

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES
October 26, 2011

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:34 p.m. in the Conference Room on the 26th day of October, 2011, 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 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Gallagher Kovach, Lockett, and
Chairman Dillingham

ABSENT: None

OTHER STAFF PRESENT: Mayor Cindy Rosenthal
Councilmember Jim Griffith
Mr. Anthony Francisco, Finance Director
Mr. Bob Hanger, Storm Water Engineer
Mr. Angelo Lombardo, Traffic Engineer
Mr. Shawn O'Leary, Director of Public Works
Mr. David Riesland, Traffic Engineer
Ms. Kathryn Walker, Assistant City Attorney
Ms. Karla Chapman, Administrative Technician

OTHER GUESTS PRESENT: Mr. Will Decker, Concerned Citizen
Mr. Harold Heiple, Attorney, Norman Developers' Council
Mr. Kevin Kokes, Lochner
Mr. Doug Myers, OU Parking and Transportation
Administrator
Ms. Chris Nanny, Chair, CTP Stakeholder Visioning
Committee
Ms. Janice Oak, CTP Stakeholder Visioning Committee
Mr. Cody Ponder, CART
Ms. Sadie Robb, Lochner
Mr. Charlie Schwinger, Lochner

CART RIDERSHIP REPORT.

Chairman Dillingham asked if there were any questions or comments pertaining to the September Cleveland Area Rapid Transit (CART) Ridership report and was pleased that the CART Ridership year-to-date fixed route was up 7%. Chairman Dillingham said recently a constituent asked whether or not a passenger has the ability to transfer from the Norman CART system to Oklahoma City (OKC) Metro Transit transportation system and Mr. Doug Myers, OU Parking and Transportation Administrator, said CART does not honor OKC Metro Transit passes and visa versa. Mr. Myers said OKC Metro Transit has an all day, thirty day, or annual pass and no longer charges passengers according to different routes, but CART does not have an all day pass.

Councilmember Gallagher said he has a constituent who must travel three or more blocks to bus stops that are not located on streets with speed humps because CART buses avoid streets with speed humps and wondered if there were any options for the citizen. Mr. Myers said unfortunately speed humps are not good on the CART buses because they are very low and there are no plans to change routes/bus stops to include streets with speed humps at this time.

Councilmember Kovach reminded everyone that United Way and Traveler's Aid give out CART passes.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of September 2011

CONTINUED DISCUSSION REGARDING THE STORM WATER MASTER PLAN ACTION PLAN.

Mr. Shawn O'Leary, Director of Public Works, said tonight's update on the Storm Water Master Plan (SWMP) Action Plan will highlight the SWMP action items in progress, including the proposed Storm Water Utility and proposed General Obligation (GO) Bond Program. Mr. Bob Hanger, Storm Water Engineer, provided progress updates for the SWMP Action Plan items as follows:

- **Item No. 6:** Develop Storm Water Quality Criteria – Council approved Ordinance No. O-1011-52, providing for standards and requirements for designated Water Quality Protection Zones (WQPZ) inclusive of Lake Thunderbird watershed. June and July, 2011, Staff training for the WQPZ ordinance. October 31, 2011, training by the City of Norman for developers and engineers on the WQPZ ordinance. Review and amend Engineering Design Criteria, Section 6000, Storm Water Pollution, for Council consideration by Fall 2012.
- **Item No. 10:** Submit Letters of Map Revision (LOMR) to the Federal Emergency Management Agency (FEMA) – Staff received a \$500,000 grant from Risk Assessment, Mapping, and Planning Partners (RAMPP) Grant for Little River/Dave Blue Creek to perform engineering services and four and half miles of channel flood plain mapping.
- **Item No. 16:** Non-structural controls – anticipated to be complete in Fall of 2013. Types of controls include tailor storm water sampling to Lake Thunderbird watershed; prepare brochure for restaurants concerning good housekeeping adjacent to dumpster; fertilizer usage by targeting lawn care companies; and public education for Property Owner Associations (POA), e.g., rain barrels, fertilizer usage, lawn clippings, and other environmental issues.
- **Item No. 18:** Outreach program for non-structural controls – Norman should receive an updated Oklahoma Department of Environmental Quality (ODEQ) Phase II permit in the Spring of 2012. Environmental Control Advisory Board (ECAB) and Greenovation Committees will continue to provide education on fertilizer regulations, i.e., contacting businesses who sell and use fertilizer to begin using fertilizer with zero phosphorus.
- **Item No. 19:** Assess water quality in Lake Thunderbird – Oklahoma Water Resource Board (OWRB) currently tests twice a week (since 2000) from April 15, through October 15, and once a week in the winter. Staff will coordinate with federal, state, and local agencies such as Environmental Protection Agency (EPA), ODEQ, OWRB, Central Oklahoma Master Conservancy District (COMCD), City of Moore, and City of Oklahoma City. Technical Advisory Committee (TAC) is administered by ODEQ and meets quarterly.

