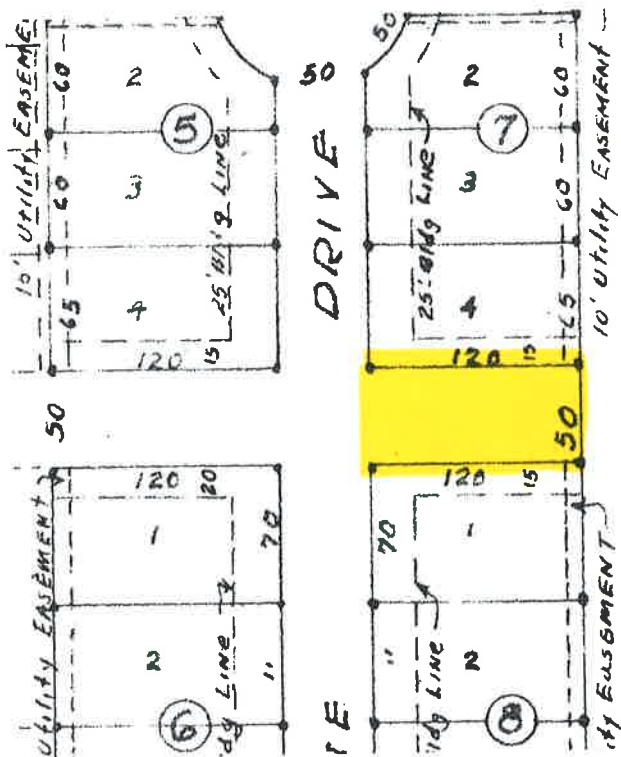
Keith A. Barrett
Attorney at Law

Kendra D. Streeter
Attorney at Law

PORTION OF CRESTON WAY TO BE VACATED

LEGAL DESCRIPTION

That portion of Creston Way located between Lot Four (4), Block Seven (7) and Lot One (1), Block Eight (8) of the Hanly Addition, Norman, Cleveland County, Oklahoma, according to the record plat thereof.

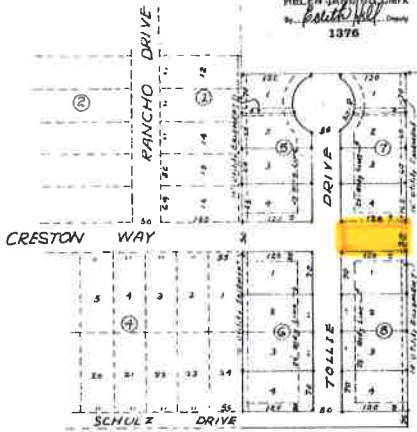


HANLY
BLOCK

NORMAN

Block: Pt. 2 Page:46

STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
DEC 15 1952
HELEN JAY HIND, Clerk
1376



**HANLY ADDITION
BLOCKS 5-6-7-8
TO
NORMAN, OKLA**

LEGEND
* INDICATES IRON PINS
--- THIS ADDITION
--- EXISTING ADDITIONS.
SCALE : 1" = 100'

OWNER CERTIFICATE & DEDICATION:

We, Tol Dickenson and Hazel Dickenson (husband and wife), owners of that part of the SW 1/4 of Section 25, T20N-R20W of the Indian Meridian (hereinafter as follows): Beginning at a point 470 feet east and 710 feet South of North East Corner of said SW 1/4; thence West 150 feet; thence South 610 feet; thence East 230 feet; thence North 610 feet to the point of beginning; do hereby certify that we are the owners of and the only persons who have any claim, title or interest in the land hereinafter above and as shown on the enclosed map; that said map is a correct survey of the said property made with our consent; that we do hereby dedicate to the public, use of all streets and alleys as shown on the enclosed map; that we hereby guarantee a clear title to the land as indicated from ourselves, our heirs, or assigns forever.

Tol Dickenson
Hazel Dickenson

**STATE OF OKLAHOMA
COUNTY OF CLEVELAND**

BEFORE ME, **CLAUDE EUSTON**, the undersigned, a notary public in and for said County and State, on this 24th day of December, 1952, personally appeared Tol Dickenson and Hazel Dickenson, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Claude Euston
Notary Public

SURVEYORS CERTIFICATE:

I, E. H. DUCKER, the undersigned, do hereby certify that I am by profession a surveyor, in: that the annexed map of Blocks 5, 6, 7, and 8 of the HANLY ADDITION correctly represents a survey made under my supervision on the 24th day of November, 1952, and that all of the monuments shown thereon actually exist and their positions are correctly shown.

E. H. Ducker
E. H. Ducker, Surveyor

Subscribed and sworn to before me this 24th day of December, 1952.

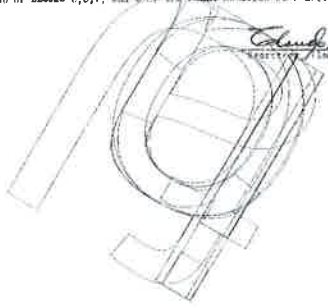
Claude Euston
Notary Public

My commission expires 6-15-56.

CITY PLANNING COMMISSION CERTIFICATE:

I, Claude Euston, Secretary of the City Planning Commission of the City of Norman, Oklahoma, do hereby certify that the said Planning Commission approved the annexed map of BLOCKS 5, 6, 7, and 8 of the HANLY ADDITION at a meeting held on the 2nd day of December, 1952.

Claude Euston
Secretary, City Planning Commission



Doc Number: P 1952 1376

Filed: 02-25-1953 11:45:00 AM

AERIAL IMAGE OF AREA
SOUGHT TO BE VACATED & CLOSED



ORDINANCE NO.
O-2223-10

ITEM NO. 7

STAFF REPORT

GENERAL INFORMATION:

APPLICANT: Ronald K. Dodgion
Attorney: Sean Rieger/Gunner Joyce

REQUESTED ACTION: Closure of Certain Right-of-Way (Creston Way) between Lot 4, Block 7 and Lot 1, Block 8, Hanly Addition,

BACKGROUND: This is a request for closing certain right-of-way (platted as use for street purposes known as Creston Way) located east of Tollie Drive between Lot 4, Block 7 and Lot 1, Block 8. The property is generally located south of Alameda Street and west of 12th Avenue S.E. The final plat Hanly Addition, Block’s 5-6-7 & 8 was filed of record with the Cleveland County Clerk on February 25, 1953.

DISCUSSION: The attorney for the applicant has submitted a request to close and vacate the right-of -way so that the properties can be contiguous. This portion of street right-of-way has never been paved as a public street. There are existing utilities running north and south within the eastern portion of the right-of-way and City staff is recommending that a utility easement be provided at the time of vacation in District Court. In addition, a reserved utility easement was requested by some of the Utility Companies.

RECOMMENDATION: With the above concurrence, staff can support this request.

ACTION NEEDED: Recommend approval or disapproval to City Council of the request to close certain public right-of-way (Creston Way) located east of Tollie Drive between Lot 4, Block 7 and Lot 1, Block 8, of Hanly Addition.

ACTION TAKEN: _____

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 8, 2022

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of September, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> 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

- Cameron Brewer
- Kevan Parker
- Liz McKown
- Steven McDaniel
- Erica Bird
- Jim Griffith
- Michael Jablonski

MEMBERS ABSENT

- Doug McClure
- Shaun Axton

A quorum was present.

STAFF MEMBERS PRESENT

- Jane Hudson, Director, Planning & Community Development
- Roné Tromble, Recording Secretary
- Lora Hoggatt, Planning Services Manager
- Colton Wayman, Planner I
- Logan Hubble, Planner I
- Ken Danner, Subdivision Development Manager
- Jami Short, Traffic Engineer
- Beth Muckala, Asst. City Attorney
- Todd McLellan, Development Engineer
- Bryce Holland, Multimedia Specialist

* * *

Item No. 7, being:

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE NO. O-2223-10: RONALD K. DODGION REQUESTS CLOSURE AND VACATION OF A PORTION OF CRESTON WAY, LOCATED BETWEEN LOT 4, BLOCK 7 AND LOT 1, BLOCK 8 OF HANLY ADDITION.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Request to Vacate/Close Public Easement with Attachments

PRESENTATION BY STAFF:

1. Ken Danner reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. Jablonski asked who will own the property if the right-of-way is given up. Mr. Danner responded. Ms. Bird provided further clarification.

APPLICANT PRESENTATION:

1. Sean Rieger, 136 Thompson Drive, representing the applicant, presented the request. He noted the applicant is open to maintaining a pedestrian or bicycle easement through the property.
2. Mr. Parker asked if the applicant owns one of the adjacent properties. Mr. Rieger responded.
3. Ms. Bird asked the intent. Mr. Rieger responded the applicant's concern is that the property to the east not connect to the neighborhood.
4. Mr. Parker asked where the easements are. Mr. Rieger responded they are happy to retain easements for utilities. Mr. Danner noted the City has nothing in the subject area; utility easements run north-south on the east.
5. Mr. Jablonski asked about adding a pedestrian/bike easement. Ms. Bird responded it could be included with the motion.

AUDIENCE PARTICIPATION:

1. Karen Diers, 200 12th Avenue S.E., spoke in opposition.
2. Skye Diers, 3605 Sun Valley Drive, spoke in opposition.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Jablonski spoke in opposition to future commercial traffic through this right-of-way, but supported the family to the east using it for access, and a possible future residential neighborhood to the east could use that access.
2. Ms. Bird noted the protest from the property to the east which was 36.9%. This is an asset of that property.
3. Mr. Brewer supports a pedestrian/bicycle easement and believes that connectivity is essential.
4. Mr. Parker commented that closing this right-of-way limits future development of the property to the east. If it is left open, there is potential for a residential development on the west part of that property.
5. Ms. Bird spoke in support of a motion which included a pedestrian/bicycle easement and right of access.

Michael Jablonski moved to recommend rejection of Ordinance No. O-2223-10 to City Council. Jim Griffith seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

