

CITY COUNCIL CONFERENCE MINUTES

June 9, 2020

5:00 p.m.

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a virtual conference at 5:00 p.m. in the Municipal Building City Council Chambers on the 9th day of June, 2020, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Bierman, Foreman, Hall, Holman, Petrone, Scanlon, Wilson, Mayor Clark

ABSENT:

Councilmember Carter

Item 1, being:

CHANGE ORDER NO. THREE TO CONTRACT K-1819-125: BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$60,354.77 FOR A REVISED CONTRACT AMOUNT OF \$3,119,645.77 AND ADDING 48 CALENDAR DAYS TO THE CONTRACT FOR THE ROBINSON WATER LINE REPLACEMENT PROJECT, PHASE II, AND FINAL ACCEPTANCE OF THE PROJECT.

Mr. Mark Daniels, Utilities Engineer, said the Robinson Water Line Replacement Project replaces six miles of 16, 24, and 36-inch deteriorated and undersized water lines and replaces or rehabilitates 161 manholes between the Brookhaven Elevated Water Storage Tank and the Water Treatment Plant. The water line has had numerous leaks resulting in a significant loss of water and damage to the overlying or adjacent roadway. Repairs to this large diameter water line are very expensive and time consuming for Norman Utilities Authority and Norman Public Works Staff and are disruptive to traffic in the areas as repairs are completed.

Change Order No. One in the amount of \$193,930 was approved on February 11, 2020, to install approximately 520 feet of new water line located northwest of State Highway 9 and Classen Boulevard adjacent to a new On Cue Convenience Store.

Change Order No. Two in the amount of \$20,570 was approved by the City Manager On May 22, 2020, to provide for the removal and disposal of an existing 12-inch ductile iron pipe blocking installation of the 30-inch waterline as designed.

Change Order No. Three in the amount of \$60,354.77 will reconcile “as-bid” to “as-built” quantities and compensate Central Contracting Services, Inc., for delay due to changed working conditions and extends the contract time by 48 calendar days. As with any major unit price contract, the estimated quantities vary from those actually installed in the field. Reconciled quantities include 3,043 additional tons of rock in the pipe excavations due to the unstable materials under Robinson Street and 36th Avenue N.W.; additional tees, reducers, and bends of various pipe sizes required (often to avoid underground obstructions); seven additional services

Item 1, continued:

installed; 211 additional square yards of concrete sidewalk; additional Bermuda sodding for erosion control at Brookhaven Creek in lieu of articulated block; and an additional 99 square yards of high early strength concrete paving associated with quickly re-opening 36th Avenue N.W.

Mr. Daniels said after the bid opening, the City mandated revisions to the approved Traffic Control Plan between Brookhaven Creek and 36th Avenue N.W. reducing the contractors working area on Robinson Street from two lanes to one lane which eliminated areas for equipment movement and material or rock storage. The pipe installation was slowed to approximately 20 feet per day in this area compared to installing between 70 and 100 feet per day.

The Robinson Street Water Line Project was completed on April 17, 2020, and the On Cue Convenience Store water line was completed on May 27, 2020; therefore, Staff is recommending final acceptance of the project.

Items submitted for the record

1. Text File K-1819-125, Change Order No. Three, dated May 29, 2020, by Mark Daniels, Utilities Engineer
2. PowerPoint presentation entitled, "Norman Utilities Authority Change Order Discussion," dated June 9, 2020

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Item 2, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1920-73 BETWEEN THE NORMAN UTILITIES AUTHORITY AND HORSESHOE CONSTRUCTION, INC., INCREASING THE CONTRACT AMOUNT BY \$129,564 FOR A REVISED CONTRACT AMOUNT OF \$2,925,725.25 AND ADDING 20 CALENDAR DAYS TO THE CONTRACT FOR THE FYE 2017 SEWER MAINTENANCE PROJECT.