Mr. Hanger highlighted some of the inventory and said the Hall Park dam should be completed October 31, 2011. He said currently an engineering study is being performed for Sutton Wilderness and a report to OWRB will be completed by December 31, 2011. He said the OWRB report will be used by Staff as a planning tool to help prepare proposed capital projects. Mr. Hanger said Staff will begin research and identify responsible parties for the inspection, maintenance, and overall safety of Norman dams, as well as, develop an inventory/prioritization method with an estimated completion scheduled for Fall 2014.

Proposed Storm Water Utility

Mr. O'Leary said the Storm Water Utility (SWU) concept is to implement a SWU fee to every property in Norman that has storm water run-off. He said Staff is currently developing and carrying out a strategic work plan for a citizen vote on the proposed SWU, specifically administration and billing processes. He said a Staff team has been developed, establishing a master account file and determining key billing logistics are pending, and initiating preliminary discussion on billing and administration requirements have been done. Mr. O'Leary said Staff is looking to Council for guidance on the following issues to include:

- ✓ Involve key stakeholders such as POAs, churches, schools, etc.
- ✓ Determine a utility rate
- ✓ Possible exemptions/discounts, e.g., low income citizens, University of Oklahoma (OU), non-profit organizations, and discount for rain barrels or other low impact development

Proposed General Obligation Bond Program

Mr. O'Leary said the City has many storm water capital projects and the proposed GO Bond program would assist with those capital projects, as well as compliment the SWU fee. He said Staff has been developing a strategic work plan for proposed G.O. Bond program. He said if Council desires to hold a citizen election to put into practice a G.O. Bond program, Staff recommends the following three scenarios for Council:

- ✓ Determine which G.O. Bond package amount to use, i.e., \$30 million, \$38.5 million, or \$40 million, and the storm water projects to be done
- ✓ Forecast debt service requirement
- ✓ Possible overlap of this election could coincide with a G.O. Bond issue for Transportation Projects

Public Outreach Program

Mr. O'Leary said some degree of public outreach will need to be achieved and Staff has also been developing a formal public outreach program to promote a SWU fee and G.O. Bond Project which would take place *before* the citizen vote. He said the SWMP recommended a public outreach program be implemented one year prior to election. Mr. O'Leary requested Council guidance whether the public outreach program should be achieved in house or through a consultant. He said a consultant performing a year long very comprehensive outreach program would cost approximately \$50,000 to \$100,000, but they are very professional, skilled, and do public outreach programs for a living, which in the end might be more successful. Mr. O'Leary felt if Council wanted a large public outreach program, Staff may not be the direction to go since Staff is not as trained in that particular area. He said this may be an instance where Staff and resources could be enhanced with the expertise of an outside contractor and if Council feels a contractor should be hired, the budget will be established and the selection process put in to action.

