

CITY COUNCIL STUDY SESSION MINUTES

April 21, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual study session at 5:30 p.m. hosted in the Municipal Building Conference Room on the 21st day of April, 2020, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

ABSENT: None

Item 1, being:

DISCUSSION REGARDING A PHASED APPROACH TO LIFTING THE “STAY AT HOME” ORDER AT THE CONCLUSION OF THE CURRENT ORDER.

Dr. Gary Raskob with the Oklahoma University (OU) Health Science Center, said he will be discussing the timeline of COVID-19 (COVID) in Oklahoma; key features of COVID transmission; role of laboratory testing; and White House guidance for “re-opening”.

- February 24th-26th - the United States (U.S.) had 35 confirmed cases with no deaths; The first case in the U.S. had no known exposure indicating exposure in the community;
- March 7th-8th - Oklahoma reports first cases of COVID with global cases exceeding 100,000 in over 100 countries;
- March 13th - President Trump declared a national emergency;
- March 13th - Mayor Clark signed an emergency proclamation;
- March 15th - a case in Cleveland County was the first case of community spread in Oklahoma with no known travel exposure;
- March 24th - Governor Stitt declared an executive order for 19 counties with confirmed cases;
- March 24th - Mayor Clark issued a “Stay at Home” order;
- March 24th - Governor Stitt signed a “Safer at Home” order to include all counties through April 30th;
- April 20th - the U.S. had 794,739 cases, Oklahoma had 2,807 cases with 154 deaths, Norman had 184 cases with 16 deaths, Cleveland County had 345 cases with 23 deaths, and Oklahoma County had 590 cases with 24 deaths.

Dr. Raskob said COVID is spread by respiratory droplets typically larger than five micro-meters in diameter released from a person’s mouth when they talk, sneeze, or cough. He said the droplet can travel from one meter to three to six feet and land in the nose, mouth, or face of someone standing

Item 1, continued:

close. They can also land on surfaces like keyboards, doorknobs, etc. The virus stays viable on these surfaces for a couple of days or longer so if you touch those surfaces then touch your face, mouth, nose, or eyes you can contract the virus or indirectly expose others to the droplets.

Dr. Raskob said when a person becomes infected it takes about two to 14 days for the virus to incubate during which time they may develop symptoms, but the median is only five days and 50% of people infected will develop symptoms in five days, about 97% of people infected will develop symptoms within 11 days, and 3% of people infected will develop symptoms within 11 to 14 days. He said the “serial period” is the time from when one person is infected until they infect a second person and that is four days or a range between three to five days. He said three to five days is shorter than the incubation period of more than half the people who develop symptoms of the virus so this means people who are infected can pass the virus onto others during the initial four or five days before they show symptoms. He said scientists now know there are people who will become infected with the virus, but never show symptoms and the best evidence of that came from the large cruise ship known as the Diamond Princess that had 600 to 700 people that tested positive, but never developed symptoms known as being asymptomatic. He said this poses a greater challenge in controlling the virus because asymptomatic people can spread the virus without knowing they are infected.

Dr. Raskob said the ability to test for COVID has been limited in the U.S. and very limited in Oklahoma. He said the Polymerase Chain Reaction test measures the presence of viral genetic material and a positive test identifies an infected person that can precede symptoms and identify asymptomatic individuals early in the course of infection. A negative test means there is no evidence a person is infected, but COVID cases require two negative test days apart to be cleared. A Serologic (antibody) test measures the presence of antibodies in blood to the virus and a positive test means a person was recently exposed to the virus and a negative test does not rule out current infection. Whether or not a positive test means immunity to future infection has not been proven at this time.

No vaccine or proven antiviral drug has been developed and the only way to prevent illness is to avoid exposure to the virus. The ways to avoid increases in infection is to decrease exposure to the best extent possible and practical; contain breakouts aggressively by identifying infected (both symptomatic and asymptomatic) by contact tracing and isolating; getting tested is critical; having a phased transition out of the “stay at home” order; being creative and flexible as conditions change (data driven); and balancing protecting public health and economic impacts.

Dr. Raskob highlighted criteria that needs to be satisfied prior to a phased re-opening that includes a downward trajectory of influenza-like illnesses reported within a 14-day period and downward trajectory of COVID-like symptomatic cases reported within a 14-day period; downward trajectory of documented cases within a 14-day period or downward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests); treat all patients without crisis care; and robust testing program in place for at-risk healthcare workers, including emerging antibody testing.

Item 1, continued:

Guidelines for all phases of reopening for individuals include continued practice of good hygiene, i.e., washing hands with soap and water or using hand sanitizer, especially after touching frequently used items or surfaces; avoiding touching your face; sneezing or coughing into a tissue or the inside of your elbow; disinfecting frequently used items and surfaces as much as possible; and (strongly) consider using face coverings while in public and particularly when using mass transit. People who feel sick should stay home and contact their medical provider for advice.