Mr. Mark Daniels, Utilities Engineer, provided background on the FYE 2017 Sewer Maintenance Project (SMP17). He said in 2001, citizens approved a five dollar per month sewer maintenance fee to provide for systematic replacement of aged and deteriorating neighborhood sewer lines. After extensive study by the Sewer Line Maintenance and Utilities Engineering Divisions, the sanitary sewer lines within the SMP17 study area were determined to require 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. The project will replace 28,500 feet of old sewer mains and rehabilitate or replace 161 manholes. He said the selected contractor generally installs 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 and house sewer service connections are then re-connected to the new pipe. He said this project will affect approximately 455 private residences.

Item 2, continued:

Bids were opened on March 12, 2020, and Horseshoe Construction, Inc., (Horseshoe) was the lowest bidder with a base bid of \$2,796,161.25. The contract included a no cost Change Order No. One to adjust the unit cost bid for two bid items. As of May 21, 2020, approximately 1,300 feet of sewer line has been replaced.

Change Order No. Two in the amount of \$129, 564 will add pipe bursting of approximately 1,000 feet of 12-inch sewer line and nine service reconnections along Chautauqua Avenue north of Symmes Street. The contract timeline will also be extended by 20 calendar days for a revised completion date of May 12, 2021. Mr. Daniels said Chautauqua Avenue was the dividing line between the FYE 2003 and FYE 2005 Sewer Maintenance Projects, but this sewer line was missed at that time.

Items submitted for the record

1. Text File K-1920-73, Change Order No. Two, dated May 21, 2020, by Mark Daniels, Utilities Engineer
2. Change Order No. Two to K-1920-73

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Item 3, being:

PRESENTATION OF POLLING RESULTS FOR THE PROPOSED GENERAL OBLIGATION BOND ELECTION FOR NORMAN FORWARD PROJECTS, MUNICIPAL FACILITY PROJECTS, AND AN ECONOMIC STIMULUS RECOVERY PACKAGE.

Mr. Pat McFerron, President of Cole Hargrave Snodgrass & Associates (CHS & Associates), highlighted survey results and said a survey of 500 households was conducted May 25 through May 29, 2020. He said the survey included age; income; contact method; voting history; awareness and favorability of NORMAN FORWARD (NF) Projects; and awareness and favorability of General Obligation Bond Projects. He said most of the people surveyed were 55 to 64 with most incomes being \$100,000 to \$150,000 and 52% being female. Mr. McFerron said 44% of those surveyed were Democrats, 42% were Republican, and 14% were Independent. He said 34% of those surveyed were contacted by mobile phone, 24% by landline, and 42% by text/web. He said 49% of respondents voted in each of the last three General Elections and 57% voted in the last five stand-alone Municipal Elections. He said 54% of respondents read The Norman Transcript everyday with 57% of those readers under 45 years and 43% over 65 years and The Norman Transcript really increases in importance among the most frequent voters because those that read the newspaper are more likely to be supportive of the bond issues. He said older voters are less supportive with younger voters being more supportive and those with higher household incomes were more supportive as well.

Mr. McFerron said when asked if Norman is headed in the right direction or if things are currently on the wrong track, 55% responded Norman is headed in the right direction, 37% responded Norman is on the wrong track, and 8% were undecided.

Item 3, continued:

When asked what the most important issue facing the City of Norman is today, 10% responded Jobs and Economy; 8% responded taxes and budget; 2% responded education; 10% responded roads and infrastructure; 2% responded crime/safety; 13% responded government leadership; 2% responded healthcare; 2% responded poverty; 2% responded moral issues; 20% responded COVID-19; 9% responded time to reopen Norman; 2% responded with miscellaneous answers; and 18% responded they did not know.

When asked if the respondent had heard of NF and if their impression is favorable or unfavorable to NF, 33% were favorable; 17% were unfavorable; 27% had heard of NF, but had no opinion; and 23% have not heard of NF.

When asked if respondent was in favor of or opposed to issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 32% strongly favored; 26% somewhat favored; 14% somewhat opposed; 19% strongly opposed; and 9% were undecided.

When asked why respondent was in favor of issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 29% responded parks are important and needed; 4% responded projects were needed for youth activities; 38% responded to improve the community; 5% responded with miscellaneous answers; 24% responded they did not know.