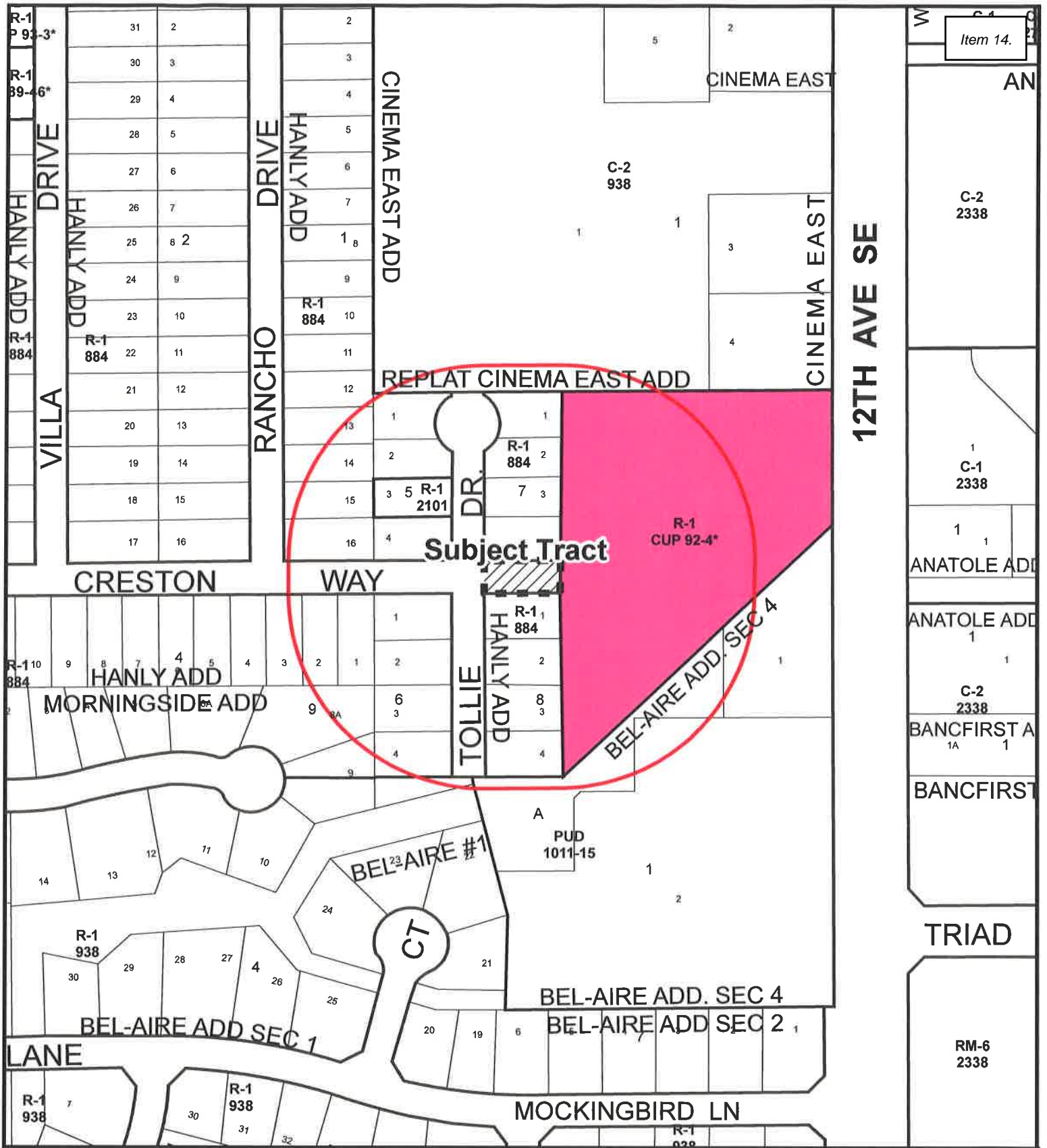
YEAS	Kevan Parker, Liz McKown, Jim Griffith, Michael Jablonski
NAYES	Cameron Brewer, Steven McDaniel, Erica Bird,
ABSENT:	Doug McClure, Shaun Axton

Ms. Tromble announced that the motion, to recommend rejection of Ordinance No. O-2223-10 to City Council, passed by a vote of 4-3.

* * *

CRESTON WAY CLOSURE
O-2223-10

PROTESTS AS OF 9/2/2022



Protest Map

36.9% Protest Within Notification Area



Map Produced by the City of Norman Geographic Information System. The City of Norman assumes no responsibility for errors or omissions in the information presented.



0 100 200 Feet

-  Subject Tract
-  Notification Area
-  Protest

September 6, 2022

August 25, 2022

Sirs,

I'm writing to protest the closure of the Creston Way right-of-way. My four acre property is east of this opening and I have used this for a variety of reasons. The Utility company comes in thru this easement to maintain the power lines. When 12th Ave was being widened I was able to leave my home by this exit. During the construction my mail was delivered to the gate to my property. All six classes of my daughters pre-school regularly come through the opening for nature walks and other events.

I just recently celebrated my 90th birthday. My health is reasonable good but I won't last forever. At my death I have asked my children to give up the family home and sell the 4 acres. The new owner could make the decision of whether or not this access would be an asset.

I feel a few years delay is not an unreasonable request. Thank you for your consideration.

Sincerely,

Harold J. Piers
200 12th Ave S.E.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8-30-22

File Attachments for Item:

15. CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 10-502 OF ARTICLE V, CHAPTER 10 OF THE CODE OF CITY OF NORMAN AMENDING THE DEFINITION OF PUBLIC PARK AND ADDING DEFINITIONS FOR VAPING AND VAPOR PRODUCT; AMENDING SECTION 10-503 TO PROHIBIT SMOKING OR VAPING ON ANY MUNICIPAL PROPERTY; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 10/25/2022

REQUESTER: Jason Olsen, Director of Parks and Recreation

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF INDEFINITE POSTPONEMENT OF ORDINANCE O-2223-18: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 10-502 OF ARTICLE V, CHAPTER 10 OF THE CODE OF CITY OF NORMAN AMENDING THE DEFINITION OF PUBLIC PARK AND ADDING DEFINITIONS FOR VAPING AND VAPOR PRODUCT; AMENDING SECTION 10-503 TO PROHIBIT SMOKING OR VAPING ON ANY MUNICIPAL PROPERTY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

In 1996, the Oklahoma Attorney General filed a lawsuit against “Big Tobacco” for predatory marketing and egregious efforts to normalize smoking. By 1998, 45 other states had filed similar lawsuits and four of the largest tobacco companies agreed to negotiate a master settlement. As part of the settlement, the tobacco companies agreement to cease efforts to promote its products to youth. The settlement also banned branded merchandise, free product samples in facilities open to minors, and most sponsorships by tobacco companies. Each state receives an annual payment as long as cigarettes are sold nationally.

After bipartisan support for legislation creating a state question to amend the Oklahoma Constitution, voters approved the creation of the Tobacco Settlement Endowment Trust (TSET) in 2000, making Oklahoma the first to protect its settlement payments in a constitutional trust. Seventy-five percent (75%) of each annual payment is deposited in the trust and only the interest earnings are used to provide grants and programs aimed at reducing Oklahoma’s leading causes of death – cancer, heart disease and stroke – by focusing on programs that reduce tobacco use and obesity, the greatest contributing factors to cancer and cardiovascular disease.

Locally, the Cleveland County Turning Point Coalition/Tobacco Free Cleveland County was formed in 2004 as a result of a TSET Grant that supported the Communities of Excellence Tobacco Prevention Program in Cleveland County, to combat tobacco use and secondhand smoke in our community. Cleveland County Turning Point Coalition/Tobacco Free Cleveland County was made up of representatives from various agencies and municipalities, including the

Cleveland County Health Department, Norman Regional Health Systems, the Cities of Moore, Norman, and Noble and their respective school districts, and others. As a result of this effort, the City adopted Ordinance O-0607-45 in 2007 to prohibit the sale of tobacco products to a minor and regulate where tobacco products were placed with regard to youth access to such products, as well as to bring the Code into alignment with new (at the time) state laws related to youth access to tobacco products and smoking in public places.

In 2009, Council adopted Ordinance O-0809-39 expanding the prohibition of smoking in all City-owned public parks, but excluded parking lots of any public park or playground and the Westwood Golf Course. In 2020, Council adopted Ordinance O-1920-65 changing the minimum age to purchase tobacco or vapor products from 18 to 21 consistent with a state law signed by Governor Stitt in May 2020. In 2021, Council adopted O-2021-41 expanding the definition of “public place” and prohibiting the smoking of marijuana or vape marijuana in addition to tobacco, in public places, indoor workplaces, vehicles providing public transportation, or at a meeting of a public body, consistent with State law. This prohibition applies to all City-owned public parks, excluding the parking lots of any public park or playground and the Westwood Golf Course.

TSET continues to fund a program in Cleveland County, now called the Healthy Living Program, which is a partnership with the Norman Regional Health System. TSET offers Healthy Incentive Grants for Communities each year to help municipalities adopt and implement best and promising practices for tobacco-free environments, access to healthy foods and physical activity opportunities in an effort to improve the health and quality of life for residents. Healthy Living Program staff began working with the City of Norman to expand its tobacco and smoking ordinance in 2015 to broaden existing smoking bans to include parking lots of public parks or playgrounds and the Westwood Golf Course. Healthy Incentive Grants from TSET are available at different funding levels to communities who meet grant criteria. Norman previously received awards in 2012 and 2013 totaling \$50,000. In 2012, grant funding was used to purchase playground equipment and a water fountain for Eastridge Park. In 2013, grant funding was used to install a fitness walking trail at Saxon Park. For FYE2023, Healthy Incentive Grants are open for application during November 2022 and March 2023,

On June 9, 2022, the Cleveland County Program Coordinator of the Healthy Living Program gave a presentation to the Council Oversight Committee regarding the revised TSET Healthy Incentive Grant Program. Committee members were advised that the grant program criteria had been updated, and maximum funding had been increased to \$150,000. Under the new criteria, Norman was advised it may be eligible for a \$100,000 grant if the ordinance is expanded to prohibit tobacco use on the Westwood Golf Course and in park parking lots and playgrounds. Council committee members asked the Healthy Living Program staff to gather additional survey data related to the use of tobacco products at Westwood Golf Course.

On September 1, 2022 TSET gave a presentation to the Parks Board, which included data from the additional survey efforts at Westwood Golf Course, and was supportive of the request to modify the City’s Ordinance. Another presentation was provided to the Council Oversight Committee on October 13, 2022 by TSET which included survey data and proposed ordinance changes. Proposed ordinance changes include prohibiting the use of tobacco and vapor products in all indoor and outdoor City-owned and operated properties. State law prohibits the City from enacting provisions related to smoking in public places that are more restrictive than state law, unless such restrictions are limited to our own property. After the September Council

Oversight Committee presentation, requests from more than three Councilmembers were received by the City Clerk to place this item on Council's next agenda for action. The City Manager has also scheduled a discussion of this proposed ordinance at Council's Conference scheduled for October 25, 2022 to allow the opportunity for full Council input. Any changes Council desires will be prepared for amendment during Second and Final Reading on November 8, 2022.

It should be noted that adoption of the proposed ordinance changes is one of a number of criteria that must be met to be eligible for TSET grant funding. The Healthy Incentive Grant for Communities Criteria & Resources for Fiscal Year 2023 is attached for Council's information. Additional work will be necessary to ensure other criteria are met. It is unlikely all of the items required to meet the criteria could be accomplished in time for the November 2022 application period.

DISCUSSION:

Ordinance O-2223-18, if adopted, would expand the City's existing prohibition of smoking tobacco or marijuana, or vaping marijuana to all parking lots located on the same property as a public park or playground and the Westwood Golf Course. It also adds a definition for "vaping" and "vapor product" and adds a prohibition against vaping of tobacco on City property, including within 25 feet of the entrance of municipal buildings and public parks.

It should be noted that adoption of the proposed ordinance changes is one of a number of criteria that must be met to be eligible for TSET grant funding. The Healthy Incentive Grant for Communities Criteria & Resources for Fiscal Year 2023 is attached for Council's information. Additional work will be necessary to ensure other criteria are met. It is unlikely all of the items required to meet the criteria could be accomplished in time for the November 2022 application period.

Local entities who have passed ordinances banning smoking and vapor products, as well as smokeless tobacco on public property include Cleveland County (January 1, 2016); Edmond (October 18, 2021); and Moore Norman Technology Center (July 1, 2013). Other entities who have banned smoking and vapor products, but not smokeless tobacco, include Oklahoma City (February 18, 2020); and Moore (May 21, 2019).

RECOMMENDATION:

Staff forwards Ordinance O-2223-18 to Council for its consideration.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 10-502 OF ARTICLE V, CHAPTER 10 OF THE CODE OF CITY OF NORMAN AMENDING THE DEFINITION OF PUBLIC PARK AND ADDING DEFINITIONS FOR VAPING AND VAPOR PRODUCT; AMENDING SECTION 10-503 TO PROHIBIT SMOKING OR VAPING ON ANY MUNICIPAL PROPERTY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. THAT Section 10-502 of Chapter 10 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

* * *

Public park: All areas of a park or playground that is owned and operated by the City of Norman to which members of the general public have been granted a right to access.

* * *

Vaping: The using of a vapor product.