Guidelines for all phases of reopening for employees include developing and implementing, in accordance with Federal, State, local regulation and guidance, and informed by industry best practices, temperature checks; testing, isolating, and contact tracing; use and disinfection of common and high-traffic areas; limiting business travel; monitoring workforce for indicative symptoms and not allowing symptomatic people to physically return to work until cleared by a medical provider; and developing and implementing policies and procedures for workforce contact tracing following employee COVID positive test.

Guidelines for Phase One Reopening for Individuals are as follows:

- All vulnerable individuals should continue to shelter in place
 - Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.
- All individuals, when in public (e.g., parks, outdoor recreation areas, shopping areas), should maximize physical distance from others.
 - Social settings of more than ten people where appropriate distancing may not be practical should be avoided unless precautionary measures are observed.
- Avoid socializing in groups of more than ten people in circumstances that do not readily allow for appropriate physical distancing (e.g., receptions, trade shows).
- Minimize non-essential travel and adhere to Center for Disease Control (CDC) guidelines regarding isolation following travel.

Guidelines for Phase One Reopening for Employees are as follows:

- Continue to encourage telework, whenever possible and feasible with business operations.
- If possible, return to work in phases.
- Close common areas where personnel are likely to congregate and interact or enforce strict social distancing protocols.
- Minimize non-essential travel and adhere to CDC guidelines regarding isolation following travel.
- Strongly consider special accommodations for personnel who are members of a vulnerable population.

Item 1, continued:

Guidelines for Phase One or Specific Types of Employers Reopening are as follows:

- Schools and organized youth activities (e.g., daycare, camps) that are currently closed should remain closed.
- Visits to Senior Living facilities and hospitals should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene.
- Large venues (e.g., sit-down dining, movie theatres, sporting venues, places of worship) can operate under strict distancing protocols.
- Elective surgeries can resume, as clinically appropriate, on an outpatient basis at facilities that adhere to Center for Medicare and Medicaid Services (CMS) guidelines.
- Gyms can open if they adhere to strict physical distancing and sanitation protocols.
- Bars should remain closed.

Councilmember Bierman asked if the current amount of testing being done is adequate to determine if the country is on a downward trajectory and Dr. Raskob said experts have stated the U.S. should be doing about three times the amount of testing currently being performed. He said as testing broadens, doctors and scientists can look at the ratio of positive tests to total tests and see how that trajectory is progressing. The crucial point of re-opening is being aggressive in evaluating people with appropriate symptoms then tracing their contacts and getting those contacts evaluated and tested as quickly as possible.

Councilmember Bierman asked Dr. Raskob's view on the Institute for Health Metrics and Evaluation's (IHME) recommendation that Oklahoma wait until June 15th to begin phased reopening. Dr. Raskob said IHME is a reputable and credible company, but staying closed until June 15th is not completely practical for mental health, physical health, or economic health so there needs to be a balance.

Councilmember Carter asked the value of herd immunity with COVID and Dr. Raskob said if there were herd immunity there would not be concerns regarding a second spike and the value of antibody testing gives scientists an idea about immunity within the society. He said herd immunity would require 65% to 70% of the public to test positive for antibodies. He said there will be a second spike if the country simply reopens without taking protective measures and one of the most significant things people can do is wear a mask or face covering in public.

Councilmember Scanlon said he is concerned about the homeless population in terms of reaching and testing them and asked if there has been discussion regarding that and Dr. Raskob said he has not been involved in operational discussions regarding the homeless community. Councilmember Scanlon said he would be interested in having that discussion.

Councilmember Petrone asked if the University of Oklahoma (OU) is planning to have in-person classes this fall and what their plans are for COVID if that happens. Dr. Raskob said he cannot speak for OU, but he knows there is a desire to return to in-person classes and bringing students back to school to the extent that it is feasible and safe.

Item 1, continued:

Mayor Clark asked if a spike in virus cases would influence OU's decision to bring back thousands of people to help fuel the local economy and Dr. Raskob said it would definitely be taken into consideration.

Councilmember Petrone asked if football games will occur and Dr. Raskob said no decisions have been made about sports at this time, but allowing 80,000 people in Memorial Stadium is not optimal to controlling the spread of COVID.

Councilmember Petrone asked what is considered the general age of the vulnerable population and Dr. Raskob said 65 is the general age, but a person who is 60 with a history of heart disease, high blood pressure, diabetes, obesity, asthma, etc., is considered vulnerable. He said basically anyone of any age with underlying health conditions is considered vulnerable.

