

## CITY COUNCIL STUDY SESSION MINUTES

March 19, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:38 p.m. in the Municipal Building Conference Room on the 19th day of March, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

### PRESENT:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Williams, and Mayor Rosenthal

### ABSENT:

Councilmember Spaulding

### DISCUSSION REGARDING THE FYE 2014 BUDGET RELATIVE TO THE USE OF PUBLIC SAFETY SALES TAX FOR NEEDS IN THE POLICE AND FIRE DEPARTMENTS.

Mr. Anthony Francisco, Finance Director, said tonight's meeting is a continuation of the discussion regarding the FYE 2014 budget relative to the use of Public Safety Sales Tax (PSST) for needs in the Police and Fire Departments. He highlighted background information for previous actions relative to PSST "excess".

Mr. Francisco said with adoption of FYE 2014 Budget, 69 of 71 positions will have been filled and/or added to the budget, and both fire stations will have been built. "Excess" PSST funding (\$4.5 million) was identified by Council in FYE 2013 to pay for CAD/RMS/MDS Systems (\$2,330,000), Smalley Center Renovation (\$1,127,450), and replacement of two fire trucks (\$1,042,550).

Mr. Francisco said Staff would like Council's direction regarding whether additional "excess" PSST funds be made available in FYE 2014, if so, would Council like to maintain minimum estimated fund balance in FYE 2016 (after PSST ends) to keep added Public Safety Staff for six months or maintain additional minimum FYE 2016 fund balance for other needs.

Mr. Francisco highlighted the PSST fund balance reflecting FYE 2012 (actual) to FYE 2016 (projected). He provided the beginning fund balance, revenue, expenses, net revenues/losses, and ending fund balance for FYE 2012; budget and estimated balances for FYE 2013; and projected balances for FYE 2014 – FYE 2016. Mr. Francisco said according to the projections, when the PSST ends on September 30, 2015, and assuming the PSST funded positions are continued from October 2015 through June 30, 2016, the ending fund balance will be approximately \$9,561,993. Councilmember Kovach asked if the projections are based on historic average of sales tax collections and Mr. Francisco said the projections are based on 4.25% while the historic pattern of sales tax collections are approximately 4.5%.

The PPST Oversight Committee requested the Police and Fire Departments prioritize capital needs and issues of immediate concern that are not likely to be adequately funded from other revenue sources in the foreseeable future. The police and fire projects total \$12,738,000 and Staff felt these issues, as well as consideration of other future needs including replacement of the radio system and a new Emergency Operations Center need to be addressed for the public safety system to continue to be effective.

Councilmember Kovach asked whether the high(er) priced items were generally funded out of the Capital Budget or the General Fund. Mr. Francisco said since his employment with the City, he recalled at least one-year Council appropriated excess General Fund monies for a three or five year fire equipment replacement program, but items have been purchased from both funds.

**Fire Department Priorities**

• Brush pumpers (5)	\$ 345,000
• Water tankers (2)	\$ 660,000
• Command vehicle	\$ 60,000
• Elevated platform	\$ 1,000,000
• Apparatus staging facility	\$ 800,000
• Fire engine	\$ 460,000
• Fire engine with ladder	\$ 615,000
• Personnel transport van	\$ 48,000
• Self Contained Breathing Apparatus (SCBA)	\$ 500,000
• Fire Station No. 5 relocation	<u>\$ 3,000,000</u>
<b>TOTAL</b>	<b><u>\$ 7,488,000</u></b>

Mr. James Fullingim, Fire Chief, said the priority Fire Department items listed above are all suppression needs. He said the brush pumpers utilized by the Fire Department are used to fight grass fires and are nearly 10 years old. The brush pumpers are used fairly aggressively and are beginning to have some serious maintenance issues. Chief Fullingim said currently the Fire Department has 10 brush pumpers; one at each fire station and two reserves.

Chief Fullingim said the requested water tankers are mobile water supply vehicles used in rural areas and the purchase of the water tankers should lower the Insurance Service Office (ISO) rating for the rural area. He said the fire department currently has only one water tanker with a 1,500-gallon tank and the requested water tankers will each have a 3,000-gallon tank. He said insurance rates are typically higher in rural areas since there are not any fire hydrants and the water tankers would have a positive impact for rural citizens. The water tankers will certainly increase the odds of avoiding wildfires such as the wildfire outbreak that occurred in August 2012.

Chief Fullingim said the elevated platform would include a 100-foot platform ladder and replace the current 85-foot snorkel, which has a 1969 boom mounted on a 1997 chassis. He said the snorkel is utilized at most structure fires; therefore, repairs are frequent and because the age of the apparatus the parts are becoming obsolete. Councilmember Castleberry asked how often the snorkel is actually used and Chief Fullingim said the snorkel is utilized approximately four times per year, stating that having the apparatus is more of a ISO rating issue for the City, allowing a higher rating. Chief Fullingim said the fire trucks purchased for Fire Station Nos. 8 and 9 also have ladders and are more economical to purchase, but those fire trucks do not serve the same ISO rating purpose as the elevated platform.