Vapor product: Any noncombustible product that may or may not contain nicotine, THC or marijuana, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor product shall include any vapor cartridge or other container with or without nicotine, THC or marijuana or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device any vapor cartridge or other container of a solution, that may nor may not contain nicotine, marijuana or THC, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic device.

§ 2. THAT Section 10-503 of Chapter 10 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

Sec. 10-503. – Smoking and vaping in certain public places prohibited.

- (1) Except where specifically allowed by law, no person shall smoke tobacco or marijuana or vape marijuana in a public place, in an indoor workplace, in any vehicle providing public transportation, or at a meeting of a public body.
- (2) All buildings, or portions thereof owned or operated by this municipality shall be designated as non-smoking and non-vaping.
- (3) No smoking or vaping of tobacco or marijuana shall be allowed within twenty-five (25) feet of the entrance or exit of any building specified in subsection (2) of this section.

(4) No smoking or vaping of tobacco or marijuana shall be allowed on the grounds of any City-owned public parks.

* * *

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2022.

NOT ADOPTED this _____ day
of _____, 2022.

Larry Heikkila, Mayor

Larry Heikkila, Mayor

ATTEST:

Brenda Hall, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 10-502 OF ARTICLE V, CHAPTER 10 OF THE CODE OF CITY OF NORMAN AMENDING THE DEFINITION OF PUBLIC PARK AND ADDING DEFINITIONS FOR VAPING AND VAPOR PRODUCT; AMENDING SECTION 10-503 TO PROHIBIT SMOKING OR VAPING ON ANY MUNICIPAL PROPERTY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. THAT Section 10-502 of Chapter 10 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

* * *

Public park: All ~~unenclosed~~ areas of a park or playground that is owned and operated by the City of Norman to which members of the general public have been granted a right to access. ~~"Public park" shall exclude parking lots located on the same property as a park or playground, and the Westwood Golf Course.~~

* * *

Vaping: The using of a vapor product.

Vapor product: Any noncombustible product that may or may not contain nicotine, THC or marijuana, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor product shall include any vapor cartridge or other container with or without nicotine, THC or marijuana or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device any vapor cartridge or other container of a solution, that may nor may not contain nicotine, marijuana or THC, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic device.

§ 2. THAT Section 10-503 of Chapter 10 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

Sec. 10-503. – Smoking and vaping in certain public places prohibited.

- (1) Except where specifically allowed by law, no person shall smoke tobacco or marijuana or vape marijuana in a public place, in an indoor workplace, in any vehicle providing public transportation, or at a meeting of a public body.
- (2) All buildings, or portions thereof owned or operated by this municipality shall be designated as non-smoking and non-vaping.

- (3) No smoking or vaping of tobacco or marijuana ~~or vaping marijuana~~ shall be allowed within twenty-five (25) feet of the entrance or exit of any building specified in subsection (2) of this section.
- (4) No smoking or vaping of tobacco or marijuana ~~or vaping marijuana~~ shall be allowed on the grounds of any City-owned public parks ~~excluding the parking lots of any public park or playground and the Westwood Golf Course.~~

* * *

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2022.

NOT ADOPTED this _____ day
of _____, 2022.

Larry Heikkila, Mayor

Larry Heikkila, Mayor

ATTEST:

Brenda Hall, City Clerk

Healthy Incentive Grant for Communities Criteria & Resources

Fiscal Year 2023 (7/1/2022 – 6/30/2023)

ALL Classification Levels Criteria	Documentation Required to Fulfill Criteria	Resources Related to Criteria Requirements
Signed and Dated Non-Acceptance of Tobacco Funds Certification Form from TSET	Provide a copy of the signed and dated Non-Acceptance of Tobacco Funds Certificate form from TSET.	Attachment A: Non-Acceptance of Tobacco Funds Certification Form
Comprehensive Tobacco-free City-owned Property Ordinance	Provide a copy of the ordinance.	<p>Ordinance must meet the elements outlined in the sample ordinance, which includes restricting tobacco use, smoking and vaping indoors and outdoors on city-owned and operated property.</p> <p>To indicate that the ordinance has been passed by proper authorities, include proof of passage (e.g., council meeting minutes, presences on city website, or signature of authorized official and date ordinance was passed).</p>
Promote the Oklahoma Tobacco Helpline within the Community	Provide documentation of how you promote the Oklahoma Tobacco Helpline.	<p>To indicate how the Oklahoma Tobacco Helpline is being promoted, include proof of promotion (e.g., links to city/chamber/local businesses’ website, copies of flyers, photos of posted flyers & location, cities social media accounts, etc.)</p> <p>Order Free Resources to promote the Oklahoma Tobacco Helpline.</p>
Promote the Shape Your Future website throughout the Community	Provide documentation of how you promote the Shape Your Future website.	<p>To indicate how the Shape Your Future website is being promoted, include proof of promotion (e.g., links to city/chamber/local business’ website, copies of flyers, photos of posted flyers & location, cities social media accounts, etc.)</p> <p>Order Free Resources to promote the Shape Your Future website.</p>

Criteria	Documentation Required to Fulfill Criteria	Resources Related to Criteria Requirements
<p>City has Workplace Wellness Champion, Team, or Committee</p>	<p>Provide documentation of City’s Workplace Wellness Champion, Team, or Committee.</p>	<p>If the city has <u>less than 10 full time paid employees</u>, provide name and title of identified wellness champion, team, or committee.</p> <p>If the city has <u>more than 10 full time paid employees</u>, provide names and titles of wellness team or committee members.</p>
<p>City Supports the Tobacco Ordinance and Assesses Employee Health Promoting Policies, Programs, and Activities</p>	<p>Provide a detailed summary of information gathered as it pertains to current and future wellness policy, programs, and activities.</p> <p>Include a copy of your current worksite wellness policy, if applicable. *</p>	<p><u>Regarding tobacco</u>- Provide statement of city’s commitment to ensuring that your workplace is a tobacco-, smoke-, and vape-free environment, at all times.</p> <p><u>Regarding nutrition and physical activity</u>- Gather employee input on current and potential wellness policies, programs, & activities (e.g., surveys, focused discussion groups, etc.).</p> <p>Sample Workplace Wellness Policy Resolution for Local Governments</p> <p>*To indicate that the policy has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date policy was passed).</p>
<p>City has a Youth Access to Tobacco Ordinance</p>	<p>Provide a copy of the city’s ordinance that prohibits the sale, gifting or furnishing in any manner any tobacco product or vapor product to another person who is under 21 years of age.</p>	<p>Sample Youth Access to Tobacco Ordinance</p> <p>Contact Oklahoma ABLE Commission in order to report your community’s enacted enabling ordinance. Captain Erik Smoot, Erik.Smoot@able.ok.gov (405) 522-3117 (office) (405) 837-9740 (mobile)</p> <p>To indicate that the ordinance has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date ordinance was passed, webpage link to publicly available ordinances, etc.).</p>

<p>City has Completed a Community Assessment of the Food Retail Environment</p>	<p>Provide a detailed description of the food retail environment in your community. Include information on the availability of healthy food from community farmers' markets, corner stores and/or grocery stores.</p> <p>Provide a list of stores and markets that accept WIC, SNAP, and Senior Nutrition Vouchers within or nearby your community.</p>	<p>SNAP Retailer Locator (arcgis.com)</p> <p>Oklahoma WIC Approved Grocers and Pharmacies</p> <p>Healthy Food Access Example Videos</p> <p>Consider utilizing the Find, Afford, Choose, Use Framework on page 10 of the Partnering with Local Governments to Create Healthy Food Retail Policy Guidebook to begin conversation within your community.</p>
<p>City has Assessed the Community Landscape as it Relates to Active Living</p>	<p>Provide a detailed description of the community landscape as it relates to active living (i.e., etc.). Include information that you have collected and analyzed that depict your community.</p> <p><u>Examples of active living landscapes:</u> Park and open spaces, community based social support programs, active transportation infrastructure, etc.</p> <p><u>Examples of data collection for active living:</u> Walkability/bikeability audits, photovoice projects, community park audits, etc.</p>	<p>Sample Walkability Checklist</p> <p>Sample Bikeability Checklist</p> <p>Active Living and Transportation Toolbox</p> <p>Consider utilizing the Active Living and Transportation Playbook as a guide to help communities partner with local governments to create healthy, active streets and encourage active transportation. Also, utilizing the Planning, Building, & Implementing Active Transportation Infrastructure Fact Sheet as a tool for guidance through active transportation projects.</p> <p>The Community Park Audit Tool (CPAT) Guidebook and Community Park Audit Tool (CPAT) could be helpful tools as well.</p>

Silver Classification Level (must meet all Bronze level criteria +)

Criteria	Documentation Required to Fulfill Criteria	Resources Related to Criteria Requirements
<p>City has Workplace Wellness Goals</p>	<p>Provide a copy of your documented worksite wellness goals.</p>	<p>If the city has <u>less than 10 full time paid employees</u>, provide documented wellness goals for your city as identified by your wellness champion, team, or committee.</p> <p>If the city has <u>more than 10 full time paid employees</u>, provide documented wellness goals for your city as identified by your wellness team or committee and a copy of the team or committee minutes from the most recent meeting.</p>
<p>City has a Worksite Wellness Policy and Provides Health Promotion Programs and Activities to Employees</p>	<p>Provide a copy of your current worksite wellness policy and description of health promotion programs and activities offered to employees.</p>	<p><u>Regarding tobacco-</u> Provide statement of city's commitment to ensuring that your workplace is a tobacco-, smoke-, and vape-free environment, at all times. This must include policy language that supports the tobacco ordinance, provides cessation support, and outlines implementation and enforcement.</p> <p><u>Regarding nutrition and physical activity-</u> The Worksite Wellness Policy must include elements within each section (Worksite Wellness Checklist) to meet the minimum requirement listed below:</p> <p>If the city has <u>less than 10 full time paid employees-</u> <i>Wellness Program Support: 2 elements</i> <i>Nutrition: 8 elements</i> <i>PA: 4 elements</i></p> <p>If the city has <u>more than 10 full time paid employees-</u> <i>Wellness Program Support: 4 elements</i> <i>Nutrition: 12 elements</i> <i>PA: 7 elements</i></p> <p>To indicate that the policy has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date policy was passed).</p> <p>Sample Workplace Wellness Policy Resolution for Local Governments</p>

<p>City has a Tobacco Zoning Ordinance</p>	<p>Provide a copy of your zoning ordinance that prohibits the location of a tobacco/e-cigarette store within 300 feet of any playground, school or other facility being used primarily by persons under 21 years of age.</p>	<p>Sample Tobacco Zoning Ordinance</p> <p>To indicate that the ordinance has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date ordinance was passed, webpage link to publicly available ordinances, etc.).</p>
<p>City has Policies, Ordinances, Resolutions, and/or Legal Codes that Establish Support and Promote Farmers’ Markets, Community Gardens, and/or Healthy Food and Beverage Options</p>	<p>Provide a copy of your policies, ordinances, resolutions and/or legal codes, that have been adopted and implemented, to establish, support, and promote farmers’ markets, community gardens, and/or healthy food and beverage options.</p>	<p><u>Example policies, ordinances, resolutions and/or legal codes:</u></p> <ul style="list-style-type: none"> • Healthy Food Systems Resolutions • Farmer’s Markets-Land Use for Healthy Food Access • Farmer’s Markets-Expansion, Development and Formalization <p>To indicate that the policy, ordinance, or legal code has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date passed, webpage link to publicly information, etc.).</p>
<p>City has Policies, Ordinances, Resolutions, and/or Legal Codes that Establish, Support, and Promote Active Living</p>	<p>Provide a copy of your policies, ordinances, resolutions and/or legal codes, that have been adopted and implemented, to establish, support, and promote active living.</p>	<p><u>Example policies, ordinances, resolution and/or legal codes:</u></p> <ul style="list-style-type: none"> • Comprehensive Plans • Complete Streets Resolution • Safe Routes to School Policy • Shared Use Policy <p>Consider utilizing the Planning, Building, & Implementing Active Transportation Infrastructure Fact Sheet as a tool for active transportation projects.</p> <p>To indicate that the policy, ordinance, or legal code has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date passed, webpage link to publicly information, etc.).</p>

Gold Classification Level (must meet Bronze and Silver level criteria +)

Item 15.