Councilmember Petrone asked Dr. Raskob's thoughts about people on social media wanting herd immunity and wanting everything to be opened up to allow the virus to spread throughout the community. Dr. Raskob said that would not be a good idea because in that process people will die and most of those deaths could otherwise be prevented. He said every life is important and the senior population would be very significantly affected by that. He said there are also younger people who have health issues that would be very vulnerable and the Oklahoma standard is to protect and take care of the vulnerable.

Councilmember Petrone asked if it would be effective to mandate wearing face masks in public and whether or not wearing masks would be helpful in staving off infection. Dr. Raskob said masks will absolutely be very helpful and there needs to be community compliance to help reopen Norman. He felt businesses requiring employees to wear face masks and educating the public on wearing face masks in public might be better perceived than being mandated by the City.

Councilmember Petrone asked what the daily virus numbers would need to look like before Council knows it is safe to move to Phase Two and Dr. Raskob said he did not have a number, but would review that for more specificity. He said if the number of daily cases continues to increase significantly then it would make sense to re-evaluate the phases of reopening. He said aggressively testing symptomatic people and their contacts is the best way to remove a significant amount of transmission, which is the best thing that can be done other than testing everyone in Norman.

Councilmember Hall said she is concerned about the capacity for testing and contact tracing as well as the reliability of antibody tests and wondered what testing capacity is available. She said criteria for testing includes shortness of breath, fever, cough, or known exposure to someone that tests positive making it difficult for some who do not have these symptoms to be tested. Dr. Raskob said if a person tests positive, then everyone they came into contact with would have to be tested whether they have symptoms or not so the testing capacity is changing everyday.

Item 1, continued:

Councilmember Hall asked who is responsible for contact tracing and Dr. Raskob said the primary responsibility is the State Health Department who works with the various County Health Departments; however, White House guidance places a little bit of responsibility on employers to provide contact tracing.

Councilmember Hall said she has received multiple complaints about golf courses and asked where that would fit into the phased transition and Dr. Raskob said as long as golfers are outside, keep a six-foot distance, and wear a mask there should not be a problem for including that in Phase One.

Councilmember Holman said this virus can cause long-term heart and lung problems and it is important for people to understand there is currently not a treatment or a vaccine for the virus. He said not everyone has insurance, including himself, and if he had to be admitted to the hospital it could be financially devastating.

Councilmember Holman said many constituents do not understand why gyms and movie theatres can be open in Phase One, but bars and salons cannot and asked why. Dr. Raskob said these are guidelines written by the White House, but there is flexibility for State's and cities to tweak those guidelines as long as social distancing can be maintained.

Councilmember Wilson asked if dogs and cats can transfer the virus to humans from droplets on their fur and Dr. Raskob said that is unknown, but regularly sanitizing surfaces and washing hands can help prevent the spread of the virus.

Ms. Annahlyse Meyer, Chief Communications Officer, said a survey on reopening Norman was taken and garnered 11,976 responses. The survey included a mixture of yes/no questions as well as free response options in order to gain resident input and suggestions. She highlighted the survey results and said when asked if the Stay-at-Home order should be extended beyond April 30th, 55% said yes, 31% said no, and 14% were unsure.

When asked if a phased approach to reopening would be effective, 51% said yes, 7% said no, 3% said everything should be opened at once, 2% were unsure, and 37% left a free response that suggested a phased approach with comprehensive testing; continued enforcement of social distancing; requiring masks and gloves; and limited building capacity. Some responders felt businesses and the public should be trusted to make wise decisions for their own health and the health of customers; some responders felt all progress would be lost if the City reopened without a phased approach; some responders felt the need to reopen to save businesses; some responders felt at-risk populations should continue staying home for 14 days while others are permitted to resume normal activities with social distancing in place; and some responders felt there needed to be a downward trend of positive cases prior to reopening.

When asked if social distancing measures currently in place at essential businesses are effective, 51% said yes, 7% said no, 7% said somewhat effective, and 35% left a free response. Some responders felt the six-foot social distancing would be ineffective if multiple people were touching

Item 1, continued:

the same items in a store; some responders felt these measures would be effective if people followed them, but believed most people are not practicing social distancing; some responders felt businesses should be providing curbside pick-up or drive-thru only although they acknowledged not all businesses would be able to comply; and some responders felt further building capacity limits were needed.

When asked if they wear a face covering in public, 64% said yes, 18% said no, and 18% said sometimes.

When asked if they would participate if COVID anti-body testing were available, 76% said yes, 7% said no, and 15% were unsure.

