

## CITY COUNCIL SPECIAL SESSION MINUTES

November 20, 2018

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Conference Room on the 20th day of November, 2018, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Castleberry,  
Clark, Hickman, Holman, Wilson,  
Mayor Miller

ABSENT: Councilmembers Clark and Scott

Item 1, being:

### UPDATE ON ESTABLISHING THE FILING DATES AND ELECTION DATES FOR THE 2019 CITY COUNCIL MUNICIPAL ELECTION AND MUNICIPAL RUN-OFF ELECTION.

Ms. Brenda Hall, City Clerk, said in recent years, State Statutes changed limiting municipalities on dates elections could be held and the City's Charter was changed to mirror State law. She said the City Charter states municipal elections will be held in February of each year with a run-off, if needed, in April. She said the municipal election will be held on February 12, 2019, with the run-off election on April 2, 2019, with filing dates of December 17th thru 19th. She said these dates will allow the City to meet all timing requirements for notifying the Cleveland County Election Board. She said the election dates will be adopted by resolution at the November 27th Council meeting.

#### Items submitted for the record

1. Memorandum dated November 14, 2018, from Brenda Hall, City Clerk, to Mayor and City Councilmembers
2. Potential Election Dates for 2019

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Item 2, being:

### DISCUSSION REGARDING THE FYE 2019 CAPITAL IMPROVEMENTS PROGRAM BUDGET AND THE FYE 2020-2024 CAPITAL IMPROVEMENTS PLAN.

Ms. Jane Hudson, Interim Director of Planning and Community Development, provided an overview of the FYE 2020 budget meeting schedule that includes an update on funded projects and discussion of Council priorities on November 20, 2018; proposed new projects on February 26, 2019; and review of the final proposed plan for FYE 2020 on April 23, 2018.

Ms. Hudson said the purpose of the Capital Improvements Program (CIP) is to support services of municipal government. Projects are identified in long range master plans reviewed by citizens and adopted by City Council and once priorities are set, the short range projects are placed in the five year Capital Plan with proposed schedules of implementation and available funding sources. She said the CIP plans and budgets are adopted annually and emergencies or high priority unanticipated projects can be added as needed using funding sources that include enterprise revenues, special election approvals, grants, private, and capital penny sales tax.

A Capital Project is generally a project that costs more than \$100,000; is relatively fixed or permanent in nature; is an asset with an expected life of more than five years; consists of construction of a new, expanded, or improved tangible asset; takes more than one fiscal year to complete; and contracted services for design, land acquisition, and utility relocation may be required.

Capital Outlay is generally expenses for maintaining or purchasing new or replacing tangible assets which have an expected life of one to five years or one time occurrence and expenses occur in a single fiscal year that could include vehicles, furniture, computers, and equipment. Capital Outlay paid by the Capital Fund (CF) are expended from the General Fund (GF) and Westwood Fund (WF) with the capital penny sales tax transferred to cover the cost.

Item 2, continued:

Ms. Hudson highlighted funds involved in the Capital Improvement Project (CIP) Budget as follows:

- 15 Public Safety Sales Tax (PSST)
- 21 Community Development Block Grant (CDBG)
- 22 Special Revenue
- 23 Room Tax
- 27 Campus Corner Tax Increment Finance District (CCTIF)
- 31 Water
- 32 Water Reclamation
- 33 Sanitation
- 321 Sewer Maintenance
- 322 New Development Excise Tax
- 50 Capital
- 51 NORMAN FORWARD Sales Tax (NFST)
- 52 Park Land and Development
- 57 University North Park Tax Increment Finance (UNPTIF) District
- 78 Arterial Road Recoupment

Ms. Hudson said Council previously discussed Enterprise Funds that include the Water Fund (31); Water Reclamation Fund (32); Sanitation Fund (33); Sewer Maintenance Fund (321); and New Development Excise Tax Fund (322).

Sources of all revenue for FYE 2019 in the projected amount of \$121,929,268 consists of Bonds – 42%; Grants – 5%; User Fees – 14%; Capital Improvement Charge – 1%; Sewer Maintenance – 5%; Capital Sales Tax – 20%; Tax Increment Financing – 2%; Public Safety Sales Tax – 9%; and NORMAN FORWARD – 2%. Expenses projected for capital improvement projects consist of Personnel and Services – 1%; Street Maintenance – 8%; Transportation – 12%; Buildings and Grounds – 32%; Parks and Recreation – 10%; Water Reclamation – 6%; Sanitation – 2%; Water – 25%; and Capital Outlay – 2%.

Ms. Hudson said the Capital Improvements Fund 50 was established in 1976 to account for capital projects funded by capital sales tax receipts, general obligation bonds issues, or specific matching funds, such as private or reimbursements. Capital projects support services that do not have dedicated special revenues. Fund 50 is funded with seventy percent (70%) of one percent (1%) of sales tax set aside for capital improvements. Projects approved for construction with this funding are accounted for in the CF. Proposed capital sales tax guidelines to allocate new revenue consist of existing facility maintenance – 5%; general contingency – 7%; capital outlay – 27%; street maintenance – 25%; and other projects/debt service – 36%.