Criteria	Documentation Required to Fulfill Criteria	Resources Related to Criteria Requirements
<p>City has Leadership Support for Workplace Wellness</p>	<p>Provide documentation of leadership support for your workplace wellness policy, goals, and initiatives.</p>	<p>Provide documentation of leadership support of the wellness goals and initiatives for your city, as identified by the wellness champion, team, or committee (e.g., letter of support from the city manager, mayor, city councilperson, etc.).</p>
<p>City has a Worksite Wellness Policy and Provides Health Promotion Programs and Activities to Employees</p>	<p>Provide a copy of your current worksite wellness policy and description of health promotion programs and activities offered to employees.</p>	<p><u>Regarding tobacco-</u> Provide statement of city’s commitment to ensuring that your workplace is a tobacco-, smoke-, and vape-free environment, at all times. This must include policy language that supports the tobacco ordinance, provides cessation support, and outlines implementation and enforcement.</p> <p><u>Regarding nutrition and physical activity-</u> The Worksite Wellness Policy must include elements within each section (Worksite Wellness Checklist) to meet the minimum requirement listed below:</p> <p>If the city has <u>less than 10 full time paid employees-</u> <i>Wellness Program Support: 4 elements</i> <i>Nutrition: 12 elements</i> <i>PA: 7 elements</i></p> <p>If the city has <u>more than 10 full time paid employees-</u> <i>Wellness Program Support: 5 elements</i> <i>Nutrition: 15 elements</i> <i>PA: 10 elements</i></p> <p>To indicate that the policy has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date policy was passed).</p> <p>Sample Workplace Wellness Policy Resolution for Local Governments</p>
<p>City conducts frequent underage tobacco checks in the community to identify and discourage illegal selling of tobacco and vapor products to minors and results are made public.</p>	<p>Provide a copy of the list of compliance checks conducted within the last 6 months. Include a copy of the publication notice.</p>	<p><u>Contact for Oklahoma ABLE Commission:</u> Captain Erik Smoot Oklahoma ABLE Commission 50 N.E. 23rd Street Oklahoma City, OK. 73105 (405) 522-3117 (office) (405) 837-9740 (mobile)</p>

		<p>To indicate that the ordinance has been passed by proper authorities, include proof of passage (e.g., signature of authorized official and date ordinance was passed, webpage link to publicly available ordinances, etc.).</p>
<p>City has a Retail Brick-and-Mortar Location or has Permanently Recurring Retail Opportunities that Ensures Access to Healthy Foods and Offers Affordable Fresh Fruits and Vegetables</p>	<p>Provide a detailed description of the city’s increased affordability of or access to healthy foods, within the last three years, including fresh fruits and vegetables.</p> <p><u>Examples of brick-and-mortar locations:</u> Convenience store, markets, grocery store</p> <p><u>Examples of permanently recurring retail:</u> Mobile Markets, Farmer’s markets</p>	<p><u>Within your description include answers to the following:</u> How have your policies, ordinances, resolutions and/or legal codes, that were previously established, helped to increase support for brick-and-mortar locations or permanently recurring retail opportunities. In what ways has the city been able to increase affordability of or access to healthy foods (e.g., SNAP, Senior Vouchers at Farmers Markets, Double Up Oklahoma, etc.)? Who has benefited from that increased affordability and access?</p> <p><u>Other Tools and Resources:</u> Healthy Picks-Healthy Retail Signage Farmer’s Market Signage</p>
<p>City Ensures the Residents have Access and Availability to a Community that Supports Active Living</p>	<p>Provide a detailed description of the city’s recent efforts to increase access and availability for active living, within the last three years.</p>	<p><u>Within your description include answers to the following:</u> How have your policies, ordinances, resolutions, and/or legal codes, that were previously established, helped to support and promote active living within your city? In what ways has the city been able to increase access and availability to support active living (e.g., infrastructure to support walking/biking, social support physical activity programs, etc.)? Who has benefited from that increased access and availability?</p>

File Attachments for Item:

16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-11 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 A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), NORTHHAVEN CHURCH ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4600 36TH AVENUE N.W.)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/09/20J2

REQUESTER: Timber Creek Fellowship Church

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-11 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 A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), NORTHHAVEN CHURCH ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4600 36TH AVENUE N.W.)

PROJECT OVERVIEW:

In June of this year, Timber Creek Fellowship Church purchased the property to relocate to this facility. NorthHaven Church will continue to occupy the existing facility until further notice. The applicant, Timber Creek Fellowship Church, is requesting to amend the Special Use for a Church to revise the site plan approved with Ordinance No. O-0203-21. The current proposal is to add an approximately 5,000-square-foot sanctuary to the existing building in addition to a new 5,400-square-foot building for Church offices. An approximately 17,000-square-foot sanctuary is proposed at a future date as the church expands. Additional parking is proposed as an extension to the existing parking lot to the west. A new surface lot located east of the Church offices is also proposed at a later date.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 22-21, August 25, 2022

- Neighbors were concerned with the existing drainage for the site. Neighbors asked if Timber Creek Fellowship Church could resolve some of these issues in conjunction with the proposed improvements to the site.
 - The applicant explained that he has walked the site and has found that existing drains are clogged by debris. The applicant explained that unclogging these drains will help drainage for surrounding homeowners significantly.

- Neighbors also expressed concerns with the existing topography of the site concerning drainage.
 - The applicant explained that grading could further resolve these drainage issues.
- Neighbors also asked if irrigation would be provided to trees around the site – specifically those abutting single-family homes.
 - The applicant explained that he does not remember whether irrigation is provided per the draft irrigation plan but will look into this.

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.

STAFF ANALYSIS:

As stated, the applicant will be relocating to this site and must request Special Use to amend the existing site plan to allow for the needed expansion of the facility. The expansion of a church facility is expected as the church grows and needs more classrooms or a larger sanctuary for seating.

EXISTING ZONING:

The subject property is currently zoned R-1, Single-Family Dwelling District, with Special Use for a Church.

ALTERNATIVES/ISSUES:

IMPACTS: The additional development and paving areas can be accommodated with the detention ponds that have been sized for this project. Any of the new outdoor lighting will be required to meet the Commercial Outdoor Lighting Standards. There is an existing 6' stockade fence surrounding the property to shield the adjacent residential properties. As noted in the Pre-Development meeting, the adjacent neighbors are concerned with the runoff from the site. The applicant is aware of this concern and states the existing drains are clogged by debris. The applicant explained that unclogging these drains will help drainage for surrounding homeowners significantly.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: The property is platted. There is existing access. Sidewalks are existing. Sanitary sewer and water are existing. There is an existing private storm sewer system that the new parking lot will utilize. The storm sewer will carry water to the east to the detention ponds on the west side of 36th Avenue N.W. The ponds have been sized for this expansion project.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION:

Staff forwards this request for Special Use in order to amend the existing site plan, as proposed by Ordinance O-2223-11, for consideration by City Council. At their September 8, 2022 meeting, Planning Commission recommended adoption of Ordinance O-2223-11 by a vote of 6-1.

O-2223-11

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), NORTHHAVEN CHURCH ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4600 36th Avenue N.W.)

- § 1. WHEREAS, Timber Creek Fellowship Church has made application to have Special Use for a Church, Temple, or Other Place of Worship to amend the site plan approved with Ordinance No. O-0203-21 on the property described below in the R-1, Single Family Dwelling District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Church, Temple, or Other Place of Worship in the R-1, Single Family Dwelling District, for the following described property, to wit:

Lot One (1), Block One (1), NORTHHAVEN CHURCH ADDITION to Norman, Cleveland County, Oklahoma.

Said tract contains 9.51 acres, more or less.

Ordinance No. O-2223-11
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 (Exhibit A), and supporting documentation submitted by the applicant and approved by the Planning Commission on September 8, 2022.

§ 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 _____, 2022.

NOT ADOPTED this _____ day of _____, 2022.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