Other comments or suggestions included the need for a careful and cautious reopening to avoid a new outbreak; concerns about economic fallout for lower class residents; concerns that reopening too early would reverse efforts being made at the present time; concerns about not having a vaccine or treatment before lifting quarantine making it risky to reopen; belief that if businesses want to open they should be able to and people can make their own choice on whether or not to shop there; and some responders felt the City should just open up because people are not following current guidelines anyway.

Councilmember Scott said it is irresponsible to begin thinking of reopening Norman, much less the State of Oklahoma. She said a phased opening is nice, but to be perfectly safe the City needs to keep Stay-at-Home orders in place until there is a significant flattening of the curve.

Councilmember Bierman said she is not willing to sacrifice the vulnerable population for a faster reopening. She said this virus can have long lasting health effects and she is not willing to discuss reopening until more benchmarks have been met, i.e., more testing, downward trend of positive cases, etc.

Councilmember Scanlon said until more testing is done and there is a significant downward trend of positive cases, the City should not consider reopening.

Councilmember Hall said the City needs to send a strong statement to the community about masking up in order to begin a phased transition for reopening. She would like to see specific guidelines for safely reopening Norman.

Items submitted for the record

1. PowerPoint presentation entitled, "COVID-19 – The path to "re-opening" Norman"
2. Reboot Norman Community Input Summary

* * * * *

Item 2, being:

DISCUSSION REGARDING THE PROPOSED FYE 2021 CITY OF NORMAN CAPITAL BUDGET AND THE CAPITAL IMPROVEMENTS FINANCIAL PLAN FOR FYE 2022.

Mr. Anthony Francisco, Director of Finance, said on November 19, 2019, Council was updated on funded projects and Council priorities and on February 18, 2020, Council was updated on proposed new projects. Tonight, Council will review the final proposed plan for the FYE 2021 Capital Budget.

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

Special Purpose Capital Funds

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

Sources of revenue for all funds in FYE 2020 through FYE 2021 include grants – 0.72%; User Fees – 20.35%; Capital Improvement Charge – 2.49%; Sewer Maintenance Rate – 3.17%; Sewer Excise Tax - .76%; Capital Sales Tax – 16.88%; Public Safety Sales Tax – .99%; NORMAN FORWARD Sales Tax – 6.66%; Room Tax - .18%; and Bonds – 47.81% for total revenues of \$88,370,525.

Expenditures for all funds in FYE 2021 include Capital Outlay – 5.52%; Maintenance of Existing Facilities – 0.26%; Personnel and Services – 1.58%; Street Maintenance – 5.22%; Transportation – 21.65%; Buildings and Grounds – 12.94%; Parks and Recreation – 29.74%; Water Reclamation – 8.44%; Sanitation – 0.24%; Stormwater – 2.13%; and Water – 12.29% for total expenditures of \$88,370,525.

Mr. Francisco said the Capital Improvements Fund (CIF) was established in 1976 to account for capital projects funded by capital sales tax receipts, general obligation bond issues, or specific matching funds, i.e., private and reimbursement. He said 70% of one percent (0.7%) of sales tax is set aside for capital improvements for the Capital Fund and those approved projects for construction with this funding are accounted for in the CIF. He said these projects relating to Enterprise Funds, funded with fees and charges, or special revenue sources are accounted for in their respective Enterprise Funds.

Item 2, continued:

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

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

- Capital Fund PayGo
 - FYE 20 estimated available for new projects is \$1,420,321
 - FYE 21 projected available for new projects is \$310,393
 - FYE 22 projected available for new projects is \$235,880

Mr. Francisco highlighted FYE 2021 proposed Capital Outlay as follows:

- General Fund
 - Computer Replacements - \$399,000
 - Fleet Replacement - \$2,150,365 (critical needs only)
 - \$930,313 in department requests including time clocks with proximity readers, cyber security appliances, various traffic signal/display replacements, police and fire equipment, Parks and Recreation software, and software conversion for Norman City Code
- Westwood Fund
 - \$139,800 in department requests including mower and golf cart replacements
- Public Transportation
 - Fleet Replacement - \$563,635 (one bus)
 - \$21,760 in department requests including a fiber connection and shop floor cleaning machine
- Enterprise Funds
 - Computer Replacements - \$40,000
 - Fleet Replacements - \$2,117,984
 - \$788,250 in department requests including water well equipment, discharge pump replacements, a blade chassis and server, polycarts, and dumpsters