When asked why respondent was opposed to issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 13% responded the projects are not needed; 36% responded the projects cost too much; 19% responded that there are more important issues the City needs to address; 17% responded mismanagement; 2% responded with miscellaneous answers; and 14% responded they did not know.

Respondents were told the bond projects will include improvements to the new Indoor Aquatic and Multi-Sport Center, construction of a stand-alone Senior Wellness Center, a Softball and Football Sports Complex, infrastructure and other improvements at Ruby Grant and Reaves Parks, a new Parks Maintenance Facility, and a Homeless Shelter Facility. After being informed of this information, when respondents were asked if they are in favor of or opposed to issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 40% strongly favored; 24% somewhat favored; 11% somewhat opposed; 21% strongly opposed; and 4% were undecided.

When asked why respondent changed their mind once bond projects were explained regarding issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 18% responded a Homeless Shelter is needed; 5% responded Indoor Aquatic Center is needed; 5% responded projects are needed/important; 27% responded it is because they received more information; 4% responded they needed more information; 2% responded with miscellaneous answers; and 40% responded they did not know.

Item 3, continued:

When asked if respondent was in favor to or opposed to the City of Norman issuing bonds in the amount of \$24.3 million to construct, expand, repair, improve, renovate and equip municipal services facilities, such as the Transit and Fire Maintenance Facility, Municipal Complex, and Emergency Operations Center (EOC), 37% strongly favored; 29% somewhat favored; 14% somewhat opposed; 13% strongly opposed; and 8% were undecided.

When asked why respondent was in favor to issuing bonds in the amount \$24.3 million to construct, expand, repair, improve, renovate and equip municipal services facilities, such as the Transit and Fire Maintenance Facility, Municipal Complex, and Emergency Operations Center (EOC), 34% responded projects are needed; 26% responded it is time to update facilities; 9% responded infrastructure was needed; 2% responded with miscellaneous answers; and 28% responded they did not know.

When asked why respondent opposed issuing bonds in the amount \$24.3 million to construct, expand, repair, improve, renovate and equip municipal services facilities, such as the Transit and Fire Maintenance Facility, Municipal Complex, and Emergency Operations Center (EOC), 27% responded projects are not needed; 26% responded City has mismanaged funds; 23% responded they want no new taxes; and 24% responded they did not know.

When asked if respondent was in favor to or opposed to the City of Norman issuing bonds in the amount of \$5 million for the Economic Recovery Program, which will not be issued if federal funding becomes available for this purpose, 33% strongly favored; 23% somewhat favored; 13% somewhat opposed; 17% strongly opposed; and 14% were undecided.

When asked why respondent was in favor of issuing bonds in the amount of \$5 million for the Economic Recovery Program, which will not be issued if federal funding becomes available for this purpose, 22% responded program is needed; 20% responded they want to help local businesses; 23% responded they wanted to help economic recovery; and 35% responded they did not know.

When asked why respondent was opposed issuing bonds in the amount of \$5 million for the Economic Recovery Program, which will not be issued if federal funding becomes available for this purpose, 10% responded they needed more information; 30% responded the City mismanaged funds; 26% responded program is not needed; and 34% responded they did not know.

Respondents were told the City has discussed investing \$5 million in a Homeless Resource Center and if the respondent knew the bond issues discussed also included \$5 million for a Homeless Resource Center, how would that affect their vote? Would that make them more likely to vote yes or more likely to vote no and 36% responded definitely yes; 26% responded probably yes; 12% responded probably no; 19% responded definitely no; and 8% were undecided.