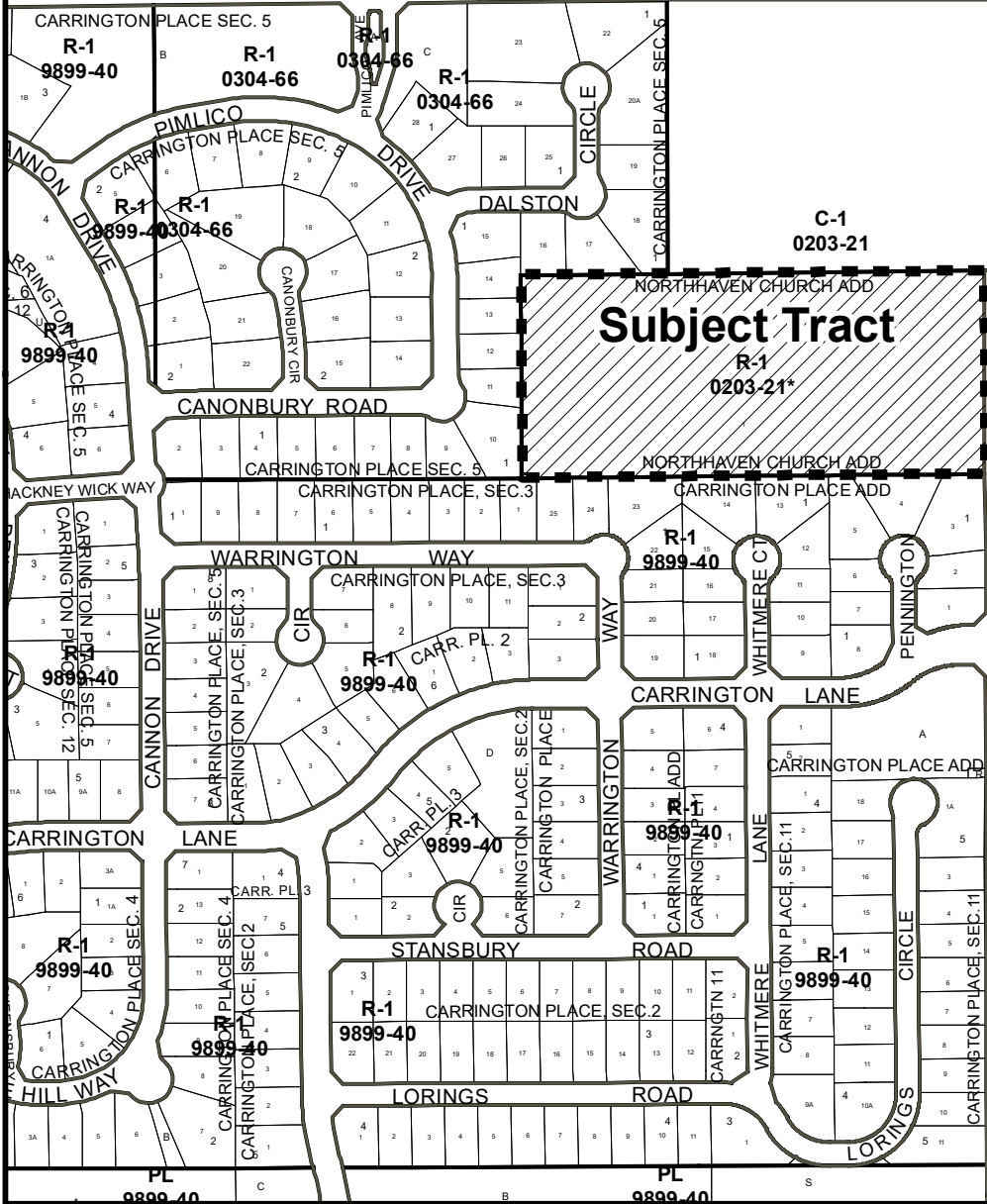
PUD
0910-14

A-2
1339

A-2
1339

36TH AVE NW

FRANKLIN ROAD

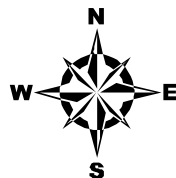


PL
1920-28

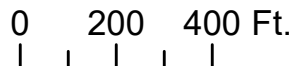
Location Map



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



August 3, 2022



Subject Tract

Zoning

ORDINANCE NO. O-2223-11

ITEM NO. 9

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	Timber Creek Fellowship Church
REQUESTED ACTION	Special Use for a Church (site plan amendment)
EXISTING ZONING	R-1, Single Family Dwelling District with Special Use for a Church
SURROUNDING ZONING	North: C-1, Local Commercial District, and R-1, Single-Family Dwelling District East: PL, Parkland District South: R-1, Single-Family Dwelling District West: R-1, Single-Family Dwelling District
LOCATION	4600 36th Avenue N.W.
WARD	Ward 8
CORE AREA	No
AREA/SF	9.51 acres, more or less
PURPOSE	Site plan amendment for church
EXISTING LAND USE	Church
SURROUNDING LAND USE	North: Single Family Residential/Vacant East: Parks/Open Space (Ruby Grant) South: Single Family Residential West: Single Family Residential
LAND USE PLAN DESIGNATION	Institutional
GROWTH AREA DESIGNATION	Current Urban Service Area

PROJECT OVERVIEW: In June of this year, Timber Creek Fellowship Church purchased the property to relocate to this facility. NorthHaven Church will continue to occupy the existing facility until further notice. The applicant, Timber Creek Fellowship Church, is requesting to amend the Special Use for a Church to revise the site plan approved with Ordinance No. O-0203-21. The current proposal is to add an approximately 5,000-square-foot sanctuary to the existing building in addition to a new 5,400-square-foot building for Church offices. An approximately 17,000-square-foot sanctuary is proposed at a future date as the church expands. Additional parking is proposed as an extension to the existing parking lot to the west. A new surface lot located east of the Church offices is also proposed at a later date.

PROCEDURAL REQUIREMENTS:

GREENBELT MEETING: N/A for this item.

PRE-DEVELOPMENT MEETING: PD 22-21 August 25, 2022

- Neighbors were concerned with the existing drainage for the site. Neighbors asked if Timber Creek Fellowship Church could resolve some of these issues in conjunction with the proposed improvements to the site.
 - The applicant explained that he has walked the site and has found that existing drains are clogged by debris. The applicant explained that unclogging these drains will help drainage for surrounding homeowners significantly.
- Neighbors also expressed concerns with the existing topography of the site concerning drainage.
 - The applicant explained that grading could further resolve these drainage issues.
- Neighbors also asked if irrigation would be provided to trees around the site – specifically those abutting single-family homes.
 - The applicant explained that he does not remember whether irrigation is provided per the draft irrigation plan but will look into this.

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.

STAFF ANALYSIS: As stated, the applicant will be relocating to this site and must request Special Use to amend the existing site plan to allow for the needed expansion of the facility. The expansion of a church facility is expected as the church grows and needs more classrooms or a larger sanctuary for seating.

EXISTING ZONING: The subject property is currently zoned R-1, Single-Family Dwelling District, with Special Use for a Church.

ALTERNATIVES/ISSUES:

IMPACTS: The additional development and paving areas can be accommodated with the detention ponds that have been sized for this project. Any of the new outdoor lighting will be required to meet the Commercial Outdoor Lighting Standards. There is an existing 6' stockade fence surrounding the property to shield the adjacent residential properties. As noted in the Pre-Development meeting, the adjacent neighbors are concerned with the runoff from the site. The applicant is aware of this concern and states the existing drains are clogged by debris. The applicant explained that unclogging these drains will help drainage for surrounding homeowners significantly.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: The property is platted. There is existing access. Sidewalks are existing. Sanitary sewer and water are existing. There is an existing private storm sewer system that the new parking lot will utilize. The storm sewer will carry water to the east to the detention ponds on the west side of 36th Avenue N.W. The ponds have been sized for this expansion project.

TRAFFIC ENGINEER: No comments.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request to amend the existing site plan, as proposed by Ordinance No. O-2223-11, for consideration by the Planning Commission and a recommendation to City Council.



Applicant: Timber Creek Fellowship Church

Project Location: 4600 36th Avenue N.W.

Case Number: PD22-21

Time: 5:30 p.m.

Applicant/Representative

Rick McKinney

Attendees

James Chapman

Shawn Hussong

City Staff

Colton Wayman, Planner I

Beth Muckala, Assistant City Attorney III

Jack Burdett, Subdivision Development Coordinator

Application Summary

Special Use for a Church, Temple or Other Place of Worship to modify the site plan approved with O-0203-21

Neighbor's Comments/Concerns/Responses

Neighbors were concerned with the existing drainage for the site. Neighbors asked if Timber Creek Fellowship Church could resolve some of these issues in conjunction with the proposed improvements to the site. The applicant explained that he has walked the site and has found that existing drains are clogged by debris. The applicant explained that unclogging these drains will help drainage for surrounding homeowners significantly. Neighbors also expressed concerns with the existing topography of the site concerning drainage. The applicant explained that grading could further resolve these drainage issues. Neighbors also asked if irrigation would be provided to trees around the site – specifically those abutting single-family homes. The applicant explained that he does not remember whether irrigation is provided per the draft irrigation plan but will look into this.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

SEPTEMBER 8, 2022

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 8th day of September, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> 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

Cameron Brewer
Kevan Parker
Liz McKown
Steven McDaniel
Erica Bird
Jim Griffith
Michael Jablonski

MEMBERS ABSENT

Doug McClure
Shaun Axton

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director, Planning &
Community Development
Roné Tromble, Recording Secretary
Lora Hoggatt, Planning Services Manager
Colton Wayman, Planner I
Logan Hubble, Planner I
Ken Danner, Subdivision Development
Manager
Jami Short, Traffic Engineer
Beth Muckala, Asst. City Attorney
Todd McLellan, Development Engineer
Bryce Holland, Multimedia Specialist

* * *

Item No. 9, being:

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE No. O-2223-11: TIMBER CREEK FELLOWSHIP CHURCH REQUESTS SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP TO MODIFY THE APPROVED SITE PLAN (O-0203-21) FOR PROPERTY LOCATED AT 4600 36TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Rendering of Existing Facilities
4. Site Plan
5. Pre-Development Summary

PRESENTATION BY STAFF:

1. Colton Wayman reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. Jablonski asked about a detention pond. Mr. Wayman responded.
3. Mr. Parker asked about the underground drainage system. Mr. Wayman indicated the applicant will cover the issue in his presentation. Mr. McLellan also responded.
4. Ms. Bird asked for clarification of "proposed buildings" and "possible future structures" on the site plan. Mr. Wayman responded.

APPLICANT PRESENTATION:

1. Rick McKinney, 3600 West Main Street, representing the applicant, presented the project.
2. Mr. Brewer asked about the original site plan versus the proposed site plan. Mr. McKinney responded.
3. Mr. Parker asked about the underground drainage system, and the concerns from adjacent property owners. Mr. McKinney responded. Mr. Parker suggested a small detention pond in the northwest corner if necessary. Mr. McKinney committed to working closely with the neighbors to solve the drainage problem.
4. Ms. Bird asked about a drainage report. Mr. McKinney responded.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Parker discussed concerns with the drainage.
2. Ms. McKown also had concerns about drainage.
3. Ms. Bird asked whether site plans are required to show drainage improvements. Ms. Hudson and Mr. McLellan responded.
4. Mr. Jablonski commented that drainage seems to have been a problem for a long time and has not been resolved. Mr. McDaniel noted that the applicant is a new owner of the property, and they seem committed to fixing the issues. Ms. Bird noted that at the Pre-Development meeting the applicant and neighbors started engaging in these conversations.

Steven McDaniel moved to recommend adoption of Ordinance No. O-2223-11 to City Council. Michael Jablonski seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Cameron Brewer, Kevan Parker, Liz McKown, Steven McDaniel, Erica Bird, Jim Griffith
NAYES	Michael Jablonski
ABSENT:	Doug McClure, Shaun Axton

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-2223-11 to City Council, passed by a vote of 6-1.

* * *

TIMBER CREEK FELLOWSHIP CHURCH
O-2223-11

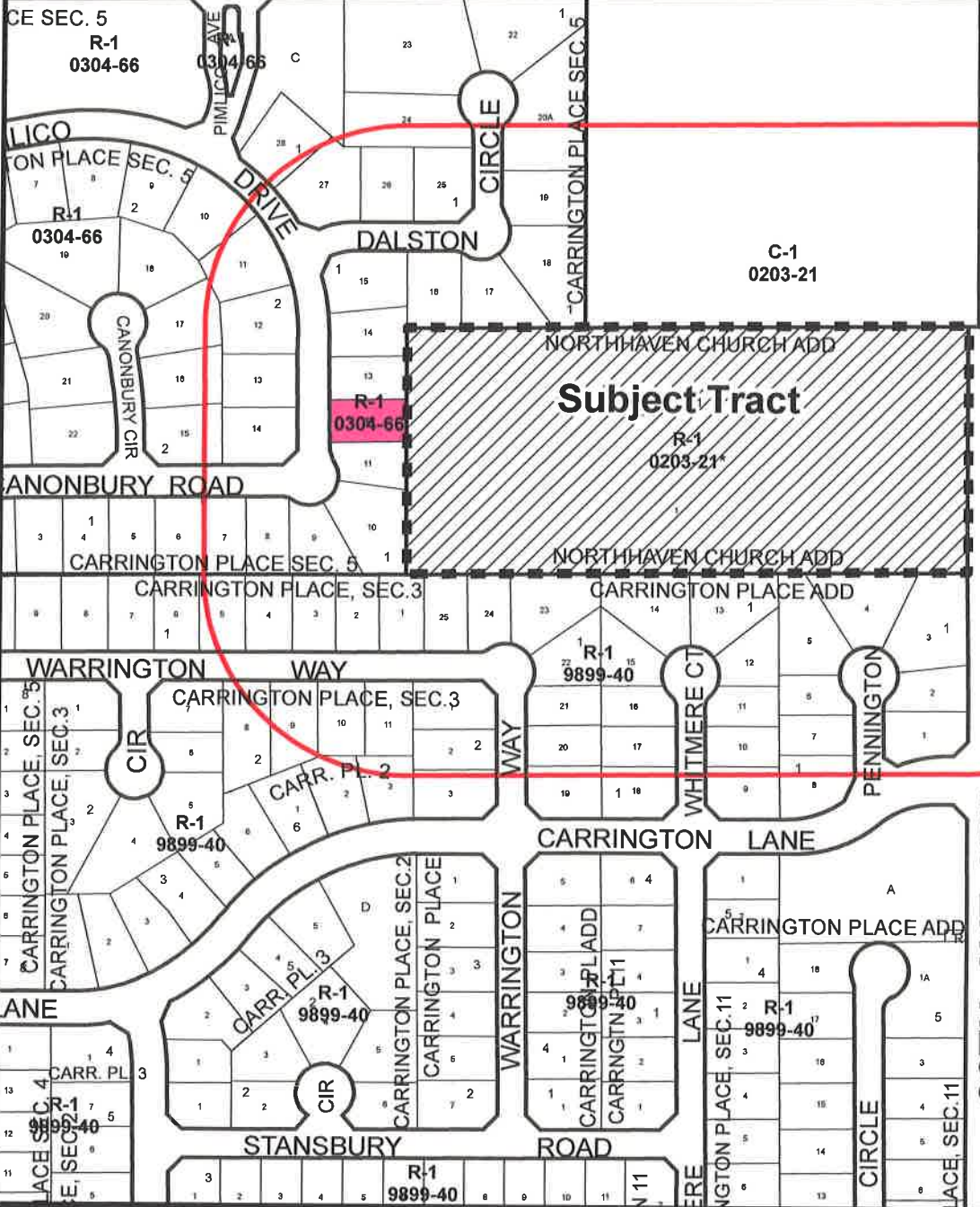
PROTESTS AS OF 9/2/2022

PUD
0910-14

A-2
1339

A-2
1339

FRANKLIN ROAD



Subject Tract

PL
1920-28

Protest Map

0.9% Protest Within Notification Area



Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



0 150 300 Feet

-  Subject Tract
-  Notification Area
-  Protest

September 6, 2022

TERRACE TRUST, DTD NOVEMBER 20, 1995
JAMES C. AND JUDY M. CHAPMAN, CO-TRUSTEES
3909 PIMLICO DRIVE
NORMAN, OKLAHOMA 73072

August 21, 2022

Norman Planning Commission
201-A West Gray Street
Norman, OK 73069

RE: Timber Creek Fellowship Church Special Use Request
Lot 1, Block 1, Northhaven Church Addition to Norman, Cleveland County, Oklahoma

Ladies and Gentlemen:

We are writing to advise Norman Planning Commission, (Commission) of our concern about drainage problems with the above referenced property.

