

CITY COUNCIL STUDY SESSION MINUTES

May 7, 2019

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:00 p.m. in the Municipal Building Conference Room on the 7th day of May, 2019, 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 Bierman, Carter, Castleberry, Clark, Hickman, Holman, Scott, Wilson, Mayor Miller
ABSENT:	None

Item 1, being:

DISCUSSION AND UPDATE ON THE SENIOR CENTER PROJECT.

Mr. Jud Foster, Director of Parks and Recreation, said the proposal to build a Senior Center at the current Central Library site after the new Central Library opens was opposed by senior citizens because they prefer a stand-alone facility so Staff began looking at other sites suitable for a stand-alone facility. He said over the last several years, Council has reviewed several site options for the Senior Center that included the Central Library; Andrews Park; Ruby Grant Park; Reaves Park; North Base property; and University North Park Tax Finance Increment (UNPTIF) District property.

Mr. Foster highlighted the pros and cons of each site as follows:

Central Library

A Senior Center located adjacent to the new Central Library on Acres Street would require additional land with acquisition costs of approximately \$1 million to \$1.5 million. Mr. Foster said because the property owners have stated they are not interested in selling the property, condemnation would have to take place and Council indicated they would not be in favor of displacing citizens in the area. He said parking would have to be shared with the Central Library patrons and there would be no potential for future expansion at the site.

Andrews Park

Andrews Park has land available at no additional cost and is centrally located; however, there would be higher development costs due to the need for an enhanced drainage structure and a Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMA), which could take up to one year to obtain. He said much of the parkland would be lost to the Senior Center building as well as the subsequent 100 spaces needed for parking.

Item 1, continued:

North Base Site

The North Base site is centrally located, but may require phased construction if the site is shared with the proposed Indoor Aquatic Center and Multi-Sports Facility. Mr. Foster said the 2.5 to 3 acre site is estimated to cost approximately \$172,000 per acre with \$1 million in road improvements needed. The site would also require demolition of an existing Optimist Gym (World War II Hangar) that contains asbestos. He said some citizens have stated they do not want the gym demolished; they want it to remain. He said the site would be isolated from other amenities if the NORMAN FORWARD Indoor Aquatic Center and Multi-Sports Facility were to be constructed in the UNP as proposed in previous discussions. He said the high speed of traffic along that portion of North Flood Avenue is also an issue and considered to be a negative for entering and exiting the location.

Councilmember Clark asked if the City has confirmed the University of Oklahoma (OU) would be willing to sell only the portion of land needed and Mr. Foster said yes, OU has stated they would sell the City 2.5 to 3 acres.

UNP Site

The UNP site would possibly allow the Indoor Aquatic Center and Multi-Sports Facility to be adjacent to each other which would reduce costs of land acquisition. Mr. Foster said most infrastructure improvements are in place, but traffic congestion on 24th Avenue N.W. could be problematic. This area is not centrally located, would require an extension of Rock Creek Road, and senior citizens have expressed objections to the site because it is too far from central and south central Norman where a majority of senior citizens reside.

Ruby Grant Park

Ruby Grant Park has land available and site development would be a lower cost than Andrews Park or the Central Library site. He said there would be room for future expansion, but the site is not centrally located and public transportation is currently not available at the location.

Reaves Park

Reaves Park has land available at no cost with possible room for future expansion and site development costs would be lower than Andrews Park or the Central Library site. Reaves Park is centrally located and incorporates into the Reaves Park Master Plan. Mr. Foster said there have been concerns that a Senior Center at Reaves Park would negatively affect the Medieval Fair, but organizers of the Medieval Fair are comfortable with the proposed site. There is potential for future expansion south of Constitution Street if the intersection at Jenkins Avenue is realigned. He said Staff met with the University of Oklahoma to discuss exploring the realignment of Constitution and Imhoff Road on Jenkins and OU seems to be agreeable to this. He said the Norman Senior Association voted twice to recommend this site to City Council and the Reaves

Item 1, continued:

Reaves Park, continued:

Park Ad Hoc Committee has voted to recommend the site as well. The only downside is the loss of the current Reaves Park building. Councilmember Wilson asked when the Reaves Park building was constructed and Mr. Foster said he does not know the exact date, but believes it was constructed in the 1960s.