Projects under construction in FYE 20/21 include Animal Welfare Heat and Air System (HVAC) - \$250,000; Municipal Complex Renovation - \$9,488,743; 24th Avenue East Bond Project - \$14,938,870; State Highway 9 Multi-Modal Path from 36th Avenue East to 48th Avenue East - \$1,045,774; Legacy Trail Extension along 24th Avenue N.W. and 36th Avenue N.W. - \$980,500; I-35 and Robinson Street (west side) - \$5,300,000; 12th Avenue N.E. Traffic Signal Interconnect from Alameda Avenue to Robinson Street - \$293,000; Classen Boulevard Sidewalks - \$229,296; Flood Avenue Sidewalks from Gray Street to Acres Street - \$250,000; Porter Avenue and Acres Street Intersections - \$3,675,000; Porter Avenue Streetscape - \$4,881,618; Jenkins Avenue Bond Project - \$9,600,000; Brooks Street Sidewalk from the Railroad Tracks to Classen Boulevard - \$45,640; and Engineering Design Criteria and Low Impact Development/Green Infrastructure Update - \$275,000.

Item 2, continued:

Mr. Francisco said other projects needed in FYE 20/21 include Transit and Fire Maintenance Facility - \$5 million federal grant was received for project and \$2.1 million in capital fund project savings will be transferred to this project once close-outs have been completed; Truck/Wash and Fire Apparatus Storage Facility; Downtown Bus Transfer Station; and G.O. Bond Reimbursement of Capital Project Funding.

The Public Safety Sales Tax (PSST) Fund fire apparatus replacement schedule includes FYE 2016 Elevated Platform - \$1,105,943; FYE 2017 Fire Engine - \$523,853; FYE 2018 Fire Engine - \$622,079; and FYE 2019 Pumper Truck - \$724,974.

The FYE 21 fire apparatus replacement budget includes an Air and Light Unit - \$432,100; Rescue Boat - \$75,000; Drone - \$25,000; Public Education Trailer - \$125,000; and two F150 Pickup Trucks - \$100,000.

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

The 2012 Transportation/Stormwater Bond Program Budget strategy consists of a total bond budget of \$42,500,000 with current projections of \$48,300,000 for an estimated deficit of \$5,800,000. Mr. Francisco said proposed additional program budget revenue/savings include savings from remaining three bond projects - \$0.5 million; transfer of surplus funds from 2010 Street Maintenance Bond Program - \$2 million; transfer of surplus funds from 2016 Street Maintenance Bond Program - \$1.5 million; recoupment fees, deferral fees, traffic impact fees - \$1 million; additional contributions from Norman Utilities Authority (NUA) for waterline relocations - \$0.5 million; and other State/Federal Grants - \$0.3 million for a total of \$5.8 million.

Mr. Francisco provided project status on the FYE 20/21 Street Maintenance Bond Program that includes Porter Avenue and Acres Intersection Improvements - \$3,675,000; Porter Avenue Streetscape - \$4,881,618; Jenkins Avenue: Imhoff Road to Lindsey Street - \$9,601,000; James Garner Avenue Phase 3: Acres Street to Duffy Street - \$4,951,000; Gray Street Two-Way Conversion - \$4,816,000; and Constitution Street: Jenkins Avenue to Classen Boulevard - \$2,643,260 for a total of \$30,567,878. He said the first five projects will be fully funded by the City with no federal funds.

Item 2, continued:

Mr. Francisco said in the City Vehicle Replacement Program the City replaced 35 units in FYE 2017 - \$3,046,969; 27 units in FYE 2018 - \$2,383,036; 29 units in FYE 2019 - \$2,045,471; 36 units in FYE 2020 - \$1,991,083; and 27 units are proposed to be replaced in FYE 2021 for a cost of \$2,150,365.

Mr. Francisco said significant projects in the FYE 21 Room Tax Fund include the Historic Museum Parking Project - \$55,000 with remaining debt on 2002 Norman Municipal Authority (NMA) Golf Course Bonds. He said project allocations may have to be reduced.

Upcoming significant Capital Improvements Fund (CIP) projects include Robinson Street/I-35 West Side Interchange - \$5,500,000; Jenkins Avenue: Imhoff Road to Lindsey Street Widening and Reconstruction - \$7,371,060; Porter Avenue Streetscape - \$4,881,618; Constitution Street Multimodal Path: Jenkins Avenue to Classen Boulevard Reconstruction - \$1,090,064; and James Garner Avenue - \$1,090,064.

Upcoming Capital Project Fund recurring sidewalk projects in FYE 2021 includes Sidewalk Program for Schools and Arterials - \$80,000; Sidewalk Accessibility Projects - \$30,000; Citywide Sidewalk Projects (50/50 repairs) - \$50,000; Downtown Area Sidewalk Project - \$50,000; Sidewalks and Trails - \$120,000; and Horizontal Saw Cut Program - \$50,000 for total expenditures of \$380,000.