When the addition to the Northhaven Church (Northhaven) was being built we discussed with Dale Giest and Rick Price, Northhaven members who oversaw the addition, both now deceased, about flooding that was occurring to our property. Mr. Giest attempted to ensure proper drainage to the east retaining pond was provided. Subsequently, our property has flooded every time a substantial rain occurs.

We are requesting the Commission ensure ground work be performed to alleviate this flooding problem. It appears Northheaven built a berm along the west end of the property which pushes rain water to the lowest point along that west boundary that includes our property. We believe the solution is to grade down the berm and install several additional drainage grates to direct the runoff to the central drain grate located in the northwest part of the property.

Thank you for your help in this matter.

Sincerely,

Terrace Trust


James C. Chapman, Co-trustee

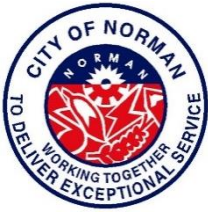

Judy M. Chapman, Co-trustee

Enc.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 8/22/22

File Attachments for Item:

17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-15 ON 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 LOTS SEVENTEEN (17) THROUGH NINETEEN (19), BLOCK ELEVEN (11), OF T.R. WAGGONER'S FIRST ADDITION, AND LOT TWENTY (20), BLOCK ELEVEN (11) COMBINED WITH T.R. WAGGONER'S FIRST ADDITION AND D.L. LARSH'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (401 SOUTH UNIVERSITY BOULEVARD)



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/08/2022

REQUESTER: McFarlin Memorial United Methodist Church, Inc.

PRESENTER: Jane Hudson, Director of Planning & Community Development

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-15 ON 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 LOTS SEVENTEEN (17) THROUGH NINETEEN (19), BLOCK ELEVEN (11), OF T.R. WAGGONER'S FIRST ADDITION, AND LOT TWENTY (20), BLOCK ELEVEN (11) COMBINED WITH T.R. WAGGONER'S FIRST ADDITION AND D.L. LARSH'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (401 SOUTH UNIVERSITY BOULEVARD)

PROJECT OVERVIEW:

McFarlin Memorial Methodist Church is requesting a rezoning to CCPUD, Center City Planned Unit Development, to allow for an expansion of their current food pantry to a Community Mission Center located at 401 S. University Boulevard. The current structure on the site contains a small house that has been utilized for a community food pantry for some years. The construction of a larger facility, will allow the expansion of their uses to meet their mission to serve the community.

The subject property was zoned R-3, Multi-Family Dwelling District, until the Center City Form-Based Code (CCFBC) was adopted in 2018 and recently amended in July of this year. The amended CCFBC designates this site as Urban Residential Frontage, with the anticipation of multifamily use structures built at the required build line, typically located along the property line. This Designation does not allow for the proposed uses of the Community Mission Center as this lot was not designated as Civic on the adopted Regulating Plan. In addition, the proposed building does not meet several of the form requirements of the Urban Residential District necessitating the rezoning request to a CCPUD.

PROCEDURAL REQUIREMENTS:

PRE-DEVELOPMENT MEETING PD22-18 - August 25, 2022

No neighbors attended the meeting.

CCPUD BACKGROUND:

During the initial development of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? The option, establish Appendix B, Sec 520 Center City Planned Unit Development, within the Center City Form-Based Code. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). The process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City area.

Appendix B **Sec. 520 Center City Planned Unit Development**

A. Statement of Purpose: *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.*
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.*
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.*
- 4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.*
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.*
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.*

B. Uses Permitted. *The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.*

EXISTING ZONING: The subject property is currently zoned Center City Form-Based Code, Urban Residential Frontage.

STAFF ANALYSIS:

The particulars of this CCPUD include:

USE: The CCPUD Narrative proposes a Community Mission Center in support of the applicant's mission and goals, featuring the uses listed below. It should be noted that this is a CCPUD, with specific uses listed as an extension of the Church's mission, and those uses are not allowed as stand-alone uses in Urban Residential. The proposed uses are as follows:

- Non-Profit Discount Community Grocery Store/Food Pantry, including, but not limited to, personal shopping experience and drive-up/pick-up service.
- Church and Similar Religious Services.
- Administrative and Professional Offices and Meeting Space.
- Business Support Services.
- Community Recreation.
- The following uses so long as they are ancillary to the operation of the Mission Center and are not standalone uses on the Property:
 - Intake and Assessment Services.
 - Case Management Services.
 - Resource Development Services.
 - Community Education Services.
 - Job Placement Services.
 - Volunteer Training.
 - Internship Programs.
 - Professional Development Programs and Services.
 - Housing Support Services.
 - Emergency Support Services.
 - Office Uses.
 - Counseling Services.
 - Professional Support Services.
 - Education Classes, Organizations, and Services.
 - Medical and Wellbeing Care Clinics, Offices, and Services.
 - Non-Profit/Ancillary Child Care Services.
 - Meeting Space for Support, Recovery, and Community Organizations.

SITE PLAN/ACCESS: The Site Development Plan is included as Exhibit B. Access to the proposed building is from the existing alleyway located to the south and a new drive aisle to the east of the building/rear side of the building. This drive aisle at the rear of the building is for drop-off and pick-up of food and supplies.

HEIGHT: The proposed building will be a two-story structure, as shown in the attached proposed renderings in Exhibit D.

DEVELOPMENT ELEMENTS: Materials and design of the proposed structure are shown on the elevation renderings (Exhibit D). Changes to those materials and designs are permissible under current Center City Form-Based Code, Urban Residential standards.

SANITATION: The existing dumpster located on McFarlin property will be utilized for the increased sanitation needs of the proposed Community Mission Center.

SIGNAGE: Signage will comply with the regulations of the Center City Form-Based Code; however, the applicant may retain the existing ground sign in either the current location or new location on the site.

LIGHTING: Lighting will comply with the regulations of the Center City Form-Based Code and the Norman Commercial Lighting Ordinance.

OPEN SPACE: Open space is shown on the Site Development Plan. Applicant is proposing the use of low impact development measures in the form of rain gardens along the front of the building.

PARKING: The applicant is not proposing any on-site parking. The applicant will use their existing adjacent parking areas as necessary for additional parking demands.

ALTERNATIVES/ISSUES:

IMPACTS: This site currently contains a community food pantry in an historic residential structure, which is approximately 1,500 square feet. The proposed Community Mission Center will be contained in a two-story structure, with a footprint of approximately 5,000 square feet. This increased building size will allow for the expansion of the community food pantry and a variety of social outreach programs currently needed by the community. The proposed building will not meet all of the siting requirements of the CCFBC, in particular the required build-to-line (RBL) and the requirement to construct the building from lot line to lot line. The construction of a larger building, along with expanded services will create additional vehicular traffic and possibly the need for parking. The site plan indicates the construction of an access road on the east side, to handle the drop off and pick up from the food pantry. The existing parking located west of University Boulevard will be utilized for additional individuals accessing the services at the building.

STAFF ANALYSIS:

The proposed Mission Center will expand the current food pantry and community social services offered by McFarlin Church. The structure will have a style similar to what is required in the Center City Form-Based Code, as well as a roof that matches the style of the existing church. While a church is an allowed use in the Urban Residential Designation of the CCFBC, the proposed Mission Center will be an expansion of the church's mission, and will not allow for stand-alone uses allowed for private business. Additionally, the proposed design does not meet many of the form standards required of the CCFBC, Urban Residential Designation. To allow for growth of the Church's mission in the form of expanded social support services to the community, as well as to allow for the variances to the form standards required of the CCFBC, a CCPUD was necessary. While the proposed building for the Community Mission Center does not meet all the form requirements of the CCFBC, the church is providing a Center that represents the feel of the residential area while being large enough to allow for expanded social outreach services needed in the community. The CCPUD also limits the uses of the property to the listed

social and community services that will be provided by the church as an expansion of their mission.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: There will be an increase in stormwater runoff due to this project. The increased runoff will be mitigated by using a combination of rain gardens and increasing the size of the existing detention pond at the southwest corner of the intersection of West Symmes Street and South Webster Avenue.

TRAFFIC ENGINEER: The existing playground fence is very close to the east side of the new proposed road. The Church needs to understand that they will be repairing and/or replacing sections of fence for some time if they do not get a little more separation between the road and the fence.

UTILITIES: No comments.

NOTE: City Staff noted a scrivener's error in the lot description within the legal notice provided by applicant, and has provided a corrected description that appears in the PUD document and ordinance. City Staff did review and separately verify that the required legal notice was provided by applicant in conformance with the Norman Zoning Ordinance.

CONCLUSION: Staff forwards this request for rezoning from Center City Form-Based Code, Urban Residential, to CCPUD, Center City Planned Unit Development, as Ordinance No. O-2223-15 for consideration by City Council.

At their meeting of October 13, 2022, Planning Commission unanimously recommended adoption of Ordinance No. O-2223-15, by a vote of 7-0.

O-2223-15

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 LOTS SEVENTEEN (17) THROUGH NINETEEN (19), BLOCK ELEVEN (11), OF T.R. WAGGONER'S FIRST ADDITION, AND LOT TWENTY (20), BLOCK ELEVEN (11), COMBINED WITH T.R. WAGGONER'S FIRST ADDITION AND D.L. LARSH'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (401 South University Boulevard)

- § 1. WHEREAS, McFarlin Memorial United Methodist Church, Inc., the owners of the hereinafter described property, have made application to have the subject property removed from the CCFBC, Center City Form-Based Code, and placed in the CCPUD, Center City Planned Unit Development; 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 remove the following described property from the CCFBC, Center City Form-Based Code, and place the same in the CCPUD, Center City Planned Unit Development, to wit:

Lots Seventeen (17) through Nineteen (19), Block Eleven (11), of T.R. Waggoner's First Addition, and Lot Twenty (20), Block Eleven (11) combined with T.R. Waggoner's First Addition and D.L. Larsh's First Addition to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

Ordinance No. O-2223-15
Page 2

- § 5. Further, pursuant to the provisions of Section 22:429.7 Appendix B of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
 - a. The site shall be developed in accordance with the CCPUD Narrative and the Site Development Plan, considered by the Planning Commission on October 13, 2022, and supporting documentation submitted by the applicant and reviewed by the Planning Commission, and made a part hereof.