Councilmember Castleberry asked what ISO means and why a low ISO rating is important for the City. Chief Fullingim said ISO is an acronym for Insurance Service Office. He said the ISO verifies and rates communities by providing basic guidance of what a community's fire department should look like as well as how it should respond to emergencies. He said the ISO also examines the community's water supply, communication, and firefighting capabilities including staffing, equipment, water lines, radio system(s), and dispatchers. He said the most important item/issue that the ISO examines is the fire-fighting equipment. Chief Fullingim said the lower the community's ISO rating, the lower the insurance rates will be for property owners, stating Norman currently has a class three (3) ISO rating. Councilmember Castleberry asked whether or not the fire equipment requested is required in order to maintain a class three (3) ISO rating and Chief Fullingim said it is really more of an issue regarding a higher chance of equipment failure.

The staging facility is an area/place to house the specialized and reserve equipment for the Fire Department and would be located at the Fire Training Facility at Fire Station No. 7. Chief Fullingim said currently reserve apparatus/equipment is housed wherever it will fit, but it would be much more efficient if all the apparatus/equipment were housed at one central location. Chief Fullingim said the department's resources would be more readily available and more efficiently utilized if all the specialized and/or reserve equipment were located at a staging facility, thus emergencies and/or disasters would not impact the day-to-day community services during that time.

The Self Contained Breathing Apparatus (SCBA) equipment will go out of service date in a couple of years and at that time the City can either bring the equipment into compliance or replace it. He felt the City should financially be in the position to replace the SCBA equipment, rather than retrofit because newer equipment may be better than what the City currently is using and in some cases retrofitting equipment to meet (new) standards costs as much as replacing the equipment with a better product. Chief Fullingim said the SCBA equipment will be evaluated in a couple of years and it can be determined at that time whether it would be best to retrofit or replace the equipment.

Fire Station No. 5 is located one mile inside of the City limits near Lake Thunderbird. Chief Fullingim said the fire station was originally constructed for two firefighters and is inadequate. He said the fire station is part of the Little Axe Community Center and the structure itself has many issues. The primary reason to relocate Fire Station No. 5 is to better serve the Norman community and capture more of the community within a five-mile radius required for an ISO rating. He said the fire station would probably be moved near the area located at 132<sup>nd</sup> Avenue S.E. and State Highway 9, which is approximately two or three miles west of the current fire station location.

Councilmember Williams asked if the Fire Engine and Fire Engine/Ladder would be replacements and Chief Fullingim said yes. The new fire engines would be housed at Fire Station Nos. 4 and 6 and the older apparatus would be taken to Fire Station Nos. 3 and 7, thus making those fire apparatus available for reserve use.

Mayor Rosenthal asked whether the items were listed in order of priority and Chief Fullingim said yes. He said although all the items are important they could certainly be rearranged, however he felt all the items would need to be taken care of within the next two or three years.

Councilmember Gallagher asked whether Norman owned the Little Axe Community Center and Fire Station and Chief Fullingim said the building belongs to the City and until a couple of years ago the Norman Fire Department shared the building with the Little Axe Community Volunteer Fire Department. If the decision to relocate Fire Station No. 5 comes to fruition, the building can be sold or donated to Little Axe at that time. Chief Fullingim said the community center will remain open and the Parks and Recreation Department can present a plan (which will also help determine whether or not the facility can accommodate the volunteer fire department) for Council consideration.

Councilmember Kovach asked the primary difference with the capital needs priority list presented today versus the list presented a couple of years ago and Chief Fullingim said the difference is the addition of the two water tankers and the relocation of Fire Station No. 5. Chief Fullingim also noted that some items on the list presented two years ago have been taken care of and therefore are no longer listed on the capital needs priority list.

#### **Police Department Priorities**

• In-car video	\$ 750,000
• Police headquarters renovation	\$ 1,500,000
• Training center	<u>\$ 3,000,000</u>
<b>TOTAL</b>	<b>\$ 5,250,000</b>

