



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: GID-1920-93

File ID: GID-1920-93 **Type:** Development, Deferrals and Variances **Status:** Consent Item

Version: 1 **Reference:** Item 16 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 06/09/2020

File Name: Return of Cash Surety for Deferred Construction, Park Place, Section 6 **Final Action:**

Title: CONSIDERATION OF THE RETURN OF CASH SURETY IN THE AMOUNT OF \$32,933.80 FOR DEFERRED CONSTRUCTION FOR PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH PARK PLACE ADDITION, SECTION 6.

Notes: ACTION NEEDED: Motion to approve or reject the refund of the owner's obligation for deferred construction; and, if approved, direct the return of the cash surety in the amount of \$32,933.80 to the developer.

ACTION TAKEN: _____

Agenda Date: 06/23/2020

Agenda Number: 16

Attachments: Release Letter, Location Map, Final Plat, 8-22-06 Council Agenda & Minutes, Engineers Estimate for Deferred Construction

Project Manager: Ken Danner, Subdivision Development Manager

Entered by: cydney.karstens@normanok.gov

Effective Date:

History of Legislative File

| Ver- sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
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Text of Legislative File GID-1920-93

body

BACKGROUND: City Council, at its meeting of August 22, 2006, approved deferred construction for paving and sidewalk improvements in connection with Park Place Addition, Section 6 (generally located ¼ mile east of 12th Avenue N.E. on the south side of Rock Creek Road) subject to receipt of payment in cash or certificate of deposit. The owners submitted Certificate of Deposit 22805 to City Staff in the amount of \$32,933.80. The final plat dedicated Rock Creek Road right-of-way and the final plat was filed of record with the Cleveland County

Clerk on August 17, 2006. Park Place Addition, Section 6 is a single-family residential development of 99 lots with street access to Rock Creek Road.

DISCUSSION: The owners have requested that the City release the obligation and return the cash surety for the deferred construction for paving and sidewalk improvements based on the fact it has been held for over ten (10) years. Section 19-602 B7 of the Code of the City of Norman states that *“If construction of the deferred facility has not commenced within ten (10) years from the date of deferment, then the cost paid or the certificate of deposit may be returned upon action of the Council upon written request of the payor.”* Because more than ten (10) years have passed since submittal of the deferred construction payment, the owner has now requested that the City release the obligation and return the cash surety.

These improvements were not included as part of a federally-funded Oklahoma Department of Transportation (ODOT) and City Bond Paving Project for Rock Creek Road in 2010. Currently the improvements have not been constructed.

However, on April 2, 2019, Norman voters approved the City’s 2019 Transportation Bond Program including major improvements to Rock Creek Road from Queenston Avenue to 24th Avenue N.E. The Rock Creek Road Project is scheduled for construction in 2030 at an estimated cost of \$6,442,643. City Bond funds will be matched with Federal funds and local development fees to pay the project costs.

STAFF RECOMMENDATION: Staff recommends the City retain the Developer’s cash surety in the amount of \$32,933.80. The City will use these funds to finance the Rock Creek Road Project in 2030.