Mayor Miller asked how the contingency fund is decided at 7% and Mr. Anthony Francisco, Director of Finance, said by Council policy. Councilmember Castleberry asked if 7% is adequate and Mr. Francisco said it is a prudent policy for most funds and Staff tries to set aside 8% in the GF.

Ms. Hudson highlighted the status of the CF as follows:

- Capital Fund PayGo
  - FYE 19 estimated available for new projects - \$181,827
  - FYE 20 projected available for new projects - \$3,568,353
  - FYE 21 projected fund balance - \$55,812,300 and continuing negative future years
- Capital Fund Bonds
  - Bond reserves are unbalanced (some positive and some negative; however, Staff is currently evaluating how to balance those currently unbalanced)

Significant projects closed in FYE 2019 (meaning work is completed and all bills are paid) are as follows:

- Capital Fund PayGo
  - Treasury Area Safety - \$23,198
  - Geographical Information System (GIS) Mapping Update FYE 2017 - \$77,545
  - Sutton Wilderness Dam Drainage - \$731,889

Item 2, continued:

- Capital Fund Bonds
  - Main Street and Iowa Street: Berry Road to Pickard Avenue - \$795,404
  - Robinson Street: 24th Avenue N.E. to 60th Avenue N.E. - \$450,737

Significant completed projects in FYE 2019 (completed means work is finished, but not all bills have been paid) includes Alameda and Findlay Avenue Signal; Boyd Street Sidewalk; Boyd Street and University Boulevard Signal; Safe Route to School – Kennedy Elementary; and Wayfinding Signage.

Significantly completed projects in FYE 2019 include Main Street Enhancement (Streetscape) – Park Drive to James Garner Avenue - \$3,830,000; 12th Avenue S.E. Bond Project – State Highway 9 to Cedar Lane - \$2,795,000; Total Maximum Daily Load (TMDL) Compliance and Monitoring Plan Implementation, Year 2 - \$300,000; Sidewalks and Trails – 24th Avenue N.E. - \$85,000; State Highway 9 Multi-Modal Path – 24th Avenue S.E. to 36th Avenue S.E. - \$938,576; 36th Avenue N.W. and Havenbrook Street Traffic Signal and Intersection Widening - \$1,270,000; Lindsey Street Bond Project – 24th Avenue S.W. to Berry Road - \$26,817,000; and CDBG Infrastructure Projects - \$17,058,000.

Significant projects currently underway in FYE 2019 include James Garner Avenue, Phase 1 – Intersection of Acres Street and James Garner Avenue; TMDL Compliance and Monitoring Implementation, Year 3; Fire Station Nine – Finishing miscellaneous small items; Fire Administration Building Renovation (85% complete); and Comprehensive Plan update.

Councilmember Castleberry asked if James Garner Avenue, Phase II, is a NORMAN FORWARD Project and Ms. Hudson said yes. Councilmember Hickman asked if the NORMAN FORWARD budget includes money to acquire land by the water tower as part of the extension of James Garner Avenue and Mr. Francisco said there is money for right-of-way (ROW) acquisition, but does not know if that anticipates that particular piece of the project.

Ms. Hudson highlighted projects under construction in FYE 2019/FYE 2020 as West Main Street Bridge Bond Project - \$4,547,000 (construction estimate); West Main Street Bridge over Ten Mile Flat Creek - \$325,000; 24th Avenue East Bond Project; Legacy Trail Extension along 24th Avenue N.W. and 36th Avenue N.W. - \$890,500; 36th Avenue N.W. Utility Relocation - \$17,950,000; Interstate 35 (I-35) and Robinson Street West Side - \$4,160,000; Tecumseh Road Intersection Improvements at 24th Avenue N.W. and Flood Avenue - \$4,184,000; West Rock Creek Road - 36th Avenue N.W. to Grandview Drive Utility Relocation - \$3,200,000; State Highway 9 East – Bridge Replacement over Little River - Oklahoma Department of Transportation (ODOT) project; 12th Avenue N.E. Traffic signal Interconnect – Alameda Street to Robinson Street - \$293,000; 36th Avenue N.W. Traffic Signal and Fiber Interconnect at Cascade Boulevard and Bart Conner Drive - \$653,700; Citywide Traffic Signal Video Upgrades, Phase 3 - \$675,000; McGee Drive Sidewalk – east side of State Highway 9 to Cherry Stone Street - \$256,000; Classen Boulevard Sidewalk - \$229,296; and Flood Avenue – Gray Street to Acres Street - \$250,000.

Councilmember Holman asked if the Tecumseh Road Intersection Improvements at 24th Avenue N.W. and Flood Avenue could be paid for by the developer since it is a University North Park Tax Increment Finance (UNPTIF) District project. Mr. Jeff Bryant, City Attorney, said in Development Agreement No. One there was some recognition of the intersections at Flood Avenue and 24th Avenue N.W. to Tecumseh Road so if the City uses the \$11.55 million set aside for roadway improvements within the UNPTIF there is a strong argument the developer would be responsible to pay for those initial costs.

Councilmember Castleberry asked what source of funds the City is using for this project and Mr. Shawn O’Leary, Director of Public Works, said out of a \$7 million project, \$4.5 million would be federal funds with the balance of \$2.7 million coming from the CF or another revenue account. He said this project ranked number one for federal funding because it the most congested and high accident location in the metro area. He said the project is moving quickly because the federal funds are so highly ranked. Mr. Bryant said the City would need to try to negotiate with the developer to pay that share, but that may be difficult as some of the design in this project is more extensive than where the UNPTIF boundaries are drawn.

Councilmember Hickman thought there was less than \$500,000 remaining of the original \$11.55 million for roadway improvement costs in the UNPTIF and, if that is the case, should the City earmark that money for this project and tell the developer the City has met their part of the agreement

and now the developer has to pay the balance? He said that might help in negotiations with the developer and Mr. Bryant said that is an option and he will make a note of that.

Ms. Hudson highlighted ODOT projects for State Highway 9 that include 24th Avenue east to 36th Avenue east, Phase 1 - \$6,000,000 (completed); 72nd Avenue east to 108th Avenue east - \$12,000,000 (construction scheduled for 2022); Little River Bridge, Phase 4 - \$6,258,230 (construction scheduled for 2018); 108th Avenue east to 156th Avenue east - \$21,670,000 (construction scheduled for 2025); 36th Avenue east to 72nd Avenue east, Phase 2 - \$18,945,000 (completed); 156th Avenue east to Town of Tecumseh, - \$18,830,000 (construction scheduled for 2024); and 24th Avenue west to 24th Avenue east (unfunded).

Public Safety Sales Tax (Fund 15) projects underway for FYE 2019 consist of the Emergency Communications Center (EOC) (\$6,451,500) and Fire Apparatus Replacement (\$725,000) in year 4. Significant projects in FYE 2020 consist of Fire Apparatus Replacement (\$750,000) in year 5.

NORMAN FORWARD (Fund 51) projects completed in FYE 2019 include Westwood Pool, East Branch Library, and Sonoma Park Renovation (Neighborhood Parks).

Ms. Hudson highlighted NORMAN FORWARD projects underway in FYE 2019 as Andrews Park Improvements; Central Branch Library; Griffin Park Remodel; Indoor Aquatic Facility; Indoor Sports Facility; Community Sports Park Development; Reaves Park Remodel; Westwood Tennis Center; Neighborhood Park Improvements (Prairie Creek Park); Neighborhood Park Development (Cedar Lane Park); Ruby Grant Park Development; Saxon Park Development; and James Garner Avenue – Flood Avenue (Highway 77) to Acres Street.

Upcoming NORMAN FORWARD projects in FYE 2020 include Griffin Park Remodel - \$1,750,000; Indoor Aquatic Facility - \$8,000,000; Indoor Sports Facility - \$2,500,000; James Garner: Acres Street to Flood Avenue - \$1,362,000; Reaves Park Remodel - \$6,611,280; New Neighborhood Park Improvements - \$500,000; New Trail Development - \$2,000,000; Ruby Grant Park - \$1,550,000; and Saxon Park Development - \$500,000.

Ms. Hudson highlighted the FYE 2017-2021 Street Maintenance Bond Program, a five year program in the amount of \$25 million as follows:

- Street Maintenance (Year 1) FYE 2017
  - Urban Asphalt Pavement (100% complete)
  - Urban Concrete Pavement (100% complete)
  - Rural Road Rehabilitation (100% complete)
  - Urban Road Reconstruction (100% complete)
- Street Maintenance (Year 2) FYE 2018
  - Urban Asphalt Pavement (100% complete)
  - Urban Concrete Pavement (95% complete)
  - Rural Road Rehabilitation (Spring 2019 construction)
  - Urban Road Reconstruction (10% complete)
- Street Maintenance (Year 3) FYE 2019
  - Urban Asphalt Pavement (under construction)
  - Urban Concrete Pavement (under construction)
  - Rural Road Rehabilitation (Spring 2019 construction)
  - Urban Road Reconstruction (Spring 2019 construction)

The 2012 Transportation/Stormwater Bond Program consists of the following:

Work Year	Project	Bond Budget	Actual Cost
2014/2015	Cedar Lane Road: 12th Avenue S.E. – one-half mile east of 24th Avenue S.E. (completed)	\$9,846,790	\$10,048,310
2016/2017	Lindsey Street: 24th Avenue S.W. to Berry Road (completed)	\$32,945,120	\$ 42,135,770
2017	Franklin Road Bridge: one-half mile west of 12th Avenue N.W.	\$ 4,520,830	\$ 4,219,680
2018	12th Avenue S.E.: State Highway 9 to Cedar Lane Road	\$ 3,181,020	\$ 3,393,780
2018	Main Street Bridge: one-half mile west of 36th Avenue S.W.	\$ 4,138,410	\$ 7,038,000
2019/2020	24th Avenue East: Lindsey Street to Robinson Street	\$13,007,510	To Be Announced

Item 2, continued:

2012 Transportation/Stormwater Bond Program continued:

Work Year	Project	Bond Budget	Actual Cost
2020/2021	36th Avenue N.W. : Tecumseh Road to Indian Hills Road	\$16,920,510	To Be Announced
2021/2022	Alameda Street: one-half mile east of 24th Avenue S.E. to 48th Avenue S.E.	\$ 4,942,510	To Be Announced
<i>TOTALS</i>		<i>\$89,502,700</i>	<i>\$66,835,540</i>

The 2012 Transportation/Stormwater Bond Program Budget Strategy includes a total bond amount of \$42,500,000 with current projections of \$48,300,000 for an estimated deficit of \$5,800,000. Proposed additional program budget revenue/savings consist of savings from remaining bond projects - \$0.5 million; transfer of surplus funds from 2010 Street Maintenance Bond Program - \$2 million; transfer of surplus funds from 2016 Street Maintenance Bond Program – \$1.5 million; recoupment fees, deferral fees, traffic impact fees - \$1 million; additional contributions from Norman Utilities Authority (NUA) for waterline relocations - \$0.3 million; and other state/federal grants - \$0.3 million for a total of \$5.8 million. Ms. Hudson said Staff needs direction on how these funds would be allocated.

Mr. O’Leary said if Council does not wish to use surplus funds, that money can be used for other street maintenance projects. He said the City’s Bond Counsel has stated street maintenance surplus funds could be used to augment other bond programs that are falling short of funds.

Councilmember Holman likes the proposed options, but why did the Lindsey Street Project go over budget? Mr. O’Leary said a majority of the money went to land acquisition, which was much higher than anticipated, and the largest cost was the infrastructure to discharge stormwater underground to the Canadian River and acquiring the ROW to do that as mandated by ODOT, which cost an additional \$5 to \$6 million. There was also an unanticipated cost of an additional \$2 million for utility relocation. He said Staff did not realize how much the costs had increased until the end of the project and that could not have been predicted by Staff or Council. In the end, the City delivered a really good product that Council had promised the community.

Ms. Hudson said upcoming Room Tax Fund (Fund 23) projects include the Firehouse Art Center Addition (\$100,000 match), Historic Museum Parking (\$65,000), and Sooner Theatre Interior Renovation (\$75,000) in year 4 of 4.

Councilmember Hickman said the Historic Museum has some severe repair issues that need to be addressed and although parking is important, if the museum begins to experience a structural problem then that is more important. Mr. Jud Foster, Director of Parks and Recreation, said Staff is aware of the structural issues and is preparing a capital budget project request to address the more critical issues.

Significant upcoming Capital Fund Projects (Fund 50) for FYE 2020 include 201 West Gray, Building A Generator - \$121,000; Security System Replacement and Expansion - \$300,000 (in year 3 of 4); Police Range Berm Renovation Design - \$132,000; 701 Asp Avenue Parking Project - \$954,000 (in year 3 of 3); 36th Avenue N.W. and Crail Drive Intersection Construction - \$240,000; 36th Avenue N.W. and Tecumseh Road Intersection Construction - \$100,000; 36th Avenue S.E.: Cedar Lane to State Highway 9 ROW/Utilities - \$530,000; Flood Avenue Multi-Modal Path Construction - \$150,000; Imhoff Road and Constitution Street Design/Utilities - \$600,000; Porter Avenue and Acres Street Intersection ROW - \$250,000; Rock Creek Road Traffic Signals and Intersection Widening at 12th Avenue N.W. and Trailwood Drive Construction - \$700,000; and Rock Creek Road: Grandview Avenue to 36th Avenue N.W. Widening Construction - \$497,000.

Ms. Hudson said upcoming recurring budget items include Sidewalk Program for schools and arterials - \$80,000; Sidewalk Accessibility Project - \$30,000; Citywide Sidewalk Project - \$50,000; Downtown Sidewalk Project - \$50,000; Sidewalks and Trails - \$120,000; Horizontal Saw Cut Program - \$50,000; Capital Outlay - \$3,428,934; Street Maintenance - \$2,305,377; Maintenance of Existing Facilities - \$211,500; Stormwater Drainage Maintenance - \$765,000; Personnel - \$1,601,644; American with Disabilities Act (ADA) Sidewalk Compliance and Repair - \$100,000; Bridge Maintenance - \$100,000; Driveway Repairs - \$10,000; Street Striping - \$50,000; Traffic Calming - \$50,000; Greenbelt Acquisition - \$50,000; Community/Neighborhood Improvements - \$100,000; and Building Maintenance/Electrical - \$50,000 for a total of \$8,922,455.

Item 2, continued:

Councilmember Hickman said the City just completed an ADA Compliance Study and he would like to consider having a more meaningful line item in the CIP to begin addressing some of the ADA issues throughout the City.

Ms. Hudson said upcoming challenges include future Stormwater Fee (SWU) Election; 2019 Transportation/Stormwater Bond; I-35 Corridor Study (Norman/Moore/ODOT); Senior Center; Griffin Land Acquisition - NORMAN FORWARD (NF); Indoor Aquatic Center/Multi-Sport Facility land issues (NF); Website/Mobile App upgrade during Enterprise Resource Planning (ERP) upgrade; Regional Transit Authority (RTA); Parking and Transit Authority – Cleveland Area Rapid Transit (CART) transfer and Parking Study in Downtown and Campus Corner; New Traffic Signals on State Highways and City Arterials; Fleet Replacement; and Fire Station No. 10.

Mr. Francisco said another alternative to consider for the Tecumseh Road/Flood Avenue Project, if the City is unsuccessful in negotiating with the developer, is to place that project into the FYE 2019 Transportation Bond Program. Also, as Council considers amendments to the UNPTIF Project Plan, the City could reallocate projects within the Project Plan, i.e., instead of earmarking \$8.7 million for the Cultural Facility, Council could earmark \$6 million for the Cultural Facility and \$2.7 for Tecumseh Road/Flood Avenue improvements.

Ms. Hudson said next steps include a meeting on February 26, 2019, to discuss new projects and on April 23, 2019, for final review of the proposed plan for FYE 2020.

Councilmember Holman said he thought the City was planning to relocate Fire Station No. 5 to the Little Axe area and Mr. Francisco said that is still in the CIP plans and the last of the critical capital need projects. Councilmember Wilson asked where Fire Station No. 5 will be located and Mr. Travis King, Fire Chief, said the City is looking at the Clear Bay area off of State Highway 9.

Councilmember Hickman asked if the City provides fire service on the University of Oklahoma (OU) campus and Chief King said yes. Councilmember Hickman asked if OU has its own Fire Department and Chief King said they do not. Councilmember Hickman asked if OU contributes money to the City's Fire Department Budget and Chief King said the City receives reimbursement on football home game days for three personnel positions called in to support the event. Councilmember Hickman asked if the City tracks fire calls on and off campus and Chief King said not specifically since the calls are based on zip codes, but Fire Station No. 3 is very busy and makes a lot of calls to the OU Campus. Councilmember Hickman asked if the City could potentially quantify the value of the calls the Norman Fire Department makes to OU Campus and Chief King said Staff can probably obtain a good estimate for Council.

Councilmember Bierman said during the Animal Welfare Oversight Committee, Staff was detailing the very significant problems with the new animal shelter that includes the heat and air system not working properly because it is situated so close to the Wastewater Treatment Plant that the system is corroding and needs a special coating applied at a cost of \$2,000 per ton (unit is 53 tons). On top of that, the dehumidifier and air conditioning systems are working against one another because they were not installed properly and the roof is leaking. She would like funds allocated to address these problems and asked Staff to think twice about utilizing the contractors for projects in the future, specifically the heat and air contractor, roof contractor, and general contractor who was supposed to oversee the project and catch these types of issues so they do not become problems.

Councilmember Hickman said the gravel lot west of the railroad tracks on Gray Street is owned by the City and should be utilized. He said many downtown businesses have complained about the lack of parking on Main Street so this empty lot could be utilized for parking and he would like to see funding for that.

Councilmember Castleberry said there have been discussions regarding additional parking for Legacy Park so he would like to see a few parking spaces installed with at least half of the spaces being handicap spaces. Mr. Francisco said money would be available in the UNPTIF Fund instead of the CF. Mr. Bryant said in Development Agreement No. 5, \$175,000 was set aside for parking, but that parking was supposed to be for the Cultural Facility; however, there was another suggestion to have parking near I-35, but prior Council did not want that. He would suggest Staff bring that parking schematic back to Council for review.

Item 2, continued:

Councilmember Castleberry said he did not see anything about the Center City TIF in the budget and Mr. Francisco said the money is being accrued, but is basically waiting on a project to utilize the funds.

Councilmember Holman agrees with the need for ADA parking at Legacy Park and prefers the lot have more than the minimum handicap spaces, but he does not want the lot to be too large because there is plenty of available parking around the park for those who are able to walk. He also supports a project for the gravel lot on West Gray Street because Main Street is very busy during the holiday season and parking is scarce. He would like to see funding for a sidewalk project on Brooks Street from Classen Boulevard to Trout Avenue because that is the only urban railroad crossing in Norman that does not have a sidewalk crossing.

Councilmember Wilson asked what the plan is for connecting State Highway 9 to Saxon Park and Mr. O'Leary said the 36th Avenue Bond Project will include sidewalk and bike lanes.

Items submitted for the record

1. PowerPoint presentation entitled, "FYE 2019 Capital Improvement Program (C.I.P) Budget Status and Preparation of FYE 2020 C.I.P. and FYE 2021-2024 Capital Improvements Plan."

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Item 3, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 §307(B)(3) IN ORDER TO DISCUSS THE ACQUISITION OF REAL PROPERTY FOR RECREATIONAL PURPOSES CURRENTLY OWNED BY THE OKLAHOMA DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES LOCATED IN THE VICINITY OF EAST ROBINSON STREET AND 12TH AVENUE N.E. AND EAST ROBINSON STREET AND 24TH AVENUE N.E.; AND PROPERTY CURRENTLY OWNED BY THE UNIVERSITY OF OKLAHOMA ALONG LEXINGTON AVENUE BETWEEN FLOOD AVENUE AND HALLEY AVENUE AND AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25, TITLE 25 §307(B)(4) TO DISCUSS PENDING LITIGATION ASSOCIATED WITH GOLDEN TRIBE, LLC, VS. CITY OF NORMAN, CLEVELAND COUNTY COURT CASE CV-2018-1142.

Councilmember Hickman moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss the acquisition of real property for recreational purposes currently owned by the Oklahoma Department of Mental Health and Substance Abuse Services located in the vicinity of East Robinson Street and 12th Avenue N.E. and East Robinson and 24th Avenue N.E.; and property currently owned by the University of Oklahoma along Lexington Avenue between Flood Avenue and Halley Avenue and to discuss pending litigation associated with Golden Tribe, LLC, vs. City of Norman, Cleveland County Court Case CV-2018-1142, which motion was duly seconded by Councilmember Wilson; and the question being upon adjourning out of the Special Session and convening into an Executive Session in order to discuss the acquisition of real property for recreational purposes currently owned by the Oklahoma Department of Mental Health and Substance Abuse Services located in the vicinity of East Robinson Street and 12th Avenue N.E. and East Robinson and 24th Avenue N.E.; and property currently owned by the University of Oklahoma along Lexington Avenue between Flood Avenue and Halley Avenue and to discuss pending litigation associated with Golden Tribe, LLC, vs. City of Norman, Cleveland County Court Case CV-2018-1142, a vote was taken with the following result:

YEAS:

Councilmembers Bierman, Castleberry, Clark, Hickman, Holman, Wilson, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into in order to discuss the acquisition of real property for recreational purposes currently owned by the Oklahoma Department of Mental Health and Substance Abuse Services located in the vicinity of East Robinson Street and 12th Avenue N.E. and East Robinson and 24th Avenue N.E.; and property currently owned by the University of Oklahoma along Lexington Avenue between Flood Avenue and Halley Avenue and to discuss pending litigation associated with Golden Tribe, LLC, vs. City of Norman, Cleveland County Court Case CV-2018-1142.

Item 3, continued:

The City Council convened into Executive Session at 6:31 p.m. Ms. Mary Rupp, Interim City Manager; Mr. Jeff Bryant, City Attorney; Ms. Kathryn Walker, Assistant City Attorney, Ms. Beth Muckala, Assistant City Attorney; and Mr. Rick Knighton, Assistant City Attorney, were in attendance at the Executive Session.

Thereupon, Councilmember Holman moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Wilson; and the question being upon reconvening the Special Session, a vote was taken with the following result:

YEAS:	Councilmembers	Bierman, Castleberry, Clark, Hickman, Holman, Wilson, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and the Special Session was reconvened at 7:57 p.m.

The Mayor said the acquisition of real property for recreational purposes currently owned by the Oklahoma Department of Mental Health and Substance Abuse Services located in the vicinity of East Robinson Street and 12th Avenue N.E. and East Robinson and 24th Avenue N.E.; and property currently owned by the University of Oklahoma along Lexington Avenue between Flood Avenue and Halley Avenue and to discuss pending litigation associated with Golden Tribe, LLC, vs. City of Norman, Cleveland County Court Case CV-2018-1142 were discussed in Executive Session. No action was taken and no votes were cast.

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Item 4, being:

#### DISCUSSION REGARDING POSSIBLE SITES FOR A STAND ALONE SENIOR CITIZENS CENTER.

Mr. Jud Foster, Director of Parks and Recreation, provided an overview of current Senior Center operations and said the Senior Center building located at 329 South Peters Avenue was built in 1929 and is three stories with additions constructed in 1977 and 1980. With these additions, the Senior Center is 12,860 square feet and sits on .97 acres with 34 parking spaces near the building and approximately 20 parallel parking spaces along the south side of Symmes Street. The facility includes space for an office, a multipurpose use area, a kiln, two classrooms, small kitchen, dining room, and commercial kitchen. On average, the facility services approximately 100 participants per day and about 26,000 participants annually. Current activities include ceramics; exercise; bridge; bingo; Tai Chi; canasta; and special events. The facility is operated by one full-time and one permanent part-time City Staff.

The Senior Center project model, i.e., size, activities, facilities, parking, etc., considered during Council and public discussions prior to the October 2015 NORMAN FORWARD vote centered largely on building programming and meeting/discussions with seniors conducted as part of the 2015 Municipal Complex Master Plan Update. From the meetings with seniors as well as completed program updating by the project architect and senior center consulting firm, a 21,000 square foot facility with 100 plus parking spaces and expanded facility amenities was developed. This facility concept has been used as a basis for site locations, project budget, and concepts for a stand-alone Senior Center. The NORMAN FORWARD ballot also anticipated funding one additional Staff member for Senior Center operations. Since the 2015 NORMAN FORWARD ballot, a number of sites for a stand-alone Senior Center have been considered and Staff prepared pros and cons on each location for Council review. Staff will also provide information regarding a Senior Center model similar to Oklahoma City Senior Wellness Centers.

Mr. Foster said the five location options include Option 1 – Reaves Park; Options 2 – Ruby Grant Park; Option 3 – Andrews Park (AP); Option 4 – West of new Central Library (L4); and Option 5 – purchase of North Base location.



Item 4, continued:

Option 1, Reaves Park, has land available, phased construction potential, lower site development costs, and is centrally located; however, there are demolition costs for the current Reaves Community Center, which would be replaced by the Senior Center.

Councilmember Holman asked if the conceptual placement of the Senior Center would interfere with plans for Medieval Fair and Mr. Foster said probably not and Medieval Fair organizers may like the idea of additional parking space. He said Staff will reach out to them, but he believes there would not be any issues.

Option 2, Ruby Grant Park, has land available, has potential for third party operator, phased construction not needed, and lower site development costs; however, it is not centrally located and there could be potential membership cost if third party operator is utilized.

Option 3, Andrews Park, has land available, is centrally located, and is adjacent to the new Central Library; however, this location will require loss of parkland, higher site development costs (floodplain issues), Letter of Map Revision (LOMR) delays, and expansion opportunities are unlikely without loss of additional parkland. Mr. Foster said loss of parkland may cause pushback from the community.

Councilmember Hickman said if a con for Andrews Park is loss of parkland then that should also be a con for Reaves Park and Ruby Grant Park and Mr. Foster said that is fair; however, the land that would accommodate the building in Andrews Park was never programmed for any other use than wide open space while Reaves Park and Ruby Grant Park have plenty of space for a Senior Center facility.

Mr. Terry Floyd, Development Coordinator, said in previous discussions regarding plans for Ruby Grant Park, there had been the potential for an Aquatic Center and Indoor Multi-Sport Facility at that location. Mr. Foster agreed and that the Parks Master Plan identified Ruby Grant Park as a potential site for a recreation facility and/or swimming pool.

Option 4, West of New Central Library, is adjacent to the new Central Library and is centrally located; however, it will require the purchase and demolition of affordable multi-family and single-family homes, land acquisition, and higher phased construction costs due to future additional land purchase.

Option 5, North Base Property, is centrally located and phased construction is not necessary; however, land costs are not anticipated in the budget, demolition costs for existing multi-sport facility (Optimist Gym) will be required, and road improvements are required. He said the City is currently in negotiations with the University of Oklahoma (OU) regarding the purchase or lease of this land, but that is still an unknown. He said there are also a lot of unknowns regarding the cost of demolishing the Optimist Gym, which is a very old building.

Councilmember Hickman said whether or not a Senior Center is built on North Base property, the City still needs to demolish the gym for either the Indoor Aquatic Facility or Indoor Multi-Sport Facility, so it is not really a con.

Councilmember Castleberry said if nothing is built on the North Base property and the gym was not demolished, the gym could be used as another location to host additional sports tournaments.

Mr. Foster said there has been recent discussion regarding pursuing a Senior Wellness Center model similar to that being used for the new MAPS3 Senior Wellness Centers in Oklahoma City (OKC). This model utilizes a third-party operator, volunteers for senior activities, and involves a monthly membership fee (\$50 per month) for use of the facility. He said Staff utilized locational analysis in conjunction with the selected third-party operator to determine the optimum location for the facilities and the facilities are operated much like other private facilities with similar amenities. Potential impacts of this operational model that Council may want to further consider and discuss include costs for continued maintenance of the expanded facility; pursuit of the membership model of Senior Center use that will likely be needed; third party operator potential, i.e., is there an operator interested?; impacts of Senior Center facility for YMCA operations if adjacent to current YMCA facility; and combined facility (Senior Center/Indoor Sports Center) implications if multiple operators are utilized, i.e., who gets priority for shared facilities, etc. He said the reason Staff placed this option in the presentation was just to touch base on the idea of a Wellness Center and how that

Item 4, continued:

could impact a site selection. He felt this option would be difficult to build in Andrews Park and Reeves Park and would most likely require a third party operator.

Councilmember Wilson likes the idea of a Wellness Center, but would like to stay away from charging a monthly fee.

Councilmember Hickman said when talking about these options, Council needs to think about the possibility for expansion so he is cautious about using parkland sites because some have no expansion option. He suggested taking \$2 or \$3 million out of the Transportation Bond to add to the money needed to purchase the land at North Base for the Senior Center, Indoor Aquatic Facility, and Indoor Multi-Sport Facility. This could be a separate ballot proposition, but would first like a written agreement from OU that they will sell the land to the City versus a lease as he would rather the City own the land. He said if the City could purchase the North Base property there would be ample space to potentially expand proposed facilities.

Mayor Miller said that is definitely an option and in considering that as an option Council needs to think about the time constraint because Council has to decide what will be on the ballot by January 2019, for an April election. She would be uncomfortable placing something on the ballot if the land is not yet secured.

Councilmember Castleberry said if the City decides to build a Wellness Center, there needs to be a low cost membership rate structure or discount for Norman residents because Norman taxpayers are funding these facilities through NORMAN FORWARD. He would also like to explore Councilmember Hickman's idea further because having all three facilities at the same location in a centrally located area makes a lot of sense. He would like to explore options as to whether those projects can be done through a bond issue, TIF, NORMAN FORWARD, or CF. He said if a bond issue passes and the City does not acquire the land then the bonds do not have to be issued, which has been done before with the 2008 Bond Program for a Senior Center at the current Central Library location. He likes the fact that the City identifies all the bond projects because it gives the City more credibility with the public.

Councilmember Hickman said there is no money budgeted in NORMAN FORWARD to purchase the dirt for these NORMAN FORWARD Projects and, based on conversations with the public, they understand Council is not asking for money the City already has and he is highly confident that voters will support the purchase of land for these projects to keep projects out of the parks. He believes this will further enhance the vision concept of the City solving problems and investing in Norman and believes this will only improve the City's chances of obtaining positive votes on the Transportation and Stormwater Bonds.

Councilmember Holman thinks the North Base option is the best one and likes the idea of the three facilities being together and the synergy that could be created by them and the ability of senior citizens to use the Indoor Aquatic Facility and Indoor Multi-Sports Facility if they like. The Senior Center, in his vision, would be located on the corner of Lexington Avenue and Flood Avenue so it would be a prominent building as people come into Norman. Ideally, he would like the Senior Center to be closer to City Hall and has been supportive of the Andrews Park option for some time, but it becomes less viable based on cost, flooding issues, park space, and no room for expansion. He thinks the only other option for the Indoor Aquatic Center and Indoor Multi-Sport Center is Ruby Grant Park if they are not on North Base; however, if the City decides on two or three Wellness Centers, then one of them should be in Ruby Grant Park. He would support Councilmember Hickman's proposal of a bond for the purchase of North Base land.

Councilmember Carter said if Option 4, west of the New Central Library, is pursued, and asked if there is a funding mechanism for that and Mr. Foster said no. Councilmember Holman said this option is the best because it would be next to the new Central Library, but he would not want to displace the apartment complex and single-family homes in order to do that. He said there would be no room for further expansion at that location as well.

Councilmember Wilson asked where the Senior Center, Indoor Aquatic Facility, and Indoor Multi-Sport Facility could be built together other than North Base and Mr. Floyd said Ruby Grant Park.

Item 4, continued:

Councilmember Carter asked if there is land in the UNPTIF for the Senior Center, Indoor Aquatic Facility, and Indoor Multi-Sport Facility and Mr. Bryant said under Development Agreement No. 5, there were two acres donated for a Cultural Facility, but there was also an option to purchase additional land at \$5.00 to \$5.50 per square foot. He said that land is just north of Embassy Suites and up to 14 acres is available with two acres being donated.

Councilmember Castleberry suggested removing the Cultural Center and Lifestyle Center from the UNPTIF Project Plan and replacing them with another project. He said the idea is to use \$3 million in TIF funds not \$3 million from transportation project or NORMAN FORMAN project funds.

Councilmember Hickman said senior citizens do not want to be in the middle of the UNP commercial development. The concept of removing the UNPTIF funds for the Cultural Center or Lifestyle Center was to use that money at the North Base area.

Mayor Miller asked how long it would take to make these three facilities happen and Mr. Foster said two to three years from design to completion to build one of those on sites the City owns today. Councilmember Castleberry said the Senior Center is the first priority and that could be built quickly if it were built at Reaves Park or Ruby Grant Park.

Councilmember Wilson said Ruby Grant Park is a very long way to the east side of Norman, which goes to 180th Avenue, so she would like a location that is more centrally located.

Councilmember Hickman said this proposal should go to the specific ad-hoc committees, i.e. Park Board, TIF Oversight, etc., for their input in order to determine what options are still on the table.

Councilmember Holman asked the con to using UNPTIF funds on North Base and Mr. Francisco said it would be a change to the Project Plan requiring review by the Statutory Review Committee, but financially there would be no cons.

Mr. Bryant said Council recently adopted a resolution to recall the Statutory Review Committee to review ending the UNPTIF and this proposal can be added to that discussion.

Items submitted for the record

1. PowerPoint presentation entitled, "City of Norman Senior Center Site Options," City Council Study Session dated November 20, 2018
2. Memorandum dated November 16, 2018, from Jud Foster, Director of Parks and Recreation, and Terry Floyd, Development Coordinator, to Mayor and City Council, with Attachment A, Senior Center/Indoor Multi-Sport/Aquatic Center Site Options: Pros/Cons; Attachment B, Northeast Andrews Park (i.e. Option AP), Reaves Park, Ruby Grant Park, West of the New Central Library (i.e. Option L4), and North Base Site

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ADJOURNMENT

The Mayor adjourned the meeting at 9:25 p.m.

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ATTEST:

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City Clerk

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Mayor