Mr. Keith Humphrey, Police Chief, said when he was hired he was surprised to find out that Norman did not have an in-car video system for police vehicles. He said an in-car video system would serve three major purposes; i.e., evidentiary purposes, transparency for the police department to the community, and best practices. Chief Humphrey said in today's world, especially law enforcement, people come across so many different instances on a daily basis and the in-car video would capture real time situations. He said such video would be beneficial to use for municipal court during situations when it comes down to the officer's word versus the citizen's word. Councilmember Kovach asked if the Police Department currently has video in the interview rooms and Chief Humphrey said yes. He said the in-car video can also capture illegal activity during routine traffic stops that can later be used in criminal court. The in-car video system will also assist administratively, i.e., when citizens accuse officers of illegal activity because the system can be reviewed quickly to determine whether the accusation is accurate. The initial set-up cost for in-car video is very significant and includes Information Technology (IT) infrastructure and storage, as well as the actual

hardware/software. Chief Humphrey said the system will be wireless and digital video and audio is downloaded and transferred to a storage area, which can be recalled and reviewed by a supervisor at any time. Chief Humphrey said the video is only captured in a specific area but the audio can be captured up to 1500 feet from the police vehicle. He said the system would also have the capability to incorporate body cameras that could be utilized by police officers and would be very beneficial to the Police Department. Councilmember Castleberry asked how Norman compared to other metro cities and Chief Humphrey said the Oklahoma City Police Department, because of the size of their department, have in-car videos in only 40% to 50% of their vehicles, and both Moore and Edmond have in-car videos. He said some of the surrounding cities are in their second series of in-car video systems, which can have a life span of four to eight years depending on the system.

Chief Humphrey said Building B was constructed in 1982 and staffing has doubled since that time while the space remains the same. He said renovations are expected to begin at the Smalley Building in the near future and will include relocating the Criminal Investigations Division (CID), i.e., detectives, property and evidence, and crime scene and fire investigation units to the Smalley Center. He said Building B will have a lot of extra space once they are relocated and the space will be ready to renovate. Councilmember Castleberry asked where the recently hired police officers were placed and Chief Humphrey said the majority are located in patrol while others were located in investigative services. Chief Humphrey said a renovation of Building B will allow the Police Department to host many community events at the police station such as the Community Policing Academy (CPA), and National and Community watch meetings, etc., that are currently held off-site due to space issues. Mayor Rosenthal agreed and said the space issues at Building B need to be addressed. Chief Humphrey said Building B currently has approximately 28,500 square feet and the \$1.5 renovation will basically be an overhaul of the entire building, less the administrative offices. He said the \$1.5 million cost is an estimate and Staff will complete a feasibility study to determine the cost of the renovation.

Chief Humphrey said there is a need for a new training center and he and Fire Chief Fullingim felt the Police and Fire Departments can combine efforts to have a multi-faceted facility. He said both departments felt that a training facility, Emergency Operations Center (EOC) and Communications Center can be constructed and housed in the same location/building. Chief Humphrey said he did not know the cost at this time, but Staff plans to tour a similar emergency multi-faceted facility in Lawton to gather information and cost figures.

Councilmember Gallagher asked the process of replacing police patrol cruisers and Mr. Mike White, Fleet Superintendent, said the police cruisers are put into a rating and ranking point system that prioritizes current and replacement city vehicles, stating the average life span of a police cruiser is about 150,000 miles. Mr. Shawn O'Leary, Director of Public Works, said the current rating and ranking process for police cruisers is used for all City vehicles and in this year's budget the process has identified 131 City vehicles that need to be replaced; however, the budget will only support the replacement of 27 vehicles. Councilmember Gallagher asked if the public safety vehicles, such as police and fire, will be considered and/or replaced before other City vehicles and Staff said the rating and ranking process does take into account the purpose of the vehicle. Councilmember Gallagher asked how many police officers lived outside of the Norman City limits and drive patrol cars home. Chief Humphrey said 90% of the police officers live in the Norman City limits. He said patrol police officers who live outside the City limits are not allowed to take their vehicle home; however, supervisors because of their responsibilities are allowed to drive police vehicles outside the City of Norman.

Mayor Rosenthal asked Staff to go over the criteria in the PSST ordinance regarding use of tax and Mr. Francisco said the PSST Ordinance states the excess may be used for such other public needs as may be identified and budgeted by Council after evaluation considering at least one of the following criteria:

1. Projects or expenditures that enhance public safety services;
2. Projects or expenditures that enhance emergency management capabilities;
3. Projects or expenditures that provide direct services to the citizens;
4. Projects or expenditures that help ensure the long term financial stability of the City; and
5. Projects or expenditures that provide for the continuity of existing City services.

Mr. Francisco said Council's policy in adopting the FYE 2013 Budget narrowed the standards to the first two (2) criteria and Council consensus supported maintaining that policy. He said the reserve includes projected merit increases for the 71 positions, as well as a five percent projection for inflation in the salary and benefit category of expenditure.

