



The City of NORMAN

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UTILITIES ENGINEERING
Phone: 405-366-5443
Fax: 405-366-5447

October 15, 2003

Mr. Don Cies
MSDC Properties, L.L.C.
1203 Brookhaven Blvd
Norman, OK 73072

**Re: Norman Utilities Authority
Contract K-0304-57
Lift Station Agreement for Summit Valley Addition**


Dear Mr. Cies:

On October 14, 2003 the City of Norman approved Contract K-0304-57 with MSDC Properties, L.L.C. This contract requires that payment of a Lift Station Fee be made a part of the restrictive covenants for all future subdivisions served by the proposed Summit Valley Lift Station. One (1) original of the contract is enclosed.

Please be reminded that restrictive covenants containing satisfactory language to enforce the requirements of Contract K-0304-57 must be submitted and approved by the City of Norman prior to the filing of any final plat serviced by the new proposed lift station. In addition, an amendment to Contract K-0304-57 will likely be required to adjust the estimated Lift Station Fee based on actual construction costs for the lift station.

If you have questions or need additional information, you may call me at 366-5377.

Sincerely,
CITY OF NORMAN


Mark Daniels, P.E.
Utilities Engineer

cc: Kenneth Komiske, Director of Utilities
Richard Massie, Director of Planning
Jim Berry, Director of Public Works
Anthony Francisco, Director of Finance
Jeff Raley, City Attorney
Lloyd Davis, Utilities Superintendent with enclosure
Gary Henderson, Utilities Supervisor with enclosure
Doug Koscinski, Current Planning Manager with enclosure
Ken Danner, Development Coordinator with enclosure
City Clerk's Office

MAINTENANCE AND OPERATION AGREEMENT

THIS AGREEMENT is made and entered into this 14th day of October - 2003, by and between the Norman Utilities Authority (hereinafter referred to as the "Authority") and MSDC Properties, L.L.C., an Oklahoma limited liability company (hereinafter referred to as the "Developer").

1. WHEREAS, the Developer applying for the approval of developing and subdividing their property which would otherwise be served by septic tanks or sewage lagoons maintained privately desire that their property be served by a lift station which would pump wastewater into the City's wastewater system; and
2. WHEREAS, this alternative, if approved by the City, would require additional operation, maintenance, and replacement costs which are unique to the particular subdivision being served; and
3. WHEREAS, the Developer of the proposed subdivision requests that the subdivision be provided wastewater service through a lift station pumping into the City's wastewater system; and
4. WHEREAS, the Developer requests that this alternative be approved as part of the platting process and that an administrative fee be established for each lot in the subdivision served by the lift station to provide for the operation, maintenance, and replacement of said lift station serving said subdivision; and
5. WHEREAS, the use of a lift station and the servicing of new subdivision by a newly constructed lift station will be of great advantage to the property owners within the subdivision by reducing their costs for the installation, operation and maintenance of septic systems or privately maintained sewage lagoons.

BE IT THEREFORE AGREED BY AND BETWEEN THE PARTIES HERETO:

6. THAT the parties do establish an operation, maintenance, and replacement fee for a new lift station which is constructed in the Summit Valley Addition for the purpose of pumping wastewater from the newly platted subdivision into the City's wastewater system and that said monthly fee be billed each lot in the subdivision served by the lift station by the City of Norman through the utility billing process. Said provision shall be included in the restrictive covenants covering said subdivisions.
7. THAT the procedure for establishing said operation, maintenance, and replacement fee for each individual subdivision shall be as follows:
 - (a) The Developer shall cause a professional engineer registered in Oklahoma to prepare an Engineering Report for any proposed sanitary sewer lift station and submit said report to the Authority together with the preliminary plat where it is first contemplated. Prior to Council consideration of the preliminary plat, the Utilities Engineer or his authorized representative, shall estimate the annual administrative fee

(b) The Authority shall levy the Lift Station Fee upon all lots within the lift station service area and this determination shall be made a condition of Council's preliminary plat approval.

(c) Prior to Council consideration of the final plat under which the lift station and force main is constructed, the Utilities Engineer or his authorized representative, shall finalize the Lift Station Fee utilizing "the approved construction drawings". The adjusted Lift Station Fee shall be filed of record as a restrictive covenant with said final plat and all future final plats within the lift station service area.

(d) The Lift Station Fee will be adjusted annually to account for inflation based on the rate of change in the United States Department of Labor's Consumer Price Index for All Urban Consumers for the month most recently published, as compared to the same month in the previous year, and may otherwise be adjusted if the Authority determines that changes to the lift station's service area boundaries necessitate said adjustment.

(e) In the event a new lift station enlarges the service area of the proposed lift station and replaces said lift station, the Lift Station Fee applicable to all existing final plats (if any) may not increase as a result of new calculation. However, the Lift Station Fee applicable to all existing final plats (if any) may decrease to the amount of new Lift Station Fee calculation.

(f) In the event the lift station is taken out of service and its wastewater subsequently flows by gravity to the wastewater treatment facility site, any applicable Lift Station Fee shall be discontinued upon filing of a notice by the Authority.