Upcoming Fund 50 Capital Projects in FYE 2021 include Capital Outlay - \$4,004,862; Street Maintenance - \$4,110,754; Maintenance of Existing Facilities - \$226,000; Stormwater Drainage Maintenance - \$1,580,000; Lake Thunderbird Total Maximum Daily Load (TMDL) - \$300,000; Personnel - \$1,383,551; Oklahoma Department of Transportation (ODOT) Audit Adjustments - \$100,000; ADA Sidewalk Compliance and Repair - \$100,000; Bridge Maintenance - \$500,000; Driveway Repairs - \$10,000; Street Striping - \$100,000; Traffic Calming - \$50,000; Community/Neighborhood Improvements - \$100,000; and Building Maintenance Mechanical/Electrical - \$50,000 for a total expenditures of \$12,615,167.

NORMAN FORWARD upcoming projects include Indoor Aquatic and Multi-Sport Facility - \$36.3 million deficit; Senior Wellness Center - \$4.8 million deficit; Softball and Football Complex - \$9 million deficit; Ruby Grant Park Improvements - \$2.1 million deficit; Griffin Park Soccer Improvements - \$21.8 million deficit; and Reaves Park Improvements - \$7.3 million deficit if constructed as recommended by the ad hoc committee.

Mr. Francisco said Staff needs guidance from Council on which NORMAN FORWARD (NF) Projects Staff should continue to keep moving forward on and if Council would like for Staff to move forward with transferring closed out project funds to construct the Maintenance Facility.

Councilmember Holman asked why the Porter Avenue Streetscape Project costs increased from \$2,471,000 to \$4,881,618 and how that gap will be funded. Mr. Shawn O'Leary, Director of Public Works, said there was mistake on the early interpretation of the project in terms of the budget and

Item 2, continued:

while Staff never doubted the project was intended to include the entire mile from Robinson Street to Alameda Street, somewhere mid-stream of preparing the project package the City did not budget enough money to do that entire distance. He said Staff is working on several approaches for funding that includes anticipated surplus funding in the Porter Street and Acres Street Intersection Project, anticipated surplus funding from the Gray Street Two-Way Conversion Project, other contingency funding in the 2019 Transportation Bond Program, and possible federal funding opportunities for sidewalk projects.

Councilmember Holman said the 2019 Transportation Bond Proposal consisted of 19 projects, the largest in Norman history, and Staff had a short amount of time to put that package together so he can see how mistakes can be made and appreciates Staff discovering the error quickly and preparing possible solutions.

Councilmember Holman asked about the 2012 Bond Project overrun on Lindsey Street and why the bond proposal went over budget and Mr. O'Leary said out of the eight bond projects, seven of the projects are coming in below projected budget share and the overrun was due to the Lindsey Street Project in an approximate amount of \$5 million. He said two primary reasons for the increased costs were land acquisition and stormwater drainage. He said the City spent a great deal more money on easements and rights-of-way than anticipated, but the largest cost was due to a decision made by ODOT mid-stream in the project to change the design for discharging stormwater. The City originally intended to discharge the stormwater underground in a large pipeline directly into the I-35 right-of-way just south of Lindsey Street; however, ODOT disallowed that right after the bond election. He said that decision caused the City to bury the pipeline and box culvert nearly one-half mile farther underground including going under Highway 9.

Councilmember Holman asked if the Constitution Street multi-modal path will be done separately from the street project and Mr. O'Leary said yes, the City qualified for a grant for the multi-modal path to be on the north side of Constitution Street from Jenkins Avenue to Classen Boulevard and although the two projects will be designed together, they will be on different construction schedules.

Councilmember Holman said he would need more time to decide NF Project priorities, but in general he is good with keeping the pace on the projects as far as the design process. He is also okay with moving forward with closing out projects and using the funding for the Maintenance Facility.

Councilmember Bierman said she does not remember approving project close outs in the last two years and asked if that is something new and Mr. Francisco said Council usually approves individual project close outs through final acceptance of projects. He said the projects being discussed are small projects that were never closed out or never brought to Council for final approval.

Item 2, continued:

Councilmember Bierman asked the current NF shortfall and Mr. Francisco said it is in the range of \$3 million, but it is projected to be \$8 million over the 15-year life of the proposed G.O. Bond. He said the anticipated COVID effect sales tax revenue shortfall does not help the situation. Councilmember Bierman is concerned there will be a second wave of COVID cases in the fall, which impacts her decision on moving forward.