Revenue Options

Mr. O'Leary said the three rate options for the proposed G.O. Bond Program are \$30 million, \$38.5 million, and \$40 million, for a 20-year period Capital Improvement Program (CIP). He said Staff has determined there are roughly 59 different storm water projects throughout the City having an estimated cost of \$83 million. He provided information on the three rate options and said Council will ultimately have to determine which rate option to include:

1. Option 1 - \$30 million G.O. Bonds and \$53 million storm water user rates financing. Approximately \$2.65 million CIP storm water projects would be funded by rates per year.
2. Option 2 - \$38.8 million G.O. Bonds and \$44.5 million storm water user rates financing. Approximately \$2.22 million CIP storm water projects would be funded by rates per year.
3. Option 3 - \$40 million G.O. Bonds and \$43 million storm water user rate financing. Approximately \$2.15 million CIP storm water projects would be funded by rates per year.

Mr. O'Leary provided average monthly billing rates for single family, multi-family, commercial/industrial/office, agriculture, and OU, should a proposed SWU fee be implemented. He said the *average* single family home in Norman has 3,614 impervious surface, therefore the average monthly SWU fee billing would range from \$6.74 to \$7.24, depending on which of the above rate options Council decides to use. Mr. O'Leary also provided the *average* impervious surface square footage for multi-family, commercial/industrial/office, agriculture, and OU, along with the average monthly SWU fee billing ranges for rate options one, two, and three. He said OU has approximately 30 properties; but the rate(s) provided for OU only reflect one average/typical impervious surface location. Mr. O'Leary said if OU does not receive SWU fee discounts and/or exemptions from the City they would be billed approximately \$30,000 per month. Councilmember Kovach asked whether or not the City has the legal authority to impose a storm water utility fee on OU since they are a state entity and Mr. O'Leary said lawsuits throughout the country dealing with federal property storm water run-off recently ruled that federal building(s) were not exempt. He felt that ruling would filter down to the state and local level(s) and said the general idea of a SWU fee would apply to any buildings, parking lots, etc., whether residential, commercial, industrial, or OU if it creates storm water run-off. He said the SWU fee is based on impervious areas therefore property zoned and

maintained as agricultural property would have very little storm water run-off resulting in a very low SWU fee. Likewise, sites that choose to build every square inch of the property into a large building and/or parking lot will have a significant amount of storm water run-off and will pay a much higher SWU fee. Mr. O’Leary said in terms of SWU fees, Staff discovered that 65% to 70% of the storm water fee structures around the country are based on this type of system, i.e., impervious area(s) and equivalent residential unit concept. He said this is a very common perspective and has withstood legal challenge throughout the country.

Mr. O’Leary said Staff has already developed a very accurate system having a database listing of every parcel in Norman and the impervious area for each; therefore, if the Council chooses to implement a SWU fee based on impervious area(s), both Finance and Geographical Information Systems (GIS) Staff are ready to implement the program.

If a G.O. Bond issue for storm water run-off projects was approved by the voters, Staff recommends the following as the top nine potential storm water projects and costs for each:

1. Imhoff Creek at Lindsey Street and McGee Drive	\$12,461,087
2. Little River – Ranch Estates Mobile Home Park buy outs	\$ 305,233
3. Brookhaven Creek – Main Street Bridge	\$ 3,250,364
4. Bishop Creek at Sinclair Drive and Beaumont Street	\$ 1,703,776
5. Imhoff Creek at Highway 9 and Imhoff Road	\$ 6,563,091
6. Bishop Creek at Main Street and Symmes Street buy outs	\$ 1,846,598
7. Bishop Creek at Lindsey Street to College Avenue to Duck Pond	\$ 3,628,513
8. Imhoff Creek - Andrews Detention including buy outs	\$ 3,517,101
9. Merkle Creek at East Main Street and Crestmont Street	<u>\$ 6,066,932</u>
TOTAL COSTS	<u>\$39,342,696</u>

Councilmember Kovach asked the criteria used to determine the ranking of the projects and Mr. O’Leary said a very interesting ranking system was developed by the Storm Water Task Force Committee and Project Team that had 15 to 16 factors that included flood control, degree of reduction of property damage, public safety considerations, quality of life factors, etc. Mr. O’Leary said very careful consideration was taken and it was an attempt to be very fair about how to compare the 59 different storm water projects.