Mr. McFerron said a list of statements about the bond issues were discussed with respondents and after each statement, the respondent was asked if they were more likely vote yes on the bond issues or more likely to vote no on the bond issues and highlighted the statements and responses as follows:

Item 3, continued:

- It is estimated the property taxes on the average Norman home, that is a home valued at about \$150,000, will increase by \$10 per month if these bond issues pass – 33% responded definitely yes; 20% responded probably yes; 14% responded probably no; 27% responded definitely no; and 6% were undecided.
- These bond issues are needed to build the NF Projects in a manner that will meet our City’s recreational needs for the next generation – 39% responded definitely yes; 21% responded probably yes; 12% responded probably no; 20% responded definitely no; and 8% were undecided.
- Without these bond issues, the NF Projects will have to be dramatically reduced from what has been proposed – 35% responded definitely yes; 24% responded probably yes; 13% responded probably no; 19% responded definitely no; and 10% were undecided.
- More than \$36 million of the \$89 million needed are for the Indoor Aquatic and Multi-Sports Facility – 23% responded definitely yes; 22% responded probably yes; 21% responded probably no; 29% responded definitely no; and 6% were undecided.
- More than \$58 million of the \$90.6 million needed are for the Indoor Aquatic and Multi-Sports Facility – 33% responded definitely yes; 15% responded probably yes; 13% responded probably no; 32% responded definitely no; and 7% were undecided.
- Instead of cutting corners, Norman needs to complete these projects in a first class manner and this bond issues lets that happen – 41% responded definitely yes; 20% responded probably yes; 13% responded probably no; 18% responded definitely no; and 7% were undecided.
- By doing a bond issue, Norman can speed up construction and implementation of these projects so we can lock-in lower costs – 39% responded definitely yes; 24% responded probably yes; 10% responded probably no; 20% responded definitely no; and 7% were undecided.
- By doing a bond issue, Norman can speed up construction and implementation of these projects so we can start realizing the economic and health benefits sooner – 36% responded definitely yes; 24% responded probably yes; 16% responded probably no; 16% responded definitely no; and 8% were undecided.
- One of the improvements to the Municipal Complex will make it easier for residents and businesses to work with the City by streamlining the permit process and allow these to occur in one place instead of going back and forth between buildings – 43% responded definitely yes; 23% responded probably yes; 11% responded probably no; 17% responded definitely no; and 7% were undecided.
- This will build a new EOC as a safe central hub for emergency responders during an emergency, like a tornado – 52% responded definitely yes; 22% responded probably yes; 8% responded probably no; 12% responded definitely no; and 6% were undecided.
- The economic recovery bond is for helping our local small businesses overcome financial issues related to the coronavirus pandemic – 51% responded definitely yes; 21% responded probably yes; 9% responded probably no; 14% responded definitely no; and 5% were undecided.
- We cannot rely on the City to plan and manage things correctly. For NF, this represents a 59% cost overrun from the original \$150 million budget – 20% responded definitely yes;

Item 3, continued:

- 16% responded probably yes; 22% responded probably no; 30% responded definitely no; and 12% were undecided.
- No tax increase will be seen from this until 2022 – 36% responded definitely yes; 23% responded probably yes; 11% responded probably no; 21% responded definitely no; and 8% were undecided.
- One reason the NF funding is needed is to construct the Senior Center, which was not funded in the original package – 44% responded definitely yes; 21% probably yes; 10% responded probably no; 19% responded definitely no; and 6% were undecided.

Mr. McFerron said after the list of statement responses was completed, the respondents were asked two questions again to see if their response had changed.

When asked if respondent is in favor to issuing bonds in the amount of \$90.6 million to provide funds for the purpose of parks, recreational and community facilities bond projects, 36% responded strongly favor; 24% responded somewhat favor; 11% responded somewhat oppose; 25% responded strongly oppose; and 4% were undecided.

When asked if respondent is in favor of issuing bonds in the amount of \$24.3 million to construct, expand, repair, improve, renovate, and equip municipal services facilities, such as Transit and Fire Maintenance Facilities, 44% responded strongly favor; 23% responded somewhat favor; 11% responded somewhat oppose; 18% responded strongly oppose; and 4% were undecided.

Mr. McFerron said the City should be fine holding an August election as long as citizens are educated on the propositions.

Council Comments/Questions

Councilmember Petrone said her concern in holding an election in August is because 57% of those polled either did not vote in the last five municipal elections or they only voted in one of five. She said if the City takes the 57% out of the equation, how would the responses fare and Mr. McFerron said there was not a significant change, but there was slight approval increase overall.

