



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: R-1920-71

File ID: R-1920-71 **Type:** Resolution **Status:** Consent Item

Version: 1 **Reference:** Item 30 **In Control:** City Council

Department: Utilities Department **Cost:** \$23,301.00 **File Created:** 11/21/2019

File Name: FYE19 Payback to Investors **Final Action:**

Title: RESOLUTION R-1920-71: A RESOLUTION OF THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY APPROPRIATING \$23,301 IN REVENUE COLLECTED FROM THE 36TH AVENUE INTERCEPTOR PAYBACK PROJECT AND THE 36TH AVENUE FORCE MAIN PAYBACK PROJECT AND DEPOSITED IN THE WASTEWATER FUND BALANCE AND AUTHORIZING PAYMENT TO THE PAYBACK PROJECT INVESTORS.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution R-1920-1.

ACTION TAKEN: _____

Agenda Date: 12/10/2019

Agenda Number: 30

Attachments: 36thAveNWInterceptorMap_R-1112-97,
36thAveNWForceMain_AgendaMap

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
------------	--------------	-------	---------	----------	-----------	--------------	---------

Text of Legislative File R-1920-71

Body

BACKGROUND: The City Council approved Resolution R-9900-46 on October 26, 1999 and Resolution R-9900-26 on September 14, 1999 declaring the 36th Avenue Interceptor and the 36th Avenue Force Main projects as payback projects. These actions enable the investors in the payback projects to recover costs from property owners benefiting from the project. In addition, the Norman Utilities Authority and the investors entered into payback agreements K-9899-36 and K-9900-45 for the 36th Avenue Interceptor and the 36th Avenue Force Main projects, respectively.

In accordance with these agreements, property owners benefiting from the projects are

required to pay back their share of the project as their parcels develop. The amount of payback collected is based on the acreage of the land developed, the land use, and the estimated wastewater flow. In accordance with the agreements, the City collects a 2% fee for administering the collection and distribution of the payback fees. Payback funds are deposited in the Wastewater Recoupment revenue account (Org 329, Object 364254) prior to disbursement to the investors.

The completion of the Little River Interceptors in February 2011 provided an alternate sewer solution that eliminated the Carrington Lift Station and force main and greatly reduced wastewater flows to the 36th Avenue NW Interceptor. Resolutions R-1112-97 and R-1112-98, adopted January 10, 2012 releases those parcels no longer accessing the 36th Avenue NW Interceptor and the 36th Avenue Force Main, and continues the payback for those parcels utilizing the interceptors when they develop. The parcels subject to payback, as of January 2012, are shown on the attached maps entitled "36th Avenue NW Interceptor Payback Project" and "36th Avenue NW Force Main Payback Project".

These maps include all properties originally subject to payback. Parcels colored "yellow" paid their share of the costs at inception of the project. Parcels colored "pink" have paid their pro-rata share of the costs since inception of the project and were released. Parcels colored "green" were released of their share of the costs under R-1112-97 and R-1112-98. Parcels colored "blue" are still subject to payback, as of January 2012, as they will continue to utilize the interceptors when they develop.

DISCUSSION: As shown on Attachment 1, payback fees totaling \$23,766.19 were collected between July 1, 2012 and June 30, 2019 and deposited in the Wastewater Recoupment revenue account. To date, revenues totaling \$84,851.74 have been collected for this payback project.

It is now necessary to appropriate \$23,301 from the Water Reclamation Fund Balance into the Recoupment Payback account (Org 32955148, Object 44706). As noted, the City retains 2%, or \$466, as an administrative fee. As shown in Attachment 2, payback fees will be returned to the investors based on the percentages set forth in the agreement.

A total of \$9,313.09 (Interceptor \$8,622.95/Force Main \$690.14) will be returned to Round Table Corporation. A total of \$7,770.61 (Interceptor \$7,194.78/Force Main \$575.83) will be returned to Sturtz Group; and a total of \$6,216.49 (Interceptor \$5,755.82/Force Main \$460.67) will be returned to Cascade Development, LLC.

RECOMMENDATION: It is recommended that the City Council approve Resolution R-1920-71 and appropriate \$23,301 from the Water Reclamation Fund Balance (Org 32, Object 29000) to the Recoupment Payback account (Org 32955148, Object 44706) and authorize payments to the investors as shown above.