Councilmember Hickman asked if expansion to the north would impact the Medieval Fair and Mr. Foster said possibly, but the information being presented tonight is all arbitrary at this time. Councilmember Hickman said if the realignment of Jenkins Avenue does not occur would that mean there would be no room for expansion and Mr. Foster said the footprint could be redesigned to be expanded without impacting the Medieval Fair or any other park activities. One comment he has heard several times is that this may be the first of possibly two Senior Centers and rather than expand, a second Senior Center could be built on the west side of Norman so that is an option to be considered.

Councilmember Hickman asked if Staff considered the impact this design would have on the Jenkins Avenue Improvement Project because there could be road construction taking place from 2021 to 2025 and Mr. Foster said no, because this proposal is in the preliminary stages. Councilmember Hickman said if a turning lane or traffic light is needed, would that come out the Senior Center budget and Mr. Foster said no, there is a separate line item for NORMAN FORWARD roadway and/or traffic improvements.

Councilmember Holman said he held a Ward meeting at the Reaves Center building in December and it is not a big building, but does have a history of being a teen center in the late 60's or early 70's that included federal funding. He said Jenkins Avenue is already five lanes at this intersection so he does not expect many improvements would be needed. He said the realignment of Jenkins Avenue would add more space to Reaves Park to allow future expansion of the Senior Center to the south. He would not support the proposed design concept to the Senior Center in Reaves Park because it is a one-story building and prefers a two-story building for a smaller footprint and future expansion. He said a two-story design would not take additional park space or interfere with the Medieval Fair activities nor would it rely on the realignment of Jenkins Avenue.

Councilmember Carter said there are three principles of opening a new business and they are location, location, location. He said issues of vital importance to this project include walkability, bike ability, a public transportation component, and a central location. He is not supportive of the Reaves Park location because it is not a walkable distance from residential housing and traffic is a huge issue during OU game days, sport and festival activities in the park, the population of students and Staff at OU, etc. He feels there would be a lot of negative obstacles for senior citizens at this location. He would prefer looking at properties more centrally located that are closer to the new Central Library and conducting a thorough vetting of the location.

Item 1, continued:

Reaves Park, continued:

Councilmember Castleberry suggested flipping the Senior Center building design to face the south and place the parking lot on the north side so future expansion would be easier.

Councilmember Scott asked which option is the most expedient, North Base or Reaves Park, and Mr. Foster said Reaves Park. Councilmember Scott asked about the development costs and Mr. Foster said development costs are lower than the new Central Library site or North Base due to land acquisition, roadway improvements, asbestos removal, etc., but he does not have exact costs for development in Reaves Park. Councilmember Scott understands the Senior Citizens Association and Senior Citizen Ad Hoc Group have recommended Reaves Park, but have they recommend other sites as well? Mr. Foster said senior citizens want a Senior Center now so while none of the sites are perfect, senior citizens seem to prefer Reaves Park.

Councilmember Scott asked if the road project connecting Constitution Street to Imhoff Road would slow construction of a Senior Center at Reaves Park and Mr. Foster said no.

Councilmember Scott asked if OU currently offers senior citizen discounts on sporting events, and if not, could the City partner with OU to offer discounts if senior citizens are members of the Senior Center and Mr. Foster said Staff can speak with OU about that.

Councilmember Bierman agrees there is never going to be a “perfect” location, but her concern regarding Reaves Park is the impact of OU sports when accessing the Senior Center. While she is hearing a lot of talk about different expansion options for the Senior Center, she is not hearing the potential to go up instead of out. She said she is pretty averse to creating impervious surface area in the City and asked if Staff considered two-story versus a single story and Mr. Foster said yes, Staff reviewed many different designs and single story buildings are considered to be easier and safer for senior citizens to get around in since there are no stairs to deal with. He said once a location is selected and a design consultant hired, the City will hold a series of public input meetings to work towards a design solution.