§ 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 _____, 2022.

NOT ADOPTED this _____ day of _____, 2022.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

McFarlin Mission Center

A Center City Planned Unit Development

Applicant: McFarlin Memorial United Methodist Church, Inc.

401 S. University Blvd.
Norman, Oklahoma

Application for:
Center City Planned Unit Development
Submitted September 2, 2022
Revised October 6, 2022

PREPARED BY:
RIEGER LAW GROUP PLLC
136 Thompson Drive
Norman, Oklahoma 73069

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- B. Development Team

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- B. Existing Land Use and Zoning
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- E. Utility Services
- F. Fire Protection Services
- G. Traffic Circulation and Access

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- A. Permissible Uses
- B. Development Criteria

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- B. Site Development Plan
- C. Allowable Uses
- D. Exterior Renderings
- E. Historic Runoff Coefficient Calculations
- F. Proposed Runoff Coefficient Calculations & Proposed Mitigation

I. INTRODUCTION

A. **Background and Intent.** This Center City Planned Unit Development (“CCPUD”) is proposed by McFarlin Memorial United Methodist Church, Inc. (the “**Applicant**”) for the property located at 401 S. University Blvd., Norman, Oklahoma, more particularly described on **Exhibit A** (the “**Property**”). The Property contains approximately 0.32 acres. This CCPUD is intended to put forth the parameters for the further development of the Property and expansion of the existing social outreach programs. This proposed expansion seeks to allow for the construction of a Mission Center to provide further access to food, groceries, and additional resources to the community. This CCPUD will allow for a relaxation of the CCFBC’s specific development and design criteria applicable to the Property in order to allow the Applicant to develop the Mission Center in furtherance of the Applicant’s goals for the Property and the community.

B. **Development Team.** The Applicant is McFarlin Memorial United Methodist Church, Inc. The architect for the project is the McKinney Partnership. SMC Consulting Engineers are serving as the civil engineers for the project.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

- A. **Location.** The Property is an approximately 14,000 square foot parcel located on the Southeast Corner of the S. University Blvd. and W. Symmes Street intersection. The specific location is illustrated on the Site Development Plan, attached hereto as **Exhibit B**.
- B. **Existing Land Use and Zoning.** The Property is located in the Center City Form Based Code (“CCFBC”) District, Urban Residential. The Property currently contains a small brick building, of approximately 1,445 square feet, which is being used as a small food pantry and additional space for Church activities.
- C. **Elevation and Topography.** The Property is essentially flat with little to no elevation change throughout. The Property contains the existing structure referenced above and signage for the Church.
- D. **Drainage.** The Applicant will meet or exceed the City’s applicable ordinances regarding drainage requirements on the Property. Currently, the Property drains to the East into an existing detention area. The Property’s existing impervious area is approximately 2,680 square feet.
- E. **Utility Services.** All necessary utilities for this project (including water, sewer, gas, telecommunications, and electric) are currently located within the necessary proximity to serve the Property, or they will be extended by the Applicant, as necessary.

- F. **Fire Protection Services.** Fire protection services will be provided by the City of Norman Fire Department and by the owner of the Property where required by building and fire protection codes in the structures.
- G. **Traffic Circulation and Access.** Traffic access and circulation will be allowed in the manner depicted on the Site Development Plan. The Property will create an additional curb cut for cars to access W. Symmes Street to allow for circulation within the Property and to utilize the drive through for pick up and drop of food and supplies to the Mission Center.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Property shall be developed in compliance with the terms of this CCPUD and the exhibits attached hereto and incorporated herein by reference, subject to adjustments or modifications allowed pursuant to Appendix B, Section 520(F), Administration, of the CCFBC, as may be amended from time to time.

A. Allowable Uses.

A list of the allowable uses for the Property is attached hereto as **Exhibit C**.

B. Development Criteria.

1. **Siting.** The proposed Site Development Plan for the Property is concurrently submitted with this CCPUD as **Exhibit B** and shall be incorporated herein as an integral part of this CCPUD. The Property shall be developed in substantial conformance with the Site Development Plan, subject to adjustments or modifications allowed pursuant to Appendix B Section 520(F), Administration, of the CCFBC, as may be amended from time to time. The building shall be setback a minimum of 12 feet from the North property line, with screening for condensing units and similar mechanical equipment to be setback 4 feet 6 inches from property line. The building shall be setback a minimum of 39 feet from the East property line, with awnings allowed to protrude from the building for a maximum of 8 feet. The building shall be setback a minimum of 18 feet from the South property line, with screening for condensing units and similar mechanical equipment to be setback 16 feet from the property line. The building shall be setback a minimum of 8 feet from the West property line, with awnings allowed to protrude from the building for a maximum of 8 feet. The proposed building will have approximately 4,964 square feet per floor, subject to allowable final design modifications as discussed above.
2. **Building Height.** Maximum building height for the Property is two (2) stories.

3. **Elements.** The Property shall be built in accordance with the terms of this CCPUD and the exhibits hereto. Exterior materials shall comply with the requirements of Section 402(J), Architectural Materials (exteriors), of the CCFBC, as may be amended from time to time. Proposed elevations of the building to be constructed on the Property are attached as **Exhibit D**. Screening for condensing units and similar mechanical equipment shall consist of wood or composite wood fencing.
4. **Sanitation.** It is the intent that trash dumpsters will be shared with nearby dumpster account holders. In the event that dumpster or trash service becomes required on the Property, the location of such shall conform to the applicable City of Norman Ordinances.
5. **Signage.** With the exception of the existing ground sign located in the northwestern portion of the Property, all signage for the Property shall comply with Section 402(M), Signage, of the CCFBC, as amended thereafter. The Applicant may retain, relocate, maintain, and replace the existing ground sign located on the Property as long as such replacement sign does not increase the total square footage for the sign being replaced. Temporary directional and wayfinding signage may be utilized on the Property so long as such signage does not exceed 10 square feet per side and placement of such signage does not impair site triangles.
6. **Traffic access and sidewalks.** Traffic circulation and access to the Property shall be allowed in the manner shown on the Site Development Plan.
7. **Lighting.** The project shall comply with the requirements of the CCFBC under Section 402(N), Lighting & Mechanical, as amended thereafter and the Commercial Outdoor Lighting Standards, under Section 431.6 of Chapter 22, as amended thereafter.
8. **Open Space.** Open space will be located on the Property in the locations depicted on the attached Site Development Plan. The Preliminary Site Development Plan proposes an increase of approximately 7,630 square feet of impervious coverage, resulting in approximately 10,310 square feet of impervious coverage for the Property. However, the Applicant's proposed use of LID measures, such as, by way of example, enlarging the existing detention pond to accommodate storm water runoffs associated with this development will allow the Property to be developed with a maximum of 85% impervious coverage. Applicant has provided historic stormwater runoff calculations as well as proposed mitigation calculations as exhibits to this CCPUD.

9. Parking. The Property is not providing parking on-site; visitors may utilize the Applicant's adjacent parking areas as necessary.

10. Drainage. The Property will drain into the existing detention area located to the East of the Property on the Applicant's adjacent land. The Applicant will expand the existing detention area to accommodate the stormwater runoff from this development.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lots Seventeen (17) through Nineteen (19), Block Eleven (11), of T.R. Waggoner's First Addition, and Lot Twenty (20), Block Eleven (11) combined with T.R. Waggoner's First Addition and D.L. Larsh's First Addition to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

EXHIBIT C

ALLOWABLE USES

Allowable Uses:

- Community Mission Center in support of the Applicant's mission and goals, primarily featuring the uses enumerated herein.
- Non-Profit Discount Community Grocery Store/Food Pantry, including, but not limited to, personal shopping experience and drive-up pick-up service.
- Church and Similar Religious Services.
- The following uses so long as they are ancillary to the operation of the Mission Center and are not standalone uses on the Property:
 - Intake and Assessment Services.
 - Administrative and Professional Offices and Meeting Space.
 - Business Support Services.
 - Community Recreation.
 - Case Management Services.
 - Resource Development Services.
 - Community Education Services.
 - Job Placement Services.
 - Volunteer Training.
 - Internship Programs.
 - Professional Development Programs and Services.
 - Housing Support Services.
 - Emergency Support Services.
 - Office Uses.
 - Counseling Services.
 - Professional Support Services.
 - Education Classes, Organizations, and Services.
 - Medical and Wellbeing Care Clinics, Offices, and Services.
 - Non-Profit/Ancillary Child Care Services.
 - Meeting Space for Support, Recovery, and Community Organizations.

EXHIBIT D

PROPOSED EXTERIOR RENDERINGS
Full Size PDF Documents Submitted to City Staff



02 MISSION CENTER SOUTHEAST VIEW
SCALE: NO SCALE



01 MISSION CENTER SOUTHWEST VIEW
SCALE: NO SCALE

EXHIBIT E

HISTORIC RUNOFF COEFFICIENT CALCULATIONS

Full Size PDF Document Submitted to City Staff



ORDINANCE NO. O-2223-15

ITEM NO. 3

STAFF REPORT**GENERAL INFORMATION**

APPLICANT	McFarlin Memorial United Methodist Church
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban Residential Frontage
SURROUNDING ZONING	North: Center City Form-Based Code, Detached Frontage East: Center City Form-Based Code, Urban Residential Frontage South: Center City Form-Based Code, Urban Residential Frontage West: Center City Form-Based Code, Urban Residential Frontage
LOCATION	401 S. University Blvd.
WARD	Ward 4
CORE AREA	Yes
SIZE	0.32 acres, more or less
PURPOSE	Community Mission Center and Food Pantry
EXISTING LAND USE	Food Pantry
SURROUNDING LAND USE	North: Residential East: Church South: Church West: Parking

PROJECT OVERVIEW: McFarlin Memorial Methodist Church is requesting a rezoning to CCPUD, Center City Planned Unit Development, to allow a Community Mission Center to be

located at 401 S. University Boulevard. The current structure on the site contains a community food pantry.

The subject property was zoned R-3, Multi-Family Dwelling District, until the Center City Form-Based Code (CCFBC) was adopted in 2018 and recently amended in July of this year. The amended CCFBC designates this site as Urban Residential Frontage. This designation does not allow for the proposed uses of the Community Mission Center that McFarlin desires, necessitating a rezoning request to a CCPUD.

PROCEDURAL REQUIREMENTS:

PRE-DEVELOPMENT MEETING: PD22-18 August 25, 2022

No neighbors attended the meeting.

CCPUD BACKGROUND: During the initial development of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? The option, establish Appendix B, Sec 520 Center City Planned Unit Development, within the Center City Form-Based Code. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). The process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City area.

Appendix B

Sec. 520 Center City Planned Unit Development

A. Statement of Purpose: *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.*
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.*
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.*
- 4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.*
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.*
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.*

B. Uses Permitted. *The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.*

EXISTING ZONING: The subject property is currently zoned Center City Form-Based Code, Urban Residential Frontage.

STAFF ANALYSIS: The particulars of this CCPUD include:

USE: The CCPUD Narrative proposes a Community Mission Center in support of the applicant's mission and goals, featuring the following uses:

- Non-Profit Discount Community Grocery Store/Food Pantry, including, but not limited to, personal shopping experience and drive-up/pick-up service.
- Church and Similar Religious Services.
- Administrative and Professional Offices and Meeting Space.
- Business Support Services.
- Community Recreation.
- The following uses so long as they are ancillary to the operation of the Mission Center and are not standalone uses on the Property:
 - Intake and Assessment Services.
 - Case Management Services.
 - Resource Development Services.
 - Community Education Services.
 - Job Placement Services.
 - Volunteer Training.
 - Internship Programs.
 - Professional Development Programs and Services.
 - Housing Support Services.
 - Emergency Support Services.
 - Office Uses.
 - Counseling Services.
 - Professional Support Services.
 - Education Classes, Organizations, and Services.
 - Medical and Wellbeing Care Clinics, Offices, and Services.
 - Non-Profit/Ancillary Child Care Services.
 - Meeting Space for Support, Recovery, and Community Organizations.