Councilmember Bierman said there is a substantial amount of money budgeted for Westwood Golf Course golf carts and the golf carts have not been used much this year due to COVID and may not be used much for another year. She asked why the Westwood Fund does not pay for its own golf carts and Mr. Jud Foster, Director of Parks and Recreation, said this program was created by Council many years ago to replace one-third of the fleet annually out of the Capital Fund. He said the Westwood Fund is not able to pay for new golf carts on an annual basis and the rotation of new golf carts always keeps them under warranty. Councilmember Bierman said in her mind, this is subsidizing the Westwood Fund and golf carts are not as much of a priority as sidewalks, traffic signals, etc., and Westwood Golf Course needs to stand on its own and pay for everything it needs from its own fund.

Mr. Foster said it is important to keep the fleet of golf carts in good condition because it is such a revenue producer. He said if the golf carts are in poor condition no one will rent them affecting revenues even more.

Councilmember Hall said the Porter Street Projects are important and she appreciates Staff's hard work in locating funds that will be needed to complete the projects. She does have concerns regarding pursuing federal funding because Council voted to complete these projects using City funds. She said the Porter Street projects are high priority for her and if there are other opportunities to identify funds without federal funding then that would be her preference.

Councilmember Carter said scary times are a time where leaders have to lead and Council needs to be brave and do their due diligence and in this circumstance he is very encouraged by the fact that the federal government came through with a \$5 million grant for the Transit Maintenance Facility. He would be in favor of closing out projects to further fund other projects in the queue.

Councilmember Carter asked Ms. Kathryn Walker, City Attorney, for an update on the South Canadian River Park and Ms. Walker said the property changed ownership then changed back to the Bob Moore family ownership and she will have to follow up on that. Mr. Foster said years ago the owner who purchased the land from the Bob Moore family believed the property was worth a fortune and would not give any land to the City, but he would be willing to sell the land at a premium price. He said if the property has reverted back to the Bob Moore family, its quite possible they would donate the land. Councilmember Holman said in 2015, there was a legal debate about ownership and Council was looking at the land that is undevelopable due to flood plain reasons and its proximity to the river, as well as endangered species, etc. He said the land the City is wanting is really not that valuable, but a passive nature park along the river seemed really appealing. He said Council really thought it would be the last NF Project to be completed

Item 2, continued:

because of the land ownership issue and it was hoped that in 15 years, the issue would be cleared up and the land donated for the project.

Councilmember Carter asked City Manager Darrel Pyle's recommendation on how to proceed so Council can get a little more clarity on the status of the project. Mr. Pyle said that conversation can take place tomorrow during the Staff meeting and Staff can review zoning, topography, contact the property owners, and prepare a recommendation for Council. Councilmember Carter felt this project would be a great asset to Norman.

Councilmember Carter said there was a \$300,000 line item for Lake Thunderbird TMDL and asked what that is for and Mr. Francisco said the Capital Fund has funded a \$300,000 project each year for TMDL studies and monitoring stormwater discharge into Lake Thunderbird.

Councilmember Scanlon congratulated Staff for the projects coming in under budget. He said Fire Chief Travis King has done a great job of managing fire apparatus and those purchases have been under budget as well. He said the rescue boat being budgeted is important in better facilitating rescue capabilities and will be a significant benefit to the City.

Councilmember Scanlon said he is in favor of closing out projects to keep the NF Projects moving forward. He is also in favor of programming \$2.1 million to make the Fire and Transit Maintenance Facility a reality.

Councilmember Petrone asked how much ACOG funding the City received and which projects it will be spent on and Mr. O'Leary said the \$4.9 million will be used for the Robinson Street and I-35 Project, one transit bus replacement, Pavement Marking Program, and the Alameda Street and Summit Lake Boulevard Traffic Signal Project.

Councilmember Petrone asked for a list of all projects that have not been closed out that have money left and Mr. Francisco said while working on funding for the projects being discussed tonight, Staff has discovered most of the unclosed projects, but there could be projects in the future with funding left over.

Councilmember Petrone said within the General Fund, if the UNPTIF lawsuit goes into an appeal, will the City be in the red in FYE 20 and Mr. Francisco said the City will have an adequate fund balance to absorb the \$3 million loss of funds anticipated from the UNPTIF, but the City also expects a shortfall in projected sales tax revenues due to the COVID effect. He said there is a possibility the City could be in the red, but it is hard to predict what that shortfall would be.

Councilmember Petrone said two weeks ago she encouraged Staff to meet with UNPTIF developers to find some middle ground for an agreement to end the UNPTIF and asked if that has

Item 2, continued:

been done. Mr. Pyle said yes, the developers from UNPTIF were watching the budget conversations and made contact the next morning indicating that under the current COVID environment the retail development opportunities have dwindled, which greatly reduces their desire or willingness to negotiate further benefits they were eligible for under the original agreement. He said the City lost a little ground in its negotiating posture based on what the developers believe the future environment outlook will be going forward.