Mr. O’Leary requested guidance from Council as to how they would like to proceed with the SWU and G.O. Bond issue. He said Council could choose to hold a City election on either the SWU fee or only the G.O. Bond issue, or could choose both. He said if Council desired to have an election on both, the rates would need to be determined for the SWU, as well as the G.O. Bond amount, and a decision would need to be made whether or not the City would allow any exemptions and/or discounts.

Mayor Rosenthal said Council discussed the storm water issues at the September 17, 2011, Council Retreat and Council agreed and identified a SWU fee and combination G.O. Bond issues as very high priorities; however, she felt it is not possible to know when an election should be held at this time. She felt public outreach initiatives were needed before making decisions about exemptions, discounts, rates, etc., in order to build consensus as to what a SWU and G.O. Bond package would look like. She said those decisions can be discussed and made during the process. Mayor Rosenthal said it may not be necessary to hire a consultant during the first round of the public outreach program and felt there is talent within the community to hold public meetings. She suggested making public meetings a first step priority to help build consensus on the storm water issues as well as looking at some consultants who have experience with public outreach programs.

Councilmember Kovach felt Council should have a little discussion concerning the G.O. Bond issue since Staff identified Imhoff Creek (at Lindsey Street and McGee Drive) as the number one project for a potential G.O. Bond storm water project. He said if citizens voted and approved the G.O. Bond issue the Imhoff Creek project could “piggyback” upcoming Lindsey Street Projects, i.e., Oklahoma Department of Transportation (ODOT) Lindsey Street Bridge project and the possible transportation G.O. Bond issue concerning Lindsey Street Widening Project.

Chairman Dillingham agreed and said Council did set high priorities for the transportation and storm water issues which have many moving parts/targets. She agreed it might be wise to get a handle on a significant portion of the storm water G.O. Bond issue fairly quickly including the transportation piece and bring citizens within the community together who will help begin a public dialogue to identify how the community would like to proceed with the remainder of the storm water G.O. Bond and SWU fee issues. She felt a good community dialogue could give an outline of what a SWU fee might look like and the procedure for possible exemptions, discounts, and credits.

Councilmember Gallagher said the SWU fee and G.O. Bond issues will take a lot of planning and will take extensive public relationships. He commended Staff's presentation and felt the City did not need to obtain the help from an outside contractor to perform a public outreach program, but instead use Staff's expertise and planning and/or obtain the help of local citizens, i.e., OU and Norman businesses. Chairman Dillingham agreed that the City has had tremendous luck with citizens in the community stepping up to offer assistance and expertise on other City issues, but a decision on whether to have Staff, local volunteers, or an outside contractor will not need to be determined for several months, possibly after a community dialogue. Mayor Rosenthal said Staff's presentation was outstanding, but at the same time Council has requested Staff perform many other tasks such as the Comprehensive Transportation Plan (CTP), along with the day to day work they must accomplish. She felt adding another major initiative might be difficult for Staff to complete; therefore, prolonging the storm water issue.

Chairman Dillingham suggested the Committee take the information presented today, consider the multiple issues at hand, and schedule a Community Planning and Transportation Committee (CPTC) in a couple of weeks to discuss the issues at length and the Committee agreed.

Mayor Rosenthal requested Staff provide a list of storm water projects and transportation projects at the next CPTC meeting so it can be determined if any of the projects have general connections, i.e., streets, bridges, etc., and can be done collectively to save the City money. Mr. O'Leary said Staff will submit a six-year Capital Improvements Projects (CIP) application to the Association of Central Oklahoma Governments (ACOG) on December 15, 2011, and will provide the Committee with the information which could help identify storm water projects that could be rolled into transportation projects.

Items submitted for the record

1. PowerPoint Presentation entitled " Storm Water Master Plan Action Plan Update," dated October 26, 2011

FOLLOW UP ON THE COMPREHENSIVE TRANSPORTATION PLAN SCOPING STUDY.