Mayor Rosenthal asked whether Council consensus was for the City to maintain a six (6) month FYE 2016 reserve requirement for public safety salaries and Councilmember Kovach said he would like to maintain the policy requirement; however, the requirement be expanded to be tied to a specific election date. Councilmember Kovach felt the City should schedule an election early enough before the end of the PSST so it does not become important to have a 12 month reserve. Mayor Rosenthal said the Finance Committee recently discussed a timeline that would bring forth the PSST election as early as April 2014, during the Municipal Election. She agreed there would be no reason for the City to have a 12-month reserve if there is an early PSST election. Councilmember Castleberry asked if the \$3.6 million was considered in the \$9.5 million PSST fund balance projected for FYE 2016 and Mr. Francisco said yes. Councilmember Kovach asked Staff how future PSST salary and benefit money will be tracked and Mr. Francisco said the positions will be categorized so that when a public safety employee retires, a PSST public safety position will move into the retiree's place, most likely at a lower pay scale, therefore the PSST fund would save and surplus money from the previous budgeted position. Councilmember Kovach asked if the process and savings would be comparable to annual budget savings within the General Fund for salaries and benefits and Mr. Francisco said yes. Councilmember Kovach said if there is a future extension of the PSST, would the excess funds become a surplus that Council could follow the policy criteria and use for capital needs only and Mr. Francisco said yes. Councilmember Castleberry said he felt the City should maintain a six-month reserve for PSST salaries and Council agreed.

Mr. Francisco said the Finance Committee recommended paying for maintenance issues related to HVAC systems at Fire Station No. 1 and Fire Station No. 7, out of the PSST funds and there was Council consensus to include the fire station maintenance issues in the FYE 2014 PSST.

Mr. Francisco asked, since *replacement* fire vehicles and capital needs are listed on both the PSST Funds FYE 2014 Budget as well as on the Fleet Maintenance replacement list (as it relates to the FYE 2014 Budget), is it Council's desire to provide supplemental PSST funds to *replace* five (5) brush pumpers, the fire engine, and the fire engine/ladder? Councilmember Kovach asked if these fire vehicle were purchased with PSST funds, would this free up money allocated in the Capital Budget to purchase replacement city vehicles that otherwise might not be replaced and Mr. O'Leary said yes it would have a direct impact. Councilmember Castleberry suggested moving the elevated platform to FYE 2015 and Mayor Rosenthal agreed. Councilmember Kovach felt the fire vehicles and police in-car video should be purchased using PSST funds because they are high priority needs and the cost will only inflate over time, but he would also like to have a discussion on saving some of the PSST funds for the radio system because it is a priority as well. Council discussed and consensus was to use PSST funds to purchase the brush pumpers, water tankers, and SCBA and move the elevated platform to FYE 2015. Mr. O'Leary said Staff will bring forward a "staged" version of replacement items over the course of two years for Council review and consideration. Chief Fullingim said purchasing replacement vehicles and SCBA cannot be done in one year and he would rather the replacements be made over a two-year period. He said when replacement vehicle purchases are spread out over time; it is easier to replace the vehicles in 10 or 15 years. Chief Fullingim also felt the water tankers and SCBA replacement are higher priorities than the elevated platform but said he wanted to bring the elevated platform concern to Council's attention because of the \$1 million cost, should the current elevated platform fail due to age and inability to replace parts.

Mayor Rosenthal said she would support providing supplemental PSST funds in the amount of \$4.4 million to move some of the Fire and Police capital need priorities forward and Council agreed. Mayor Rosenthal requested Staff create a capital needs list, phasing the projects by specific priority, for Council discussion. She felt Council also needed to discuss combining a training center, EOC, and communications center into one emergency facility and requested Staff research and bring forward several multi-purpose facility options for Council's consideration. Mayor Rosenthal said an emergency facility and Fire Station No. 5 relocation could possibly be considered as a stand-alone General Obligation (GO) Bond issue.

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Items submitted for the record

1. Memorandum dated January 9, 2013, from Keith Humphrey, Police Chief, and James Fullingim, Fire Chief, to Public Safety Sales Tax (PSST) Oversight Committee
2. PowerPoint presentation entitled "Public Safety Sales Tax FYE 2014 Capital Budget Discussion – continued from February 26, 2013, City of Norman City Council Study Session," dated March 19, 2013
3. Fund 15 Dedicated Public Safety Sales Tax – Audited FYE12, dated March 19, 2013
4. Capital Fund 50 – Audited FYE12, dated March 19, 2013

Participants in discussion

1. Mr. Anthony Francisco, Finance Director
2. Mr. Jamie Fullingim, Fire Chief
3. Ms. Brenda Hall, City Clerk
4. Mr. Keith Humphrey, Police Chief
5. Mr. Shawn O’Leary, Director of Public Works
6. Ms. Linda Price, Revitalization Manager
7. Mr. Mike White, Fleet Superintendent

The meeting adjourned at 6:20 p.m.

ATTEST:

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City Clerk

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Mayor