SITE PLAN/ACCESS: The Site Development Plan is included as Exhibit B. Access to the proposed building is from the existing alleyway located to the south and a new drive aisle to the east of the building/rear side of the building. This drive aisle at the rear of the building is for drop-off and pick-up of food and supplies.

HEIGHT: The proposed building will be a two-story structure, as shown in the attached proposed renderings in Exhibit D.

DEVELOPMENT ELEMENTS: Materials and design of the proposed structure are shown in elevation renderings (Exhibit D). Changes to those materials and designs are permissible under current Center City Form-Based Code, Urban Residential standards.

SANITATION: The existing dumpster located on McFarlin property will be utilized for the increased sanitation needs of the proposed Community Mission Center.

SIGNAGE: Signage will comply with the regulations of the Center City Form-Based Code; however, the applicant may retain the existing ground sign in either the current location or new location on the site.

LIGHTING: Lighting will comply with the regulations of the Center City Form-Based Code.

OPEN SPACE: Open space is shown on the Site Development Plan. Applicant is proposing the use of low impact development measures in the form of rain gardens along the front of the building.

PARKING: The applicant is not proposing any on-site parking. The applicant will use their existing adjacent parking areas as necessary for additional parking demands.

ALTERNATIVES/ISSUES:

IMPACTS: This site currently contains a community food pantry in an historic residential structure, which is approximately 1,500 square feet. The proposed Community Mission Center will be contained in a two-story structure, with a footprint of approximately 5,000 square feet. This increased building size will allow for the expansion of the community food pantry and a variety of social outreach programs currently needed by the community. The proposed building will not meet all of the siting requirements of the CCFBC, in particular the required build-to-line (RBL) and the requirement to construct the building from lot line to lot line. The construction of a larger building, along with expanded services will create additional vehicular traffic and possibly the need for parking. The site plan indicates the construction of an access road on the east side, to handle the drop off and pick up from the food pantry. The existing parking located west of University Boulevard will be utilized for additional individuals accessing the services at the building.

STAFF ANALYSIS: The Community Mission Center will continue many of the services currently offered by McFarlin Church as well as the food pantry. The new building will allow for expansion of social services to the community, not currently offered by the church. The structure will have a style similar to what is required in the Center City Form-Based Code, as well as a roof that matches the style of the existing church. To allow for expanded social support services to the community, they are required to apply for a CCPUD, since this particular use was not an allowed use in the CCFBC. While the proposed building for the Community Mission Center does not meet all the form requirements of the CCFBC, the church is providing a Center that represents the feel of the residential area while being large enough to allow for expanded social outreach services needed in the community.

OTHER AGENCY COMMENTS:

FIRE DEPARTMENT: No comments.

PUBLIC WORKS/ENGINEERING: There will be an increase in stormwater runoff due to this project. The increased runoff will be mitigated by using a combination of rain gardens and

increasing the size of the existing detention pond at the southwest corner of the intersection of West Symmes Street and South Webster Avenue.

TRAFFIC ENGINEER: The existing playground fence is very close to the east side of the new proposed road. The Church needs to understand that they will be repairing and/or replacing sections of fence for some time if they do not get a little more separation between the road and the fence.

UTILITIES: No comments.

CONCLUSION: Staff forwards this request for rezoning from Center City Form-Based Code, Urban Residential, to CCPUD, Center City Planned Unit Development, as Ordinance No. O-2223-15 for consideration by the Planning Commission and a recommendation to City Council.

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

OCTOBER 13, 2022

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of October, 2022.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <https://norman-ok.municodemeetings.com> at least twenty-four hours prior to the beginning of the meeting.

Chair Erica Bird called the meeting to order at 6:38 p.m.

* * *

Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Cameron Brewer
Kevan Parker
Liz McKown
Erica Bird
Jim Griffith
Shaun Axton
Michael Jablonski

MEMBERS ABSENT

Steven McDaniel, Doug McClure

A quorum was present.

STAFF MEMBERS PRESENT

Jane Hudson, Director, Planning &
Community Development
Anais Starr, Planner II
Roné Tromble, Recording Secretary
Jami Short, Traffic Engineer
Beth Muckala, Asst. City Attorney
Bryce Holland, Multimedia Specialist

* * *

Item No. 3, being:

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE NO. O-2223-15: MCFARLIN MEMORIAL UNITED METHODIST CHURCH, INC. REQUESTS REZONING FROM CCFBC, CENTER CITY FORM-BASED CODE, TO CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT, FOR 0.32 ACRES OF PROPERTY LOCATED AT 401 S. UNIVERSITY BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. CCPUD Narrative – McFarlin Mission Center

PRESENTATION BY STAFF:

1. Anais Starr reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. Jablonski asked about stormwater and the data used. Ms. Starr responded that the applicant can address that.

APPLICANT PRESENTATION:

1. Sean Rieger, 136 Thompson Drive, representing the applicant, presented the request.
2. Chris Anderson, SMC Consulting Engineers, discussed the rainfall data.
3. Mr. Jablonski asked if they considered using pervious concrete. Mr. Anderson explained the plans for rain gardens and detention.
4. Ms. Bird talked about pervious concrete. She also asked for more information on the drive-thru.
5. Rod Foster talked about the food pantry and drive-thru. He also talked about the mobile food pantry.
6. Mr. Brewer asked how this will impact parents dropping off kids at the daycare. Mr. Foster responded that it may improve the situation.
7. Mr. Rieger noted that the CCFBC allows for off-site parking.
8. Ms. Bird asked about the design of the side of the building that will be facing residential homes to the north.
9. Rick McKinney talked about the design of the building.

AUDIENCE PARTICIPATION:

1. Jamileh Wilcox, 322 S. University Boulevard – lives at the northwest corner of the intersection. Her concerns included the flooding in the area, the size of the building, the location of the drive-thru, the mission center uses, and increased traffic.
2. Ms. Bird responded to some of the concerns and noted the CCPUD document should be available online and the uses are specified. She asked the size of the building.
3. Mr. Rieger discussed the size of the building and other comments.
4. Ms. Bird discussed the view of the building from the residences. Mr. Brewer agreed with softening the view on the north side.

5. Mr. Axton talked about the concern with the drainage. Mr. Anderson explained the current drainage situation and the plans to capture that water.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

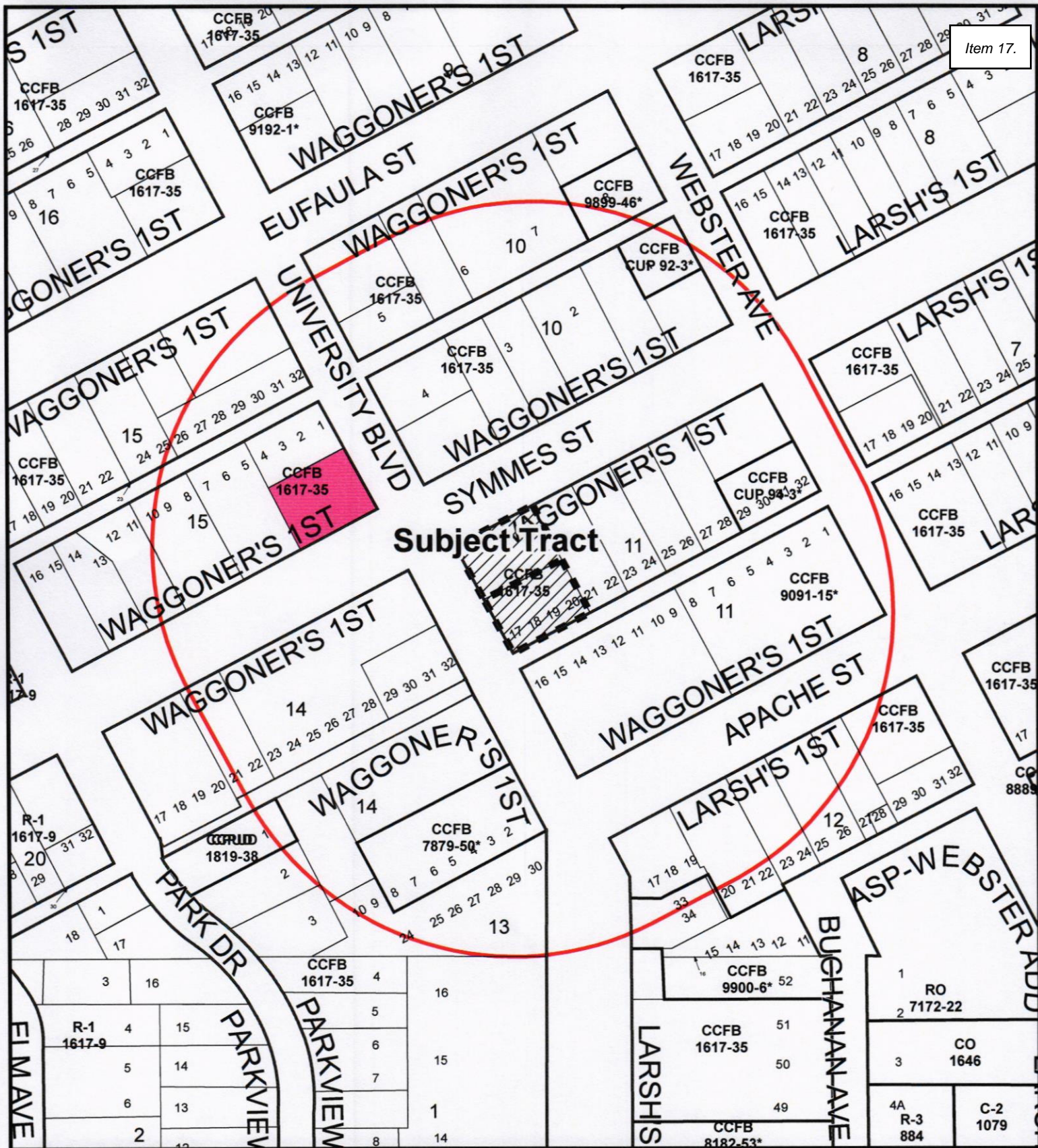
Kevan Parker moved to recommend adoption of Ordinance No. O-2223-15 to City Council. Jim Griffith seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Cameron Brewer, Kevan Parker, Liz McKown, Erica Bird, Jim Griffith, Shaun Axton, Michael Jablonski
NAYES	None
ABSENT:	Steven McDaniel, Doug McClure

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-2223-15 to City Council, passed by a vote of 7-0.

* * *



Protest Map

2.2% Protest Within Notification Area






Map Produced by the City of Norman
Geographic Information System.
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.



0 75 150 Feet

October 12, 2022

-  Subject Tract
-  Notification Area
-  Protest


10 October 2022

Norman Planning Commission
c/o Norman City Clerk
201-A W. Gray St
Norman OK 73069

RE: 10/13/22 planning commission public hearing on the request for rezoning for property at 401 S. University Blvd /
10/13/22 as per attached copy of Notice.

This is to formally file a protest of this rezoning request, as required in the Notice of Request for Rezoning that I
received.

Thank you.


Jarmileh Wilcox
322 S. University Blvd.
Norman OK 73069

**FILED IN THE OFFICE
OF THE CITY CLERK
ON 10/10/22**