Mr. Shawn O'Leary, Director of Public Works, introduced Mr. Charlie Schwinger, Senior Project Manager, Lochner, who provided an update to the Comprehensive Transportation Plan (CTP) Scoping Study. Mr. Schwinger said four of the eight CTP Ward meetings have been held and on average were attended by 15 citizens. He said some of the 15 citizens have attended more than one of the CTP Ward meetings, but a large range of different opinions and thoughts have been gathered. Mr. Schwinger said a summary of comments from the four CTP Ward meetings have been provided.

The CTP *Moving Forward* social media sites/links - facebook, twitter, and flickr are up and operating. Mr. Schwinger said they can be accessed through the City of Norman website and there are many opportunities for citizens to weigh in their thoughts and opinions via the internet.

Mr. Schwinger provided summaries of the CTP Visioning Committee interviews to the Committee and said major concerns or issues were captured. He said summaries were organized based on the ten categories that were identified by the Association of Central Oklahoma Governments (ACOG) through the Encompass 2035 process and will be used to assist in preparing the questions that will be incorporated in the City-wide CTP survey.

The thirteen online survey results/responses were also provided to the Committee and Mr. Schwinger said topics on the survey included existing conditions, future conditions, implementation and goals, policies, and measures of performance. Mr. Schwinger provided an overview of the Visioning Committee survey results. The importance of the following regional transportation goals in Norman's CTP include:

1. Connectivity
2. Performance
3. Safety and security
4. Maintenance
5. Livability
6. Environmental responsibility
7. Equity
8. Economic strength
9. Community
10. Options

Modes of travel ranked by funding priority.

1. Local transit
2. Community major streets
3. Regional transit
4. Regional highways and interchanges
5. Bicycle network
6. Pedestrian network
7. Community local streets
8. Freight movement

Traffic system improvements ranked by funding priority.

1. Fix problem locations
2. Improve safety
3. Multi-modal
4. Increase capacity
5. Traffic technologies
6. Traffic information

Most important issues as they relate to transportation in Norman.

1. Safety
2. Maintenance
3. Multi-modal
4. Financing
5. Quality of life
6. New construction
7. Policies
8. Major street capacity
9. Aesthetics
10. Regional mobility

Mr. Schwinger said the CTP Visioning Committee met early today and had a very productive workshop/meeting. He said the Committee discussed key issues from the one-on-one interviews and the survey. The CTP Visioning Committee then broke in to small focus groups to discuss existing conditions pertaining to traffic congestion, traffic safety, bike/pedestrian, and transit and the future conditions regarding traffic growth, transit, long range improvements, and system planning. The small focus groups also discussed how to implement a CTP to include setting priorities, short range improvements, long range improvements, and financing strategies, as well as CTP goals, policies, and measures of performance.

The CTP Visioning Committee reviewed and discussed the community survey and Mr. Schwinger provided the CPTC with the draft community survey as well. He said ETC Institute provided survey templates/samples for how questions should be posed so they would be non-biased and non-leading. He said specific Norman issues were plugged into the survey and once Council approves the survey they will be sent randomly to 1800 residents. Along with the surveys an automated phone message will go out to the 1800 households explaining that they will be receiving a CTP survey and please complete and return to the City. Mr. Schwinger said Staff should expect to receive at least 400 valid surveys back. He said the process from the time the surveys are mailed to receiving the preliminary results tabulated is approximately six to eight weeks.

Mr. Schwinger requested each CPTC member review the survey and said it was extremely important to make certain the questions are very clear, not misleading, and/or comprehensive enough. He said good survey questions that are relevant to Norman may be the most significant piece of the CTP. Mr. Schwinger said the draft survey also has several areas/sections where questions can be added, e.g., bond issue, financing, etc. Mr. O'Leary said Staff felt this would be a great opportunity to gather citizen information and consensus regarding General Obligation (G.O.) Bond issues and financing. He agreed with Mr. Schwinger and felt the community survey is the greatest opportunity in the data gathering process to obtain good public information, but it is only as good as the question(s) being asked. Mr. O'Leary requested the CPTC members look over the questionnaire survey as soon as possible and give their input so this can be scheduled for full Council consideration. He said Staff's goal was to have this issue before Council in December 2011.

