



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1314-42

File ID: R-1314-42 **Type:** Resolution **Status:** Consent Item

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

Department: Public Works Department **Cost:** \$635.00 **File Created:** 09/16/2013

File Name: First Baptist Church Refund **Final Action:**

Title: RESOLUTION NO. R-1314-42: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$635 FROM THE GENERAL FUND BALANCE FOR THE REFUND OF A PRORATED PORTION OF THE REVOCABLE LICENSE PAID BY FIRST BAPTIST CHURCH FOR USE OF CITY RIGHT-OF-WAY ALONG COMANCHE STREET.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-42.

ACTION TAKEN: _____

Agenda Date: 09/24/2013

Agenda Number:

Attachments: R-1314-42

Project Manager: Ken Danner, Subdivision Manager

Entered by: ken.danner@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
----------	--------------	-------	---------	----------	-----------	--------------	---------

Text of Legislative File R-1314-42

Body

BACKGROUND: On April 23, 2013, Council approved a revocable license to First Baptist Church. The license allowed them to occupy twenty feet of existing right-of-way along the north side of Comanche Street. First Baptist desired to use the right-of-way in order to construct a new staircase and entrance into the church. At the time of approval of the license, First Baptist Church paid an annual license fee of \$952.

This license had one additional term that previously approved licenses have not contained. First Baptist Church was in the process of applying to close and vacate twenty feet of right-of-way along the north side of Comanche Street from Santa Fe Avenue to Webster Avenue. According to the License, if such a closure and vacation were approved, it would no longer be necessary for First Baptist Church to lease right-of-way from the City of Norman for the stairway and entrance because they would be located on property owned by First Baptist Church. For that reason, the License requires the City of Norman to refund a prorated portion of the fee based upon the amount of months remaining on the license at the date of closure of Comanche Street.

DISCUSSION: City Council approved the closure of the north twenty feet of right-of-way along Comanche Street on July 23, 2013. The closure ordinance went into effect thirty days later on August 22, 2013. Therefore,

First Baptist Church is due a refund on the remaining eight months of the license. The refund amount is \$634.66.

At the time that First Baptist Church made the \$952 license fee payment, the City of Norman receipted the funds into the General Fund. At the end of FYE 2013, the license fee was placed in the General Fund Balance. For that reason, it is necessary for City Staff to request that City Council appropriate the necessary funds for the refund.

RECOMMENDATION: Staff recommends appropriation of \$634.66 from General Fund Balance (010-0000-253.20-00) into Public Works Engineering Miscellaneous Refunds and Reimbursements (010-5010-429.47-06) in order to refund the prorated portion of the license fee due to First Baptist Church under the terms of the license.