(g) The Lift Station Fee shall be made a part of the City of Norman Utility bill for collection monthly and accounted for in the Wastewater Fund.

(h) The estimated Lift Station Fee has been calculated and is attached hereto as Exhibit "A" and made a part hereof.

(i) The proposed Summit Valley Lift Station service area is shown on Exhibit "B" attached hereto and made a part hereof, as initialed on each page by the undersigned, Don Cies, and City of Norman.

IN WITNESS WHEREOF, the Authority and Developer have executed this Agreement.

Norman Utilities Authority

By: [Signature]

Ron Henderson, Chairman

ATTEST:

[Signature]
Secretary

APPROVED as to form and legality this 17th day of September 2003.

[Signature]
City Attorney

MSDC Properties, L.L.C.

By: [Signature]

Larry Shaver, Manager

Subscribed and sworn to before me this 17th day of September 2003.



[Signature]
Notary Public

My Commission Expires:

11-2-06

Exhibit A Lift Station Operation, Maintenance Replacement Cost Estimate for Summit Valley Addition

The Engineering Report provided by the developer provided information to allow calculation the approximate cost to operate, maintain and replace capital equipment for the life of the proposed lift station.

Proposed Lift Station Sewer Service Area: The table below includes the expected number of residential units as well as the number of acres of commercial, institutional and industrial. Based on this data, the estimated population equivalent to be served by the lift station is calculated. The estimated average daily wastewater flow (ADF) in gallons per day (GPD) and peak hourly flow in GPD then calculated utilizing standards for per capita ADF acceptable to the City of Norman.

	Residential <u>Lots</u>	Residential <u>Acres</u>	Industrial <u>Acres</u>	Commercial <u>Acres</u>	Institutional <u>Acres</u>	<u>Total</u>
Population Equivalent Per Category	1006	0	0	2.21	0	
Estimated Population	2,58	9.29	10	5	10	
Per Capita average daily wastewater flow (ADF)	2,595	-	-	11	-	2,607
Estimated ADF in gallons per day	125	125	125	125	125	
Estimated peak hourly flow in GPD	324,435	-	-	1,381	-	325,816
Peaking Factor	1,297,740	-	-	5,525	-	1,303,265
	4.0					

The Engineering Report provided by the developer provided drawings showing the location of the proposed lift station and force main allow the pump static head to be determined.

$HP = ((GPM) \times (TDH)) / ((3960) \times (0.50))$ where pump efficiency is assumed to be 50% (unless otherwise approved). Check if pump of estimated GPM and TDH is available; adjust HP as required.

<u>GPM</u>	<u>TDH</u>	<u>Efficiency</u>	<u>HP</u>
700	85	50%	30.05

Estimate average annual electrical cost

1. Pump time (hours per day) = $((ADF \text{ in GPD}) \times 24) / (1440 \times (\text{Pump Capacity in GPM}))$

<u>ADF</u>	<u>Pumping Capacity</u>	<u>Pumping Hours/day</u>
325,816	700	7.76

Exhibit A
Lift Station Operation, Maintenance Replacement Cost Estimate
for
Summit Valley Addition

2. kilowatt-hours (kWh) = (HP) x 0.746 x (pump time in hours per day) x 365

HP	Pumping Hours/Day	Kwh Per Day	Kwh Per Year
30.05	7.76	173.91	63,476

3. Annual Electrical Cost = kWh per year x \$0.08 kWh

Kwh Per Year	Cost per Kwh	Cost per Year
63,476	0.08	\$5,078.05

Estimate annual lift station and force main OM&R cost. Provide approximate cost for lift station and appurtenances. Include wetwell, pumps, discharge piping and valves, electrical controls, flow metering, force main quick-connect coupling, valve vault, fittings and valves, fencing, all weather access road, force main, air release valves and vaults, etc. Assume annual replacement cost is 5% of original construction cost.

Annual OM&R Cost = 0.05 x Capital Cost

Lift Station Cost	Force Main Length	Force Main Per Foot	Force Main Cost	Annual Cost
\$150,000.00	2,370	\$48.00	\$113,760.00	\$13,188.00

Calculate Total Monthly OM&R Cost: Monthly OM&R Cost = (Annual Electrical Cost + Annual OM&R Cost) / 12

Electrical Cost	OM&R Cost	Total Annual Cost	Total Monthly Cost
\$5,078.05	\$13,188.00	\$18,266.05	\$1,522.17

Calculate Lift Station Fee: The fee will be calculated on a residential lot basis as well as a per capita basis to accommodate other zoning classifications such as commercial, institutional, industrial, etc.

Monthly Per Capita Fee = ((Monthly OM&R Cost) x Per Capita ADF) / ((ADF) x 30.417 days per month))

Monthly Residential Fee = where the number of persons per household is the same as was assumed in the Engineering Report.

Total Annual Monthly Cost	Monthly Cost Per Person	Monthly Cost Per Household
\$1,522.17	\$0.584	\$1.507