Councilmember Petrone said it is important the bond issues pass and the most informed voters on City issues who vote regularly have an even split of approved and opposed for the last five elections. Mr. McFerron said that is correct, there is a margin of error dead heat, but feels an August election would have a higher voter turnout and because of the unknown partisan variables between August and November, he believes the City would be more successful with an August election.

Councilmember Petrone asked if the \$10 property tax increase was configured for all the propositions and Mr. McFerron said yes, it was determined on all propositions passing.

Item 3, continued:

Council Comments/Questions, continued:

Councilmember Bierman said she focused on the favorability or opposition for informed voters and is concerned about the numbers for the NF Projects because when looking at the higher/highest frequency voters, once they have been informed on the pros and cons of the project, two out of five in the last five municipal elections was an even 47/47% split. For voters that have voted in the last three out of the last five municipal elections, there was 50% support and 40% opposition and for the last four out of the last five municipal elections, there was 50% support and 48% opposition and those are not promising numbers. She said there was more support before higher frequency voters became more informed about the projects. She said if the City were just looking at the NF Projects bond, would CHS & Associates advise the City to have an August election and Mr. McFerron said yes.

Councilmember Scott asked what the impact or consequences would be if the election was postponed until November and Mr. McFerron said the election could pass in August and any delay has its own risks, i.e., higher construction costs, etc.

Mr. Jud Foster, Director of Parks and Recreation, said Staff has been working with the Trey Young Family regarding a \$4 million donation and they have agreed to sign a Memorandum of Understanding to be a major contributor to the Indoor Aquatic and Multi-Sport Facility. He said Mr. Young is also willing to work with the promotion of the project.

Mr. Darrel Pyle, City Manager, asked if that information would have an impact on election results and Mr. McFerron said in communities that have a philanthropic entity, that tends to move things in a more positive, encouraging direction.

Public Comment/Questions

Mr. Kent Nicholson said the public came to Council five years ago with the proposal for NF Projects and voters came out strong because of sports groups rallying for the projects and the City can count on them again. He said time is of the essence for all facilities, but the Aquatic Center in particular, because the public is tired of waiting. He encouraged Council to hold the election in August.

Mr. Dan Schemm, Executive Director of VisitNorman, said he would encourage an August election date. He said tourism can act as a front door for economic recovery so getting more people to visit Norman is the goal and these projects will help accomplish that goal. He said sport tournaments are being held outside of Norman throughout the State and Norman should have these tournaments locally and felt the public would support the propositions.

Mr. Steve Ellis suggested Council put this vote off because there will be a lot of uncertainties in August due to COVID-19 and these propositions can wait until the end of the pandemic. He said it will not be clear where people will be willing to spend their money until the pandemic ends.

Item 3, continued:

Public Comment/Questions, continued:

Mr. Scott Martin, Director of the Chamber of Commerce, said he is unsure of what the current pandemic crisis is going to predict, but there is nothing more important to the community than these propositions and there is no better time than the present to get them done. He encouraged Council to hold an August election and let the citizens of Norman vote on these propositions. He said the positive campaign goal would be to see the approval numbers rise and a lot of work would go towards getting that done. He said the City needs to take advantage of the low construction rates, low bond rates, and desire in the community to move forward. He has children that attend sporting events outside of Norman almost every weekend and he would rather spend that time and his dollars in Norman.

Mr. Rob Norman said the poll results are positive overall for these projects and he understands the strategy of waiting until November for a larger voter turnout, but at this point the City needs to take action and stop kicking the can down the road. He said Norman has a history of putting things off and not taking action so he would like to see an August election so the City can move forward.

Items submitted for the record

1. Survey of 500 Registered Voters in the City of Norman – Margin of error: +/- 4.3% Conducted May 25 – 29, 2020, by CHS & Associates
2. PowerPoint presentation of results of “A Survey of 500 Registered Voters in the City of Norman – Margin of error: +/- 4.3% Conducted May 25 – 29, 2020,” by CHS & Associates

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The meeting was adjourned at 6:25 p.m.

ATTEST:

City Clerk

Mayor