Mr. Schwinger provided information on the statistical sampling for the community transportation survey and compared it to the Gallop Poll, i.e., everyone across the country is not surveyed but rather a statistically valid sample that is scattered throughout the country. He said the last page of the draft community transportation survey includes demographic questions such as number of persons in household, household income, race, gender, etc., to ensure the survey is statistically representative of the community. Mr. Schwinger said the scattering is based on population; therefore, the survey can be sent more or less in one area over another depending on the population of those areas based on the 2010 Census. Chairman Dillingham said everyone present at the meeting could begin talking to their families, neighbors, etc., and let them know if they receive a phone call and community transportation survey it is critical they complete it and turn it back it.

Mr. O'Leary said this topic dovetails nicely with the previous discussion and if Council would like public input regarding the Storm Water Utility (SWU) fee and G.O. Bond issue, one or two questions could be added to the community transportation survey in order to obtain public consensus that would assist Council with making the storm water issue(s) decision.

Mr. Harold Heiple, CTP Visioning Committee member, said the first page of the draft community transportation survey was good and personalized, but the questions on page two needed to be re-written and personalized, in such a way the citizen can state they "will be personally impacted by" or "are personally impacted by" a particular question/topic, as well as "whether or not they support the question/topic" and "will you vote to pay for the question/topic". He said if the voters do not approve the G.O. bond that the City proposes, the entire process is wasted time.

Councilmember Gallagher felt the citizens who repeatedly go to the different CTP Ward meetings can not be counted each time because they voice the same opinion/input each time. He said the scoping process has not gotten to date a wide variety of citizen input and that concerns him. Councilmember Griffith felt information can be skewed if the same group of people is attending multiple meetings and contributing with the same ideas. Councilmember Kovach asked how Staff and Lochner are handling those situations and Mr. Schwinger said the information obtained at the CTP Ward meetings and given to Staff is not in any way tabulated as votes or a survey. Mr. Schwinger said the information is simply a list of issues that have been brought forward and/or said and part of the value in this process is to get people to begin thinking about priorities. He said ultimately the community transportation survey will obtain the reliable information. Mr. O'Leary said the theory of the scoping process is attacking issues using all angles, e.g., the CTP Ward meetings, scientific survey, social media, CTP Visioning Committee, etc., and Staff will provide the outcome of *all* information gathered. He said parts of the process may be skewed a bit based upon the format, but all of the information provided will begin to make sense and start giving Council direction. Chairman Dillingham said Staff and Lochner are not making any assumptions but merely providing the information gathered. She said ultimately it is Council who will have to grapple with the information and make the discussion.

Chairman Dillingham asked everyone present at today's meeting to take the draft community transportation survey, make comments, and get them back to Staff as soon as possible. She said once Staff and/or Lochner have the revisions made, she requested the revised survey be provided to the CTP Visioning Committee to review.

Items submitted for the record

1. Comprehensive Transportation Plan Steering Committee and Visioning Committee Kick-Off/Meeting No. 1 agenda for September 22, 2011
2. Powerpoint Presentation entitled "Moving Forward," presented by Lochner
3. CTP Steering Committee Work Session/Meeting No. 2 for Wednesday, October 26, 2011
4. Visioning Committee Survey Results
5. Moving Forward comments from the Ward 5 meeting on October 17, 2011
6. Moving Forward comments from the Ward 2 meeting on October 19, 2011
7. Moving Forward comments from the Ward 4 meeting on October 20, 2011
8. Moving Forward comments from the Ward 6 meeting on October 24, 2011
9. Meeting schedule
10. Draft Community Transportation survey

MISCELLANEOUS DISCUSSION.

None.

The meeting adjourned at 7:15 p.m.

City Clerk

Mayor