Councilmember Hickman asked if there is currently a bus stop at Reaves Park and Mr. Foster said no. Councilmember Hickman said the nearest bus stop is a block away and it is not likely there will be a bus stop provided at Reaves Park in the near future. He said North Base has a bus stop because of the YMCA and that is something that needs to be kept in mind in order to make an informed decision.

Councilmember Hickman asked about the timing phasing of the Reaves Park Master Plan projects in relation to construction of the Senior Center. Mr. Foster said the Senior Center will take approximately two years from design to construction and by the time it is completed the park improvements will be moving in that direction. Councilmember Hickman said the Reaves Park

Item 1, continued:

Reaves Park, continued:

and North Base locations seem to have the same construction schedule so from a timeline perspective they are relatively comparable. Mr. Foster said the Reaves Park option would be faster because the City already owns the land and will not have delays for land acquisition.

Councilmember Hickman asked if the City controls whether or not the roads are realigned because it looks like land acquisition would be needed for the Jenkins Avenue realignment, which could delay the project. Mr. Shawn O'Leary, Director of Public Works, said the property needed for the realignment is owned by OU and Staff has met with OU regarding the realignment concept and although OU is supportive, OU ultimately controls the destiny of the realignment because they have to be willing to sell or donate the land.

Councilmember Carter felt it would be prudent to re-examine possible areas in Central Norman near the Municipal Complex.

Councilmember Clark said the City has looked at many locations over the years and senior citizens have stated multiple times they want Reaves Park and the Medieval Fair group is comfortable with that so she supports Reaves Park. She said it is time to move forward and hopes Councilmembers will support moving forward as well.

Councilmember Holman said five years of the seven years he has been on Council, have been spent looking at Senior Center locations so he supports the Reaves Park location and moving forward with this project.

Councilmember Wilson loves the idea of a "Generation Square" at North Base and if the Senior Center is not going to be located in Downtown Norman, then Reaves Park or North Base are the best two options, especially for eastside residents. She supports Reaves Park which is free land with easy access from two points and because the Medieval Fair and senior citizens are okay with Reaves Park.

Ms. Bette Maffucci, representative for the Norman Seniors Association, said the Norman Seniors Association has consistently maintained a site neutral position, but have done so as a way to move forward in the process of obtaining a Senior Center that Norman senior citizens deserve. She said Reaves Park is an acceptable choice and senior citizens are ready to lock in on a site. The Norman Seniors Association also recognizes NORMAN FORWARD will provide funding in the amount of \$7.5 million. She said as long as the City moves forward with a Senior Center, the City can expect the Norman Seniors Association's support.

Ms. Ann Marie Eckart, representative for Medieval Fair, said the organization supports the Reaves Park location. She said all critical components of the Medieval Fair will still fit into the footprint of the park to include a Senior Center.

Item 1, continued:

Reaves Park, continued:

Ms. Gail Hobson, Senior Ad Hoc Committee Chair, said the Senior Ad Hoc Committee unanimously supports the Reaves Park location and encouraged Council to support it as well.

Mr. Mike Peters, senior citizen, said the Senior Center needs to be in core Norman, which is Berry Road to 12th Avenue east and Robinson Street to Lindsey Street. He said the current Senior Center has bus service so any new Senior Center would need bus service as well. He said Reaves Park and North Base are too far out for walkability.

Mr. Mark Campbell, concerned citizen, said a Senior Center at Reaves Park is isolated from other amenities and senior adults need to have the ability to walk from the Senior Center to the library, post office, grocery store, etc. He said bus routes near Reaves Park are not City routes, which could be in jeopardy when the City absorbs the bus system. He believes Andrews Park would be the best location for a Senior Center.

Ms. Mary Francis, senior citizen, said the site west of the new Central Library is not an option and has no room for expansion. Andrews Park is in core Norman near the new Central Library, but that land is in a floodplain. She said senior citizens have waited a long time for a new Senior Center and want to move forward. She said North Base and UNP locations are not centrally located and Ruby Grant Park is too far north. She said Reaves Park works because the City owns the land, there is room for expansion, and it does not impact nearby residents. She said if Council approves Reaves Park, the process for a Senior Center could start tomorrow.