Ms. Walker said there are a lot of deadlines negotiated in the latest agreement that will be difficult to meet given the COVID effect and the lawsuit to stop the UNPTIF from ending early. She has had conversations with the developers regarding timelines that apply to City projects and that is something everyone is recognizing will be hard to meet. She said there has not been a lot of discussion regarding the timelines in the original Project Plan as was amended in 2008, or any other development agreements primarily because the developer's representatives feel confident about the petition being moved to district court and being struck down so they are not concerned about revisiting those agreements. She said they do want to move forward with the 2019 amendments and are excited about the NF Project.

Councilmember Petrone said once the lawsuit is settled, the most pressing matters that were put on hold because of the lawsuit will probably be the first to move forward.

Councilmember Petrone said she is concerned about all the bridges in Norman that are in dire need of maintenance and it would be helpful if the City could work on one bridge a year. Mr. O'Leary agreed and said Staff is looking for every opportunity for funding bridge maintenance, but this is a multi-million-dollar problem and a single bridge can cost \$3 to \$4 million and there are 19 bridges in need of immediate attention. He said the City can do one at a time or two at a time, but it is still going to take tens of millions of dollars to get there and the City is 20 years behind schedule. He said federal money can be used, but Norman usually uses federal funds on street and sidewalk projects which would have to be postponed; however, it may be time to change that formula. Mr. Francisco said there is \$500,000 being allocated for bridges in the five-year plan.

Councilmember Petrone said she does not see a solution to the NF deficits and felt voters would need to approve whether or not these projects move forward through G.O. Bonds; however, with COVID, the Stay-at-Home order, people losing their jobs, and businesses being shuttered she did not know how appealing raising property taxes would be to the public. She would prefer knowing what the public wants versus having a bunch of big fancy drawings sitting on a shelf.

Councilmember Petrone said she is very supportive of funding the Maintenance Facility and agrees with Councilmember Bierman about the golf carts. Do the golf carts make more than what they cost and Mr. Foster said yes, they do make more than they cost.

Councilmember Holman said having design plans ready even if they are sitting on a shelf until they can be approved is the best option because even if the bond proposal fails the projects will be built with the funds available.

Item 2, continued:

Mayor Clark said she sees support for the Maintenance Facility and mixed reactions to NF Projects.

Councilmember Scanlon agrees with Councilmember Holman that having the plans ready allows the City to be a step ahead whenever the funding becomes available from whatever source. He said if the contracts lapse it may cost more later for the same services.

Councilmember Bierman said it is not that she disagrees with Councilmembers Holman and Scanlon, but her concern is about money that is not accounted for in any other way except through the G.O. Bonds. She said the City is already facing a very difficult budget situation and she does not feel comfortable spending \$600,000 for engineering plans without a guarantee the City will have the money to pay for that.

Mayor Clark said the Aquatic and Multi-Sport Facility design will not begin until after the election in August and suggested that could be an area of compromise. She said like Councilmembers Carter, Holman, and Scanlon, she would like to be ready to move forward and she is more optimistic, but Council has to be realistic as well and perhaps having plans ready for all projects except for the Aquatic and Multi-Sports Facility would be a compromise to the situation. Councilmember Bierman said she would feel more comfortable with that compromise.

Councilmember Hall said she understands the points Councilmembers Bierman and Petrone are making, but feels the Council asked the Ad-Hoc Committees to make recommendations and they have done that. She said it is hard to know what the climate will be for an August bond election, so she is really struggling on which way to go, but believes that if the funds for design are already in the project budgets and the City is obligated to go forward with building the projects one way or the other then the City should keep moving forward. She could live with the compromise if Council wants to prioritize projects.

Councilmember Scott said if the design costs are already budgeted, then the City should continue to move forward on that.

Mayor Clark said if it costs more to redesign the projects if the bond does not pass then she is willing to wait and Mr. Foster said he did not believe there will have to be any backtracking on architecture and engineering plans if the bond does not pass. He said if the projects were in the final design phase then yes, it would cost more money to redesign the projects on a smaller scale, but the process will not be ready by August. Ms. Brenda Hall, City Clerk, agreed with Mr. Foster because the designs are schematic at this point and are not detailed or at the stage of construction drawings.

Councilmember Hall said the budgeted design for the Senior Wellness Center does not meet that community's expectations.

Item 2, continued:

Mayor Clark said there seems to be consensus to proceed with architecture and engineering design services. She asked that additional comments on reboot Norman be emailed to her.

Items submitted for the record

1. PowerPoint presentation entitled, "FYE 2020-2021 C.I.P. Budget and FYE 2022-2025 Capital Improvements Plan"

* * * * *

The meeting was adjourned at 10:05 p.m.

ATTEST:

City Clerk

Mayor