Ms. Eileen Haralson, senior citizen, asked if anyone drives around Campus Corner on a daily basis, because it would scare them to death if they did. Has anyone every taken a wheelchair down the sidewalks of Norman because she did that two days ago and it was an eye opening experience. She would like the Senior Center to be more centrally located.

Mr. Montgomery Johnston, senior citizen, said he thought the North Base location was a done deal and was looking forward to a Generation Square, which would have been sweet. He said the Reaves Park location is relatively okay and a viable location. He said while walkability is imperative, remote locations can be very successful in different areas of Norman similar to what Oklahoma City has done with their Senior Centers.

Mayor Miller asked Staff to prepare a resolution requesting a transfer of funds from the Griffin Park Project to the Senior Center Project for Council's consideration at the next regular Council meeting. Councilmember Hickman said while he supports Mayor Miller's suggestion, he would like an update on the status of negotiations with OU regarding the North Base property before moving forward with a resolution. Ms. Kathryn Walker, Interim City Attorney, said Council is scheduled to be updated on negotiations for the North Base land purchase at the City Council Conference on May 14th.

Item 1, continued:

Mayor Miller said there seems to be consensus from Council to move forward with a resolution.

Items submitted for the record

1. Text File RPT-1819-75 dated May 3, 2019, by Jud Foster, Director of Parks and Recreation
2. PowerPoint presentation entitled, "Norman Senior Citizens Center Site Options," City Council Study Session dated May 7, 2019

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Item 2, being:

DISCUSSION REGARDING THE CREATION OF AN AMERICANS WITH DISABILITIES (ADA) ADVISORY COMMITTEE.

Mr. Jack McMahan, Americans with Disabilities Act (ADA) Technician, said ADA is one of the premier movements in the field of civil rights promulgated in 1991, with the core principle of delivering equal opportunity to all citizens in any municipality anywhere in the United States (U.S.). He said supporting that core principle is the notion that what the ADA is representing is the overarching principle of eliminating barriers to participation. In order to make that happen, there was a built-in feature to the original drafting of the ADA known as the Self-Inspection and Transition Plan, which is required for every municipality with more than 50 employees. He said it was a comprehensive idea for a municipality to perform an inventory of all its properties, programs, services, and activities then record deficiencies that might exist and develop a written plan that could be executed. The municipality's plan would be highly accountable, time sensitive, and budgeted over a defined period of time. Because of the complexity of the concept of equitable opportunity, the plan required municipalities to employ an ADA Coordinator and input from the public. He said ADA is far more than a civil rights law and far more than a defined law with a set of guidelines, but too often the ADA is viewed as a set of guidelines and becomes as elemental as a unit of measurement. When talking about ADA or accessibility, people have the mindset of a wheelchair, width of turning radius in restrooms, number and width of handicap parking spaces, etc. He said any city activity or program has as much right as the need to be able to get in the front door so the ADA was formed in that framework, but was built on the shadow of another civil rights act called the "Architectural Barriers Act (ABA)" which only referred to barriers of built facilities or structures. He said that was remedied in 1973 when the Department of Justice (DOJ) created the Rehabilitation Act that stated program services and activities must be made accessible.

Mr. McMahan said technology must be accessible under the 1973 Rehabilitation Act and Oklahoma went beyond that by developing its own Electronic Technology Act, which was revised in 2015, wherein municipalities have to make sure that electronic information transformation is also accessible.

Item 2, continued:

Sidewalks are considered programs, not just built structures, and were incorporated into the Pedestrian Rights of Way Accessibility Guidelines (PROWAG) further complexing this umbrella of law and concepts municipalities need to understand.

As municipalities move into the idea of consolidating and embracing transportation, they also move into the Department of Transportation's (DOT) bailiwick of ADA working simultaneously with DOT. Mr. McMahan said if there are other areas where barriers have been identified, but there are no solutions for removing them; the municipalities have to look at other best practices, other municipalities, other federal acts, etc. He said this very complicated conceptual role that is part and parcel of the ADA and self-inspection falls on the shoulder of the ADA Coordinator.

Mr. McMahan said a barrier is best understood when viewed through the lens of a person who cannot pass beyond it, see it, hear it, or understand it so citizen input is necessary to the ADA process. He said a citizen advisory committee helps a municipality determine where barriers are located and provide a solution. He said there are a significant number of people that have visual, hearing, or cognitive disabilities and cognitive disabilities are almost as frequent as mobility disabilities.

In 1993, Norman made its first foray into ADA by adopting its Self-Inspection Plan and in 2017, hired Kimley-Horn and Associates, Inc., (Kimley-Horn) who subcontracted with Accessology Too, L.L.C., (Accessology) to update the ADA Transition Plan. A twelve member ADA Steering Committee was established that included disability advocates, individuals with disabilities, representative from Cleveland Area Rapid Transit, Councilmembers, and members of the public. The self-evaluation consisted of reviewing programs, services, and activities; boards and commissions; employment practices; ordinances; Emergency Management Plan; and design standards.

Mr. McMahan said all City department programs, services and activities were reviewed and evaluated as well as three buildings; miles of sidewalks; railroad crossings; parks; signalized intersections; and sidewalk corridors. As a result of that review, a list of physical obstacles and their locations as well as methods to make the facilities accessible were identified. A schedule for making the access modifications was prepared which will be updated each year if the modifications are not done in one year. The Transition Plan will include the name position of the employee responsible for implementing the Transition Plan.

The Transition Plan document includes an introduction; public outreach; self-evaluation and summary of findings; facility costs; departmental survey and interview findings summaries; grievance procedure; design standard review; facility maps; facility reports; ADA action log; and next steps. The implementation schedule costs are estimated to be \$5,202,365 over a ten-year period with an estimated annual budget of \$520,250.

Mr. McMahan said the next phase includes moving forward with evaluation of the remaining facilities that consists of 20 buildings and 20 parks. He said training will be needed for Staff and

Item 2, continued:

the ADA Coordinator and ADA Staff Liaison Committee will work on implementing improvements and establishing internal procedures to monitor and track progress. A Norman ADA Citizen Advisory Committee will need to be established to filter, review, prioritize, and recommend projects to the Project Manager.

Mr. McMahan said sub-committees could be established to review specific accessibility issues such as transportation; business relations; emergency management; housing; technology; and events and make recommendations to the ADA Citizen Advisory Committee. He said the Committee is proposed to meet quarterly.

The Project Manager will represent the City, will not be a member of the Committee, and will do the work recommended by the Committee. The Project Manager will report on project programs; recruit professional input as required; and be responsible for recording Committee decisions. Mr. McMahan said Committee members should have known vested interests in the success of the projects; be motivated for the projects to succeed; be willing to agree to the Committee's goals and objectives; be able to perform the roles and responsibilities of membership; and understand the strategic implications and outcomes of the initiatives being pursued. Committee member qualifications will consist of an individual with a disability, a professional who serves the population of people with disabilities, or be the parent or primary caregiver of an individual with a disability.

The Committee charge will read as follows:

The City of Norman ADA Citizen Advisory Committee is being established to serve as a resource to civic leaders on issues affecting people with disabilities and the ways by which the City of Norman can be more accessible and usable for everyone."

Councilmember Hickman asked if the Committee meetings will be open meetings and Mr. McMahan said yes. Councilmember Hickman said regarding transportation, the City is proposing to contract with Embark to operate the bus system for the City and Embark has an existing ADA Committee so the City needs to be cognizant of that as this process moves forward. He does not want to create confusion or violate some type of contract provision. As far housing, there has been a lot of work done by an Ad-Hoc Committee in Norman and it would be wise to respect that group's process and consider members of that group for the ADA sub-committee on housing. Mr. McMahan said even though Embark has its own ADA Committee, the City still owns the responsibility to maintain its own self-evaluation and solutions. He said CART has an accessibility committee and the City would like that committee to remain, but at the same time the City does not want that committee to take up all the space on the City's sub-committee. Since there has been so much work done by the housing ad hoc committee, the City wants that voice to remain active, vibrant, and well recognized so it is important for a member of that ad hoc committee to sit in the City's sub-committee.

Item 2, continued:

Ms. Francis said sub-committees are a great idea to work with the Norman ADA Citizen Committee and it is really important when talking about ADA transportation and the Senior Center should be included in these discussions because that all has to work together.

Items submitted for the record

1. Text File RPT-1819-76 dated May 3, 2019, by Jack McMahan, ADA Technician
2. PowerPoint presentation entitled, "City of Norman ADA Citizen Advisory Committee," dated May 7, 2019, presented by Jack McMahan, ADA Technician, and Shawn O'Leary, Director of Public Works and ADA Coordinator
3. City of Norman ADA Self-Evaluation and Transition Plan dated May 2018, prepared by Kimley-Horn in association with Accessology

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Item 3, being:

DISCUSSION REGARDING THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM FOR THE OKLAHOMA CITY URBANIZED AREA FOR FYE 2020-2023 OKLAHOMA CITY AREA REGIONAL TRANSPORTATION SYSTEM (OCARTS) TRANSPORTATION IMPROVEMENT PROGRAM (TIP).

Mr. Angelo Lombardo, Transportation Traffic Engineer, said in the early 1990's Congress and the President signed a new transportation funding bill that changed how business was done in Norman when it came to funding transportation projects. He said the Intermodal Surface Transportation Equity Act moved money used in the State for other programs and earmarked those funds to be used in urban areas. He said this gave Norman the opportunity to access millions of dollars in federal funds, which the City has successfully accessed over the years. He said Norman has received an average of \$7.7 million in federal transportation grant funds each year over the last five years. He said Norman has leveraged federal funds for numerous widening projects throughout the years, such as Lindsey Street, Alameda Street, Main Street, Robinson Street, etc. He said numerous intersections have been improved with the federal funds as well. The funds were used to build the first modern round-about on East Main Street; a grade separation on Robinson Street; replace structurally deficient bridges; install new traffic signals; upgrade roadway lighting; replace traffic signals; replace pavement markings; and build sidewalks.

Mr. Lombardo said the plan for distributing funds is cooperatively developed by member entities of the Association of Oklahoma Governments (ACOG) who administers the process through a Regional Improvement Plan. Each year approximately \$20 million is available for cities and counties in the metropolitan area with 50% set aside to cover project cost overruns. He said 10% of the funds are set aside for safety projects and 80% of construction costs are funded for the balance of remaining projects. There is a competitive process for the funds where projects are rated and ranked and ACOG entities are eligible to apply, but no single government can received

Item 3, continued:

more than 56% of total funding, which Norman has received on several occasions. Although this is a multi-year plan, only the first year is locked and qualifying project plans must be resubmitted to re-compete each year.

Mr. Lombardo said the process typically begins in June and goes to September where the selection criteria used is reviewed and modified, if necessary. He said ACOG calls for projects in early November, then cities and counties prepare applications for submission in mid-December. In early January, a sub-committee of the Intermodal Technical Transportation Committee (ITTC) makes preliminarily review recommendations that are forwarded to the full ITTC later that month and the Intermodal Transportation Policy Committee (ITPC) reviews and approves the list of Transportation Improvement Program (TIP) projects. In April, the TIP is submitted to the Oklahoma Department of Transportation for inclusion in the State TIP. The funds become available on October 1st of each year for projects.

The selection criteria is a requirement of the federal government and is invoked and used when the total costs of the projects submitted for consideration exceed available funds. He said criteria helps intermodal technical and policy committees to assess regional project priorities while developing a financially reasonable program. The criteria addresses the priorities of the Federal Transportation Act, which are preservation of existing transportation facilities, relieving and preventing congestion, providing various modal choices, and increasing safety for the traveling public. He said eligible projects include widening; new construction; intersection improvements; resurfacing; reconstruction; rehabilitation; restoration of pavement; bridges; independent bicycle and pedestrian facilities; transit; park and ride; high occupancy vehicle lanes; car/van pool; and safety.

Mr. Lombardo said criteria changed this year and that is why he is making this presentation tonight. He said several cities and counties within the region promulgated an update to the criteria because as time went by there was a sense that criteria was not perfectly aligned with the goals of the long-range transportation plan for the region. There was also a sense that cities and counties needed integration system performance management in the process and to develop a result and efficiently driven process with proper prioritization methodology designed to ensure the transportation funding is being used in the most effective way. Smaller cities that do not have a large Staff wanted the whole process of rating and ranking of projects simplified because in the past there were certain types of project that did not compete as well with other types of projects, e.g., transit projects.

The new criteria was finalized and accepted by the ITTC and ITPC and used for the first time in FFY 2020 – FFY 2023 TIP. All ACOG entities agreed to follow the new rules and recognizing the new criteria was going to greatly enhance the competitiveness of certain project types that already have their own funding source, the committees adopted a 10% cap on the total funds that could be used during any one year for implementation of transit projects.

Item 3, continued:

Mr. McMahan said technology must be accessible under the 1973 Rehabilitation Act and Oklahoma went beyond that by developing its own Electronic Technology Act, which was revised in 2015, wherein municipalities have to make sure that electronic information transformation is also accessible.

On March 14, 2019, the ITTC held a special meeting to review the scores of projects submitted by the various cities and towns and the selection criteria scoring system was used to develop the recommendations and list of selected projects approved by ITPC last week. The distribution of funds per entity is as follows:

- Oklahoma City - \$10,539,189 (seven sidewalk projects, one intersection improvement project, and two safety projects)
- Edmond - \$7,434,277 (one Intelligent Transportation System (ITS))
- Central Oklahoma Parking and Transit Authority (COPTA) - \$748,329 (two busses)
- Midwest City - \$853,373 (one safety project)
- Norman - \$254,455 (one safety project)

Mr. Lombardo said Oklahoma City received 54.15% of the funds, most of which will be used to build sidewalks. He said Oklahoma City submitted 20 projects, which is the maximum number of projects a city or county can submit as part of the process. He said although Norman Staff is discouraged by the distribution for FFY 2020, Staff is very hopeful Norman will receive more funds in the future.

The changes in project scoring are negatively affecting the delivery schedule for several critical projects in Norman. None of the projects submitted for FFY 2020 funding consideration in the 80% federal category made the final list, i.e., Robinson Street west of I-35 and Tecumseh Road at 24th Avenue N.W. and Flood Avenue. The City's ability to amend the FFY 2020 TIP to advance the first phase of the 36th Avenue N.W. Bond project is no longer an option and has delayed construction of this project by at least one year. Mr. Lombardo said given the local needs for Norman and the region, the FFY 2020 TIP seems completely misaligned with the region's reality, a reality that continues to include a healthy annual growth rate accompanied by the higher traffic demand, congestion, and vehicular crashes.

Mr. Lombardo said current project criteria does not appear to violate any of the federal requirements imposed in the transportation funding bill and Norman understands that ITTC and ITPC adopted a new criterion for the selection of projects in the FFY 2020-2023 TIP; however, it was not anticipated that the Surface Transportation Block Grant (STBG) Program would become another Transportation Alternative Program capable of displacing the top ranked projects in the second and third year of last year's TIP through disrupting local project development efforts, resource allocation, and completely changing the make-up of the plan. He said it is obvious that a cap similar to the one placed for transit projects should have been imposed on projects eligible for funding under the Transportation Alternative Program, i.e., sidewalk and multi-modal path stand-alone projects.

Item 3, continued:

Mr. Lombardo said it is imperative that the new project selection criteria be modified to protect the integrity of STBG Program. Specific suggestions include capping bike/pedestrian projects at 5% per year; increasing the overall score of widening projects that increase roadway capacity; reducing the overall score of stand-alone sidewalk and multi-modal path projects; and require the listing of projects in excess of \$2 million in Encompass 2040 for TIP funding eligibility. He said Staff is confident the criteria will be corrected and Norman will be in a position to secure the funds needed for projects.

Councilmember Hickman said he requested sidewalk connectivity projects for accessibility in core Norman from Flood Avenue to Acres Street that cannot be done now, but is desperately needed for safe access to the new Central Library. Another sidewalk connectivity project from Classen Boulevard to Lindsey Street or Boyd Street also cannot be done. He said these are major arteries and thoroughfares for residents in core Norman and Oklahoma City received funding for sidewalk projects so how did they receive funding for sidewalks and Norman did not? Mr. Lombardo said one of the factors used is the social economic characteristics of the area and Councilmember Hickman said Norman's projects fall in that category. Councilmember Hickman said he requested these critical projects two years ago that are still waiting on federal funding. He asked if there is anything the City can do to improve the score of the two sidewalk projects and Mr. Lombardo said Staff will review that because Norman wants their sidewalk projects to score as well as Oklahoma City's.

Councilmember Hickman said the Rock Creek Road Widening Project may require eminent domain and has been pushed out to FYE 2023 so he assumes funding was not received for that project either, is that correct? Mr. Lombardo said Staff submits projects for a specific year based on how ready the City is to execute the project and the City's capacity to deliver that project in FFY 2020 and Rock Creek Road did not meet those criteria. He said the City can resubmit projects next year.

Councilmember Hickman would like Staff to consider removing the Rock Creek Road Project, postpone eminent domain action against the property owner, and use those funds to fully fund the two sidewalk projects.

Mayor Miller said the entire Council needs to be involved in deciding which projects are important and should be funded because there are projects needed in every Ward.

Councilmember Holman said everyone on Council is disappointed about the outcome of the funding, but he attended a Committee meeting with Mayor Miller and the City made a passionate plea to ACOG to re-evaluate the criteria. He wants to thank the representatives from other cities and counties that supported Norman's motion to postpone distribution of funds until the criteria could be revised. Unfortunately, ACOG is moving forward, but Norman has greatly benefited for years on the distribution of funding and he feels confident they will benefit in the future.

Item 3, continued:

Councilmember Castleberry asked about alternative funding for the Robinson Street Interchange Project and Mr. O'Leary said funds needed for the Robinson Street and I- 35 Interchange Modification Project is \$4.5 million and the UNPTIF Fund is providing a matching \$1.2 million and that \$1.2 million is in the bank, but the City does not have \$4.5 million. Councilmember Castleberry said this is a critical project because Robinson Street traffic is always backed up over the bridge. Mr. O'Leary said the top two projects in the region in FYE 2020 were Robinson Street at I-35 and Tecumseh Road and Flood Avenue so not only did the City lose all the federal funds to Oklahoma City, the top two projects adopted last year by ITPC dropped out of the program altogether by virtue of this ranking and rating process.

Councilmember Castleberry said the James Garner Avenue Improvement Project is considered to be a NORMAN FORWARD project with additional ACOG funding and prior to this meeting Council believed the project was going to happen. Can the City borrow money from NORMAN FORWARD and repay it when federal funds become available? Mr. O'Leary said federal funding is not a reimbursable program so that would be complicated. He said Mr. Anthony Francisco, Director of Finance, is reviewing alternative funding options for various projects.

Councilmember Castleberry asked if the Robinson Street Project is a two-year project and Mr. O'Leary said Staff believes it will be a 9 to 12 month project for construction because design is nearly complete and land acquisition is very limited. Councilmember Castleberry said he would like Staff to explore every possible way to keep the project on schedule including using TIF funds. Mr. O'Leary said Council committed the City for this project through the UNPTIF agreement so Staff is exploring alternative funding options.

Councilmember Scott said she is dismayed by the funding results and agrees with Councilmember Castleberry regarding the Robinson Street Project and finding a way to finish that project.

Mayor Miller said she plans to make a motion at the next ITPC that the new criteria be changed and hopefully those changes will take place prior to submission of FFY 2021 funding requests.

Items submitted for the record

1. Text File RPT-1819-77 dated May 3, 2019, by Shawn O'Leary, Director of Public Works
2. Memorandum dated May 2, 2019, from Shawn O'Leary, Director of Public Works, to Honorable Mayor and City Council

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The meeting was adjourned at 8:19 p.m.

ATTEST:

City